

JUDICIARY TIMES

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ADOPTION DAY CELEBRATED THROUGHOUT NEW JERSEY.

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CJR at one year: Much done, much left to do

By Judge Glenn A. Grant
Acting Administrative Director of the Courts



Judge
Glenn A. Grant

One year ago, inspired by the leadership of Chief Justice Stuart Rabner, New Jersey leapt to the forefront of a movement to reform our nation's criminal justice system.

With Criminal Justice Reform, we eliminated a centuries-old system that allowed money to dictate which defendants were detained until trial and which were allowed to go free. Those accused of low-risk crimes were too often detained until trial simply because they lacked financial resources. Defendants with enough money had the ability, in essence, to buy their freedom by posting bail, regardless of the risk they posed.

Working with all members of our state's criminal justice system, we have made significant strides to eliminate these injustices. We now have a system that guides judges to reach pretrial release decisions through a fair and evidence-based assessment of the risk a defendant poses.

A year into this monumental change, Criminal Justice Reform is working as intended. This statewide transformation would not be possible without the dedicated and talented members of the New Jersey Judiciary. The successful implementation of Criminal Justice Reform is a powerful testament of our ability to work together with the other branches of government and across the entire criminal justice system – judges, court staff, prosecutors, public defenders, the bar, and law enforcement.

While Criminal Justice Reform has faced criticism from opponents, many have taken notice of our success. In November, New Jersey received the only "A" grade in a state criminal justice report card issued by the Pretrial Justice Institute. National media outlets such as The New York Times, The Washington Post, and The Wall Street Journal have praised New Jersey's efforts. Closer to home, The Press of Atlantic City noted "In the centuries ahead, 2017 will be regarded as the year cash bail was abandoned in favor of a remarkably more effective system – with New Jersey as the leader of the nationwide movement."

We have accomplished a great deal but much work remains to be done. Criminal Justice Reform is an effort that requires ongoing commitment and analysis. We continue to fine tune the program in response to case law, changes in technology and input from stakeholders. I have often equated the process of implementing Criminal Justice Reform with building a house or with running a marathon. From that perspective, we should view where we are at present as a time in which we address minor construction issues or prepare for the next leg of the marathon.

We will continue to measure quality assurance for pretrial monitoring and evaluate compliance with speedy trial deadlines. We will continue our community outreach efforts at churches, career fairs, service organizations, and wherever else possible. We will strive to reach the diverse communities and neighborhoods of our state, like the recent panel discussion held in the Atlantic/Cape May Vicinage specifically for the Spanish-speaking community.

I want to thank our judges and staff for the vital role they continue to play in this historic effort to make Criminal Justice Reform in New Jersey a model for the rest of the country.

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Surviving Tuskegee Airmen share struggle for equal treatment in a segregated nation

By MaryAnn Spoto
Communications Manager
Administrative Office of the Courts

Three former members of the legendary Tuskegee Airmen recently shared some of their experiences in the first African-American World War II fighter group with New Jersey Judiciary employees as part of Black History Month. The three men, all in their 90s, regaled the audience with tales of segregation and adventure experienced by the group that earned a reputation as having some of the best pilots in the war after first being prevented from flying because of their race.

Through their struggle for equal treatment in battle, the actions of these nearly 1,000 aviators, who fought against racism as well as Nazism, led to the desegregation of the United States military. "We had to sue the Army in order to get the chance to be pilots," said Eugene J. Richardson Jr, 92, who at 17 left his home in Camden and headed to Tuskegee Institute in Alabama to become a pilot.

Started in 1881 as a teachers college, Tuskegee Institute became the site the U.S. Army Air Corps used beginning in 1941 to train African-American fliers. Until that time – and even beyond – African-Americans had been viewed as not having the intellect or the ability to operate military aircraft, Richardson said.

But these airmen were eager to go to combat to disprove those beliefs, he said. Still, it took months before an African-American squadron got a combat assignment, he said. These pilots dispelled those racist views through their prowess and success during missions protecting ground forces from enemy air attacks and escorting bombers deep into enemy territory, Richardson said. "They turned out to be some of the best pilots in the whole war," he said.

Judge Glenn A. Grant, acting administrative director of the courts, called the airmen "a group of young brave men who decided to make a difference." "What you men have been able to do is allow us to stand on your shoulders and advance that mission of justice," Judge Grant said. The Tuskegee Airmen included about 1,000 pilots, but it also was comprised of 10,000 others, including doctors, nurses, police officers, air traffic controllers, air weathermen and cooks, among other support personnel.

Cornelius Gaither, 90, of Philadelphia, was an oral surgeon with the Tuskegee Airmen. He credits the ground support as having an equally important role in the success of the group. "Not all flew," he said.

Roscoe Draper, 98, became a flight instructor with the Tuskegee Airmen by accident. As a young man with a desire



Judge Glenn A. Grant, acting administrative director of the courts, introduces (from left) Melvin Payne, Cornelius Gaither and Eugene Richardson.

to be an auto mechanic, he attended Hampton Institute in Virginia, where he learned of a program at Tuskegee to become a pilot. Despite Draper earning his pilot certification, the U.S. Army Air Corps rejected his application in 1940 to become a military pilot. So he taught.

After World War II, he took a job with the U.S. Postal Service, where he worked for 23 years before transferring to the Federal Aviation Administration. At 60, he became a helicopter pilot instructor "because I missed flying," he said. "I'm happy to have had a career in aviation," he said. Richardson and Gaither joined Melvin Payne, president of the Greater Philadelphia Chapter of Tuskegee Airmen Inc., at the Richard J. Hughes Justice Complex in Trenton on Feb. 16 for the program, which was broadcast live to the vicinages. Draper, a resident of Westwood, Bergen County, joined the group remotely from the Bergen Vicinage.

Around his neck, Richardson, a retired school principal, wore the Congressional Gold Medal awarded collectively to the airmen in 2007. While the NAACP and other organizations fought to get African-American pilots into combat, it was a 1941 visit to Tuskegee by then-First Lady Eleanor Roosevelt that also helped spur a change. Richardson said Mrs. Roosevelt's hour-long flight, piloted by Chief Civilian Flight Instructor Charles Alfred Anderson, drew attention to the competency of African-Americans at the controls of aircraft and helped get them combat missions.

President Harry Truman signed an executive order integrating the military in 1948. Payne, a Vietnam War veteran, said the trio had spoken at nearly 25 Black History Month events by mid-month and were scheduled for others. The chapter's members include six Tuskegee Airmen. As their numbers dwindle, Payne said, it will be important for their children and others to educate the public about their contributions to changing the profile of African-Americans in the military. "It's such an important change in the American way of life... that we cannot let it get lost," Payne said.

Judge Michael P. King, 82, longtime Appellate Division judge

By Mike Mathis
Judiciary Times Editor

Judge Michael Patrick King, a widely respected appellate judge whose career on the bench spanned more than 30 years, died on Nov. 25, 2017 at his Haddonfield home. He was 82.

Judge King, considered a giant in the legal community, authored more than 3,000 opinions for the Appellate Division, about 450 of which were published opinions. He was the first judge who was not a presiding judge for administration honored with the dedication of a volume of the *Superior Court Reports*.

Judge King, known by family, friends and colleagues as "Pat," was so highly regarded among his fellow jurists that the Supreme Court twice tapped him as a special master to oversee two major cases. Known for his humor and self-deprecating manner, Judge King crafted opinions that the public understood, an attribute that some credited to his modest upbringing. "He was an intellectual with absolutely no arrogance, and he had a terrific sense of humor," said retired Appellate Division Presiding Judge of Administration Edwin H. Stern. "He was perceived as a people person, not as an ivory tower judge."

Born in Camden in 1934, Judge King graduated from Haddonfield Memorial High School in 1952, attended Georgetown University and then transferred to and graduated from Fordham University. He earned a law degree from the University of Pennsylvania Law School in 1959 and later a master's degree in judicial studies from the University of Virginia.

Judge King was a partner in the law firm of Kisselman, Deighan, Montano, Deighan, King & Summers from 1960 until 1972, when he was appointed to the district court bench in Camden County. He moved to the Camden County Court, Superior Court and then to the Appellate Division, where he sat for 25 years before he retired in 2004. Judge King's judicial service in Camden is memorialized by his portrait, painted by his wife Jane, which hangs in a courtroom in the Hall of Justice. Camden Vicinage Assignment Judge Deborah Silverman Katz said

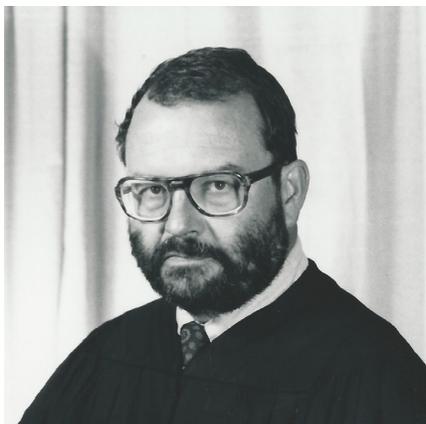
the judges who worked with Judge King thought him to be insightful and often sought him out for advice. He was happiest when he was sharing ideas and teaching others about the law, she said, and he prided himself on engaging attorneys when they appeared before him, rather than preaching to them, and he had a talent for putting them at ease when they appeared before him.

"He had no ego, was humble, and was eager and willing to teach, what he knew, what he thought, and to offer ideas and suggestions," Judge Silverman Katz said. The Supreme Court twice turned to Judge King for extraordinary special master assignments, the remand hearing in the school funding case *Abbott v. Burke*, and in *State v. Chun*, where he was tasked by the court to determine the scientific

reliability of the Alcotest device used to determine the blood-alcohol level of those suspected of driving under the influence. At Rutgers School of Law in Camden, where Judge King taught a course called New Jersey Practice for 15 years, he mentored students and hired many of them to serve as law clerks. He was especially attentive to ensuring women had an equal chance at succeeding in legal careers.

"He was a tremendous asset to the law school and his law clerks worshipped him," said Rutgers School of Law Professor Robert F. Williams. Appellate Division Judge Allison Accurso, who clerked for Judge King from 1985 to 1986, said she considered herself "incredibly lucky" to have clerked for him. "Our year with this great judge made us all better lawyers," she said at Judge King's memorial service. "It made us better people too. Because to his law clerks, he will always be more than just the great judge, he was the rare and wonderful teacher who used his experience to help us master, not just facts, but understanding."

Judge King also was active in his community. He coached Little League and served as counsel to the Haddonfield Planning Board from the mid-1960s until his appointment to the bench. He is survived by his wife of 57 years, Jane Gifford King; children Stacey, Gifford, and Matthew King and Jenny Dembergh; and six grandchildren. A memorial service was held Dec. 8, at the Unitarian Universalist Church in Cherry Hill.



Judge Michael Patrick King

Judge Ariel A. Rodriguez, 70, served temporarily on the Supreme Court

By MaryAnn Spoto
Communications Manager
Administrative Office of the Courts

Former Appellate Division Presiding Judge Ariel A. Rodriguez, who served temporarily on the state Supreme Court before retiring, died on Nov. 10. He was 70. Assigned on a temporary basis to the Supreme Court by Chief Justice Stuart Rabner on Oct. 1, 2012, Judge Rodriguez spent two years on the state's highest court to fill one of two vacancies that existed at the time on the seven-member panel.

"Ariel Rodriguez was a talented jurist and leader," Chief Justice Rabner said in a statement. "He was a kind and true gentleman who will be greatly missed by his many friends in the Judiciary."

Judge Rodriguez started his law career as a prosecutor with the Hudson County Prosecutor's Office in 1973. Following his work there in 1976, he joined close friend Alvaro Iglesias in private practice as a defense attorney. He also taught legal courses at Hudson County Community College while building the practice.

"I appeared in front of Judge Rodriguez on numerous occasions in both the trial and appellate courts and found him to be a passionate, caring and impartial jurist," Hudson County Assignment Judge Peter Bariso said.

Appointed to the Superior Court on Dec. 5, 1985, Judge Rodriguez was assigned to the Hudson Vicinage before he was elevated to the Appellate Division in 1993. He was named presiding judge of the Appellate Division in 2004.



Judge Ariel A. Rodriguez

He retired in June 2014 after his stint on the state Supreme Court.

Judge Rodriguez was born in Havana, Cuba, and emigrated to New York City when he was 11. He earned his undergraduate degree from Rutgers University in 1970 and his law degree from Rutgers University School of Law in Camden in 1973.

He is survived by his wife Karen M. Padreza; son Gabriel Rodriguez; stepdaughter Makeida Hewitt Estupiñan; sister Cassandra Rodriguez as well as a niece and many cousins and relatives. Funeral services were held Nov. 18 in Wyckoff.

Middlesex Vicinage honors veterans

By Lisa Jodice
Law Librarian
Middlesex Vicinage

Middlesex Vicinage judges and staff gathered at the family courthouse in New Brunswick on Nov. 13 to honor the nation's veterans.

Judge John Jorgensen and Judge Ana Viscomi hosted the annual event to mark Veterans Day. This year's speakers included Judge Phillip L. Paley and U.S. Air Force Major Gen. Robert G. Kenny. Judge Paley, a Vietnam War veteran, recalled traveling to Washington D.C. for the dedication of the Vietnam War Memorial and connecting with others

who served. He described the memorial as an important symbol for Vietnam veterans who did not always receive respect and gratitude when they returned to the United States.

Kenny, who retired from the Air Force in 2015, said he is proud to wear his uniform again to honor veterans, adding that veterans are everyday heroes even after they hang up their uniforms and should be honored for their willingness to serve and to do what is needed to protect the country and its citizens. Kenny closed the ceremony with a salute to veterans and their families.

New Jersey celebrates National Adoption Day

National Adoption Day, held annually on the third Saturday in November, gives judges, attorneys, court professionals and child advocates the opportunity to come together as they witness the courtrooms fill with smiles as children become a permanent part of their new families. For those who are committed to creating forever families for these children, this annual event has become a highlight they look forward to every year. The following is a look at some Adoption Day activities across the state.

BURLINGTON

By Donna Mazzanti
Administrative Specialist IV
Burlington Vicinage

Judges Mark P. Tarantino and Gerard H. Breland finalized the adoptions of 10 children during the 11th Adoption Day celebration at the Burlington County Courthouse in Mount Holly on Nov. 17.

After the adoptions were finalized, the families continued their celebration with lunch and activities at the Funplex in Mount Laurel. Vicinage staff and volunteers from various agencies assisted the children in a variety of arts and crafts. The Burlington County Bar Foundation provided toy bears for the children, and each family received a gift basket.



London Lane, 4, was adopted by mother Wednesday Lane on Adoption Day in the Burlington Vicinage.

MIDDLESEX

By Charles Hager
Family Division Manager
Middlesex Vicinage

The Middlesex Vicinage celebrated National Adoption Day on Nov. 14 with the finalization of the adoptions of 15 children. James P. Nolan Jr. of the Middlesex County Bar Foundation, Assignment Judge Alberto Rivas, Family Presiding Judge Deborah Venezia and Middlesex County Freeholder Director Ronald Rios spoke.

Judge Rivas presided over each adoption. He thanked the social workers and the various agencies involved for their tireless work on behalf of the children. Lisa Von Pier, assistant commissioner of the New Jersey Department of Children and Families, addressed the audience with heart-warming inspirational words of encouragement to the new forever families. Teenage author Gianni Raimundo spoke of her experiences and appreciation of being an adopted child.

While the children, families and friends waited for their adoption ceremonies, they enjoyed a continental breakfast. At the conclusion of the ceremony, each child was given a keepsake teddy bear from the Middlesex County Surrogate's Office. They each also received gifts given anonymously. The program was sponsored by the vicinage, the surrogate's office, New Jersey Division of Child Protection and Permanency, the Middlesex County Board of Freeholders, the Middlesex County Bar Association and the Court Appointed Special Advocates.



Children whose adoptions were finalized in the Middlesex Vicinage received their choice of books and games.



Gianni Raimundo, 17, was among the children whose adoptions were finalized in Middlesex Vicinage.

MONMOUTH

By Jennifer Montano
Court Services Supervisor II
Monmouth Vicinage

A total of 17 adoptions were finalized at a celebration at the Monmouth Vicinage on Nov. 17. A total of 14 children and three adults were adopted into their forever homes. Judges Teresa Kondrup-Coyle, James J. Mc Gann, Angela White Dalton, Gregory L. Acquaviva, Henry P. Butehorn, Andrea I. Marshall and Terence P. Flynn presided over the proceedings.

Family Division Presiding Judge Kathleen A. Sheedy spoke about the courthouse being “full of happiness” as those being adopted “begin their journey in life in their new forever homes.” She noted the importance of public awareness regarding New Jersey’s safe haven law that allows a parent, or someone acting on their behalf, to anonymously bring a baby less than 30 days old to a police station or hospital emergency room.

Judge Sheedy introduced keynote speaker Robert McNamara, recalling that she had presided over the adoption of one of his children. McNamara said he and his wife were inspired to adopt six children of their own because he was adopted. He discussed the joys and challenges of parenthood, adding that parents must learn to grow and place their children’s needs first.

At the celebration, the youngest adoptees received a teddy bear and a pin that read, “I’m Special, I Am Adopted.” Older adoptees received gift cards. The items were provided by the Monmouth Bar Association.

Before the adoption proceedings, a reception was held and framed photos were presented to each new family. The children enjoyed crafts and staff dressed as cartoon characters. The program was co-hosted with the New Jersey Division of Child Protection and Permanency (DCP&P), the Monmouth County Surrogate’s Office, the Monmouth Bar Association, and the Court Appointed Special Advocates (CASA).

Informational material about the adoption process was available and representatives from DCP&P and the surrogate’s office assisted families and answer questions.

Jeffrey and Kate Johnson (top) adopted Ellianna Rose Johnson during Adoption Day ceremonies in the Monmouth Vicinage.

Samantha Marie Mitcham-Smith (right) was adopted by Karen Mitcham and Victoria Smith during Adoption Day ceremonies in the Monmouth Vicinage.



Volunteering to help those who lost everything to Hurricane Irma

By Jessica Kwasnick
Assistant Chief, Probation Services
Morris/Sussex Vicinage

Hurricane Irma, one of the most powerful storms ever recorded in the Atlantic, ravaged parts of the U.S. Virgin Islands, tearing off roofs and crippling the only hospital on St. Thomas.

On Sept. 20, 2017, Senior Probation Officer. Laura Bielanowski received a call from the American Red Cross to deploy. She departed two days later from LaGuardia Airport in New York, making her way Atlanta, GA, San Juan, Puerto Rico and, four days later, St. Thomas.

Once in St. Thomas, Bielanowski paired with other volunteers and many locals who knew the area. Together they delivered water, food and clean-up kits. Bielanowski also helped operate a shelter for elderly and disabled people, many with severe medical needs. She said her skills and knowledge as a probation officer helped her deal with

the catastrophe. "Every difficult situation I encountered, I wished that I had fellow probation officers with me because the stress and the conditions were deplorable," Bielanowski said. "The skills that a probation officer possess were so useful in dealing with the chaos, the trauma and the bureaucracy."

Bielanowski worked 10- to 12-hour days assisting anyone she encountered, in any way she could. For about 10 days, she slept on a construction ship off of St. Thomas. Bielanowski said she found the people to be resilient and was shocked they weren't focusing on everything they lost, but on God and the future.

"The people were so kind and appreciative even though they lost everything," she said. Asked if she would do it again, Bielanowski said "absolutely, in a minute." The trip was her sixth national disaster tour with Red Cross. She has worked during many local disasters.



Hurricane Irma destroyed many buildings on St. Thomas, including this church, as seen from a local road.

Court execs complete NCSC course



(From right) Sharnett Clark from Atlantic/Cape May Vicinage, Melanie Nowling from Passaic Vicinage, Ann Marie Fleury from the Administrative Office of the Courts and Audrey Rigsbee from the Hudson Vicinage completed training at the National Center for State Courts (NCSC) headquarters in Williamsburg, Virginia in October. They are now certified by the NCSC's Institute for Court Management (ICM) to teach the ICM course *High Performance Court Framework* and will be the instructors for sessions when offered in New Jersey.

Middlesex Vicinage celebrates Hispanic Heritage Month

By Luis Hernandez
Ombudsman
Middlesex Vicinage

The Middlesex Vicinage celebrated Hispanic Heritage Month with several events. From Sept. 18 to Sept. 22, staff presented cultural displays from various Latin American countries at the family courthouse in New Brunswick.

On Sept. 21, court interpreter James Farrell gave a lecture on *The Manila Galleon*, a book by William Lytle Schurz.

The Manilla Galleons were Spanish trading ships that made round-trip voyages once or twice a year across the Pacific Ocean from the port of Acapulco (present-day Mexico) to

Manila in the Philippines, both of which were part of New Spain.

Juan Cartagena, president and general counsel of Latino Justice, was the featured speaker at the vicinage luncheon on Oct. 6. Staff was invited to participate in four Hispanic-themed trivia contests throughout the month. Hispanic Heritage Month is celebrated in the United States annually from Sept. 15 to Oct. 15. This year marked the 230th anniversary of the signing of the U.S. Constitution in 1787.



Some of the artifacts, books and photos displayed during Middlesex Vicinage's Hispanic Heritage Month celebration.



Court interpreter James Farrell discusses the book *The Manila Galleon*, a book about Spanish trading ships.

Editor's Note

The deadline for the Spring 2018 edition of the *Judiciary Times* is Friday, March 23. Feature stories about court programs and newsworthy profiles about judges and court staff are welcome. Submissions can be sent to mike.mathis@njcourts.gov.

Lunch n Learn focuses on Judiciary's ombudsman program

By Kelly Gibson
Ombudsman
Bergen Vicinage

An informative lunch-n-learn presentation about the Judiciary's ombudsman program was conducted at the Richard J. Hughes Justice Complex in Trenton on Jan. 12.

The one-hour course provided a glimpse into the daily challenges of assisting self-represented litigants, a historical discussion of how the ombudsman program began, and how the position has evolved over the past 10 years. Vicinage Ombudsmen Kelly Gibson from Bergen, Pauline Daniels from Hudson, Vanessa Cardwell from Cumberland/Gloucester/Salem and June Zieder from Passaic and Janie Rodriguez, litigant services manager were the participants.

The ombudsman program is principally focused on providing information and assistance to unrepresented litigants. This includes explaining procedures and rules and coordinating community outreach programs, all in effort to improve access to the courts.

Through the Self-Help Center at njcourts.gov, an

ombudsman can guide litigants over the phone on how to locate forms and what the forms mean. Through the attorney portal on the website, litigants can review Rules of Court to better understand a judge's decision and order.

The ombudsman program also created the "NJ Help" app, which helps litigants find an ombudsman or office information immediately upon entering a courthouse anywhere in the state. The program has continued to expand, primarily because of the increase in self-represented litigants. The number of self-represented litigants using ombudsman offices throughout the state reached 69,130 in 2016.

The ombudsman program grew out of experiences relayed to the Task Force on Women in the Courts, an outgrowth of the Task Force on Minority Concerns. The task force authored a report recommending to the Supreme Court the creation of an office within the courts that would enhance the experience and fair treatment of minorities in the court. The program began as a pilot in 1997 in Essex Vicinage. The Judicial Council approved it for implementation statewide in 2005.

Judge Joseph M. Andresini named presiding Tax Court judge

By MaryAnn Spoto
Communications Manager
Administrative Office of the Courts

Chief Justice Stuart Rabner has named Judge Joseph Andresini to become the presiding judge of the Tax Court upon the assignment of Judge Patrick DeAlmeida to the Appellate Division. The appointment was effective on Jan. 16, 2018. Judge DeAlmeida served more than eight years as presiding Tax Court judge.

Judge Andresini, 67, of Haworth, Bergen County, was appointed to the Tax Court by Gov. Jon Corzine and took office on Oct. 1, 2009. He was reappointed by Gov. Chris Christie on June 29, 2016.

Prior to his judicial appointment, during a career in private practice that spanned 25 years, he specialized in tax appeals, condemnation, land use and real estate transactions. He also served as municipal prosecutor and

public defender for Closter and Haworth boroughs.

Judge Andresini is a 1984 graduate of Seton Hall University School of Law and received his bachelor's degree in political science in 1973 from Fairleigh Dickinson University. "Having started as a law clerk in the Tax Court, I am extremely honored and humbled to serve as a Tax Court judge and now presiding judge," he said. The Tax Court handles disputes between taxpayers and local and state taxing agencies. Created in 1979, the Tax Court resolves appeals of local and county tax officials regarding the assessment of real property for municipal, county and school board taxes.

The court also hears appeals of decisions made by the director of the state Division of Taxation on state income, sales, estate, and business taxes, as well as other taxes, and on homestead rebates.

Two from probation win national honor for interstate cooperation

Candice M. Alfonso and Monique Griffith of the Office of Probation Services, Interstate Compact Unit, received a national award for working with Pennsylvania officials to return a combative female offender to New Jersey.

The Pennsylvania Deputy Compact Administrator nominated New Jersey Interstate Compact staff for the Spirit Sighting Certificates of Recognition, which was given by the Interstate Commission for Adult Offender Supervision at the commission's annual business meeting in October.

When Pennsylvania agents initially arrested the woman on the New Jersey warrant on Aug. 15, 2017, she kicked over a watercooler in the office, threw water on a computer and became aggressive with office staff. When the agents attempted to detain her, she claimed she was pregnant and miscarrying, so she was taken to a hospital where she refused treatment. Multiple holding facilities were contacted, but none would agree to accept her due to the potential medical issues, so she was released.

When New Jersey was notified of the woman's release, Pennsylvania was able to have the offender rearrested and held by the local police until pick up was in place for the following day. Griffith was instrumental in providing the information necessary for Pennsylvania and New Jersey to coordinate the quickest pick up arrangements possible.

Alfonso was off that day, but she was available to discuss the issues the offender presented with the Pennsylvania Compact Office, the New Jersey field staff and the local sheriff's extradition unit.

The Interstate Commission for Adult Offender Supervision rules were created to promote public safety and facilitate the transfer of supervision of 250,000 offenders nationally. Compacts such as ICAOS have the authority of federal law and supersede any state law to the contrary.



Monique Griffith



Candice Alfonso

Superior Court Judge Lisa Rose appointed to appellate division

By MaryAnn Spoto
Communications Manager
Administrative Office of the Courts

Superior Court Judge Lisa Rose has been temporarily assigned to the Appellate Division effective Jan. 2, 2018, Chief Justice Stuart Rabner announced. The Appellate Division of the Superior Court is New Jersey's intermediate appellate court. The 32 Appellate Division judges hear appeals from decisions of the trial courts, the Tax Court and state administrative agencies.

The Appellate Division generally decides between 6,000 and 6,500 appeals and about 8,500 motions annually. Judge Rose had been temporarily assigned to the Appellate Division for the period of Sept. 11 through Nov. 19, 2017, and is currently in the civil division in Hudson Vicinage until her reassignment in January.

A graduate of Rutgers University and Seton Hall School of Law, Judge Rose was appointed to the Superior Court bench by Gov. Chris Christie in 2011. She sat in the criminal and civil divisions in Hudson Vicinage prior to her Appellate Division assignment. Judge Rose comes up for tenure in July 2018.

Before joining the Judiciary, Judge Rose served as an assistant prosecutor in Essex County, as a deputy attorney general, and as an assistant U.S. attorney immediately before taking the bench. She also worked in private practice with firms in Newark and Jersey City.

"It has been an honor to serve with such talented judges and staff and I look forward to continuing that service in my new role," Judge Rose said. "I am thankful for and humbled by Chief Rabner's confidence in me."

Middlesex and Union vicinages hold joint aging out event

By Candace Covington-Thomas
Family Division
Middlesex Vicinage

The Middlesex and Union vicinages co-sponsored an annual, daylong youth aging out empowerment conference, *emPower Up!* on Nov. 13 at Rutgers University in Piscataway.

New York Times bestselling author and activist Regina Calcaterra delivered the dynamic and engaging keynote address. Calcaterra discussed her memoir, *Etched in Sand*, detailing how she and her four siblings survived an abusive and painful childhood only to find themselves faced with the challenges of the foster-care system and intermittent homelessness. Each youth met and received a personally autographed copy of *Etched in Sand*.

Approximately 80 youth and 25 vendors attended the event, which was held to provide information on services available to adolescents ages 15 to 21 who are not in permanent homes and will be transitioning from the supervision of the New Jersey Division of Child Protection and Permanency (DCP&P).

Many adolescents who have experienced out-of-home placements are not aware of the programs, resources and funds available to them to assist with their transition to adulthood. Information about housing, medical insurance and funding for postsecondary education was provided. The conference was created through a partnership among the vicinages' family divisions, DCP&P, the Children in Court Advisory Council, Office of the Public Defender, Office of Law Guardian, United Way of Central Jersey and Greater Union County, the Karma Foundation, A Birthday Wish, Scott Hazelcorn Children's Foundation, Rutgers University, and the Court Appointed Special Advocates (CASA).



Some of the materials available to youth at the aging out event in Piscataway.

Middlesex Vicinage hosts professionalism day

By Lisa Jodice
Law Librarian
Middlesex Vicinage

The Middlesex Vicinage and the Middlesex County Bar Association hosted Professionalism Day on Nov. 2 in the main courthouse in New Brunswick. Bar association President William P. Isele moderated the event and Assignment Judge Alberto Rivas delivered opening remarks. Speakers included retired Middlesex Vicinage Assignment Judge Travis L. Francis and Family Division Judge John Jorgensen.

The theme of the seminar was “Lawyers in the White House.” Judges Francis and Jorgensen discussed the presidents who practiced law before they were elected and how their legal backgrounds influenced them during their time in office. The event was well attended by members of the local legal community.



Among those who participated in Professionalism Day were Judge John Jorgensen, retired Assignment Judge Travis L. Francis and current Assignment Judge Alberto Rivas.

New Jersey Judiciary launches website detailing Supreme Court history

By Mike Mathis
Judiciary Times Editor

The New Jersey Judiciary has unveiled a website that chronicles the rich history of the state’s highest court dating to the adoption of the current state constitution in 1947. The New Jersey Supreme Court Virtual Museum, created and maintained by the New Jersey Supreme Court Historical Advisory Board, includes speeches, correspondence, videos and photographs of the court, and key figures in its history.

The site also includes detailed biographical profiles of the first six chief justices to serve under the 1947 New Jersey Constitution. The Supreme Court Historical Advisory Board also has partnered with the Rutgers Oral History Archives to conduct in-depth interviews of living chief justices and associate justices.

Chief Justice Stuart Rabner formed the court’s Historical Advisory Board last year to preserve the history of the state’s highest court. Chaired by retired Supreme Court Associate Justice James H. Coleman Jr., the board is composed of sitting and retired justices and judges as well as law school professors and deans and attorneys. “The

Virtual Museum is part of an ongoing effort to preserve our history and educate the public about the work and legacy of the Supreme Court,” Chief Justice Rabner said. “We hope visitors to the site find it informative and engaging.” New Jersey has had a Supreme Court since before it became a state on Dec. 18, 1787. However, the Supreme Court did not become the state’s highest appellate court until 1948. New Jersey’s first constitution in 1776 included a Court of Appeals, which was then the state’s court of last resort. The state constitution of 1844 established the Court of Errors and Appeals as the state’s highest court, deriving its name from its function of hearing appeals and correcting errors of lower courts.

That court was abolished after voters approved the 1947 state constitution establishing today’s New Jersey Supreme Court, which held its first session in its courtroom in the Statehouse Annex in Trenton on Sept. 15, 1948. Photographs of that courtroom are featured on the new website. In addition to maintaining the Virtual Museum, the Historical Advisory Board will develop short- and long-term projects to educate the public, preserve court-related materials and artifacts and commemorate significant court-related milestones. The Virtual Museum can be accessed at www.njcourts.gov/courts/supreme/vm/scvirtual.html.

Close collaboration among stakeholders on Criminal Justice Reform in Monmouth Vicinage

Editor's Note: A version of this story was published in the newsletter of the Monmouth Bar Association.

On Jan. 1, 2017, New Jersey implemented a groundbreaking improvement to its criminal justice system. We abandoned our traditional resource-based system of pretrial release in favor of a new risk-based system that bases pretrial release decisions on an examination of objective factors. The new system allows defendants who present a risk of violence to be held until trial, while low-risk defendants are released under appropriate levels of monitoring and supervision while awaiting trial.

New Jersey is among the first statewide jurisdictions leading the nation's charge into a new and fairer era of criminal justice.

Monumental changes were made to the criminal justice process. The state constitution was amended, statutes were passed, new court procedures were adopted and procedures changed dramatically in many key government agencies and institutions, ranging across different branches of government.

Monmouth County stakeholders exemplified just how much can be accomplished through collaboration. The Monmouth Vicinage worked closely with Monmouth County Prosecutor Christopher Gramiccioni and the Prosecutor's Office, Deputy Public Defender Van Lane and the Public Defender's Office, Warden Barry Nadrowski and the Monmouth County Correctional Institution (MCCI), Sheriff Shaun Golden and the Monmouth County Sheriff's Department, local law enforcement agencies, the Monmouth Bar Association and members of the private criminal bar on the successful implementation of the reform and the many procedural and cultural changes.

Law enforcement officers throughout Monmouth County made critical adjustments to their processes. They are now responsible for obtaining a defendant's fingerprints via the LiveScan process, which allows officers to run a preliminary Public Safety Assessment (PSA). This preliminary PSA draws from the current charge(s) and considers the defendant's criminal history including prior convictions, pending charges and instances in which the defendant failed to appear for a court appearance, to determine whether they should be charged with an offense and to make a recommendation on whether a complaint-summons or complaint-warrant should be issued.

Law enforcement officers have overwhelmingly adopted this new procedure, reporting successful monthly compliance as high as 92 percent with the LiveScan process. MCCI also implemented new procedures. All defendants now charged on a complaint-warrant must be committed to the jail pending a risk assessment and a pretrial release hearing.

MCCI adjusted to modified booking requirements, worked with pretrial services staff to equip defendants released on electronic monitoring with GPS ankle bracelets, and provided the MCCI courtroom for centralized First Appearance hearings which are held six days a week.

The new process has led to a more than 21 percent reduction in the non-sentenced pretrial jail population since the beginning of the year. The Monmouth County Prosecutor's Office and Office of the Public Defender greatly contributed to the smooth and successful implementation of Criminal Justice Reform. They staffed pretrial release and pretrial detention hearings, adapted to the new statutes and court rules and adjusted their calendars and cases to accommodate the upcoming trials based on new speedy trial requirements. They promptly scheduled and handled detention hearings and seamlessly incorporated the new pretrial services systems, procedures and documentation into their daily functions.

With the support of our stakeholders, the Monmouth Vicinage facilitated changes throughout the criminal, municipal and family courts to realize the vision of Criminal Justice Reform, of a fair, risk-based system of pretrial release that properly balances defendants' rights and the safety of the community. Defendants are now seen by a judge within 48 hours of their commitment to jail for a pretrial release decision.

Pretrial services staff provide courts with extensive information in preparing the PSA and making release recommendations to the court. If pretrial release is granted, pretrial services staff monitor the defendant's conditions of release.

In the first six months of the new process, the Monmouth Vicinage scheduled more than 1,300 defendants for first appearances within the 48-hour timeframe and scheduled more than 200 detention hearings within three business days. By the end of August, 88 defendants had been detained pretrial, while those who do not present great risks were released with appropriate conditions.

We are proud of the great strides made this year toward a fairer criminal justice system and continue to rely on the support of the Monmouth Bar Association. The pretrial services program continues to evolve to meet community needs and it is important to inform community members about the new process. We encourage Bar members to join with us in engaging the community in understanding the new system's focus on equality, fairness and public safety.

Not so fast... can they be sued here?

Editor's Note: This is the fifth in a series that highlights interesting complex business litigation cases. The Complex Business Litigation Program is designed to streamline and expedite service to litigants in complex business litigation. Under the program, cases are assigned either to the complex commercial case type or the complex construction case type, and are individually managed by a judge with specialized training on business issues. The Supreme Court established the program, which became effective on Jan. 1, 2015, to resolve complex business, commercial and construction cases.

Magnetek, Inc. v. Monsanto Co., Pharmacia LLC F/K/A Monsanto and Solutia, Inc.

Plaintiff Magnetek filed suit seeking a declaratory judgment relieving it from any purported obligations pursuant to a special agreement executed in 1972 between its predecessor company, UMC, and Old Monsanto (now Pharmacia) relating to the sale of polychlorinated biphenyls ("PCBs").

The special agreement provided that UMC would defend and indemnify Old Monsanto from any and all liabilities relative to PCBs UMC purchased from Old Monsanto.

At that time, Old Monsanto was a Delaware corporation with its principal place of business in Missouri and UMC was a New Jersey corporation with its principle place of business in New Jersey. When UMC and Magnetek merged, Magnetek was the surviving company and thus party to the special agreement.

Old Monsanto was later restructured as "new" Monsanto Co. and Solutia, Inc. Solutia was incorporated in Delaware as a wholly-owned subsidiary of Old Monsanto. Old Monsanto assigned its chemical assets including any rights under the special agreement to Solutia, which operated Old Monsanto's chemical business. Both Old Monsanto and Solutia were Delaware corporations, and the agreement stated Delaware law would control.

New Monsanto (Monsanto Co) was formed as a wholly owned subsidiary and spun off by Old Monsanto in 2000. By then, Old Monsanto had merged with and was doing business as Pharmacia.

The defendants contend that Monsanto Co.'s rights under the special agreement were created through a 2008 agreement as a result of Solutia's 2003 bankruptcy proceedings and required Solutia to use reasonable efforts to enforce the special agreement for the benefit of Monsanto Co., which assumed financial responsibility for certain liabilities which included PCB claims.

The defendants claim that all signatories to the special agreement were Delaware corporations at the time of the

execution and that Delaware law controls. They filed motions to dismiss for lack of personal jurisdiction and for failure to join indispensable parties.

A court's jurisdiction is a question of law and fact and must be resolved before the matter can proceed. A defendant is subject to general jurisdiction when it has maintained continuous and systematic activities in the forum state regardless of its relation to the state.

A court can only exercise specific jurisdiction over a defendant when the cause of action arises directly out of the defendant's contacts with the forum state and the defendant has minimum contacts with the jurisdiction. A plaintiff must show that there are sufficient facts to support a finding of personal jurisdiction over the defendant.

In this case, the plaintiff claims Solutia has a multitude of contacts with New Jersey and has shown that Monsanto Co. is registered to do business, has a registered agent, and has employees working in New Jersey.

The defendants argue that Solutia and Monsanto Co. are both incorporated in Delaware and that neither company has taken any action, giving rise to the New Jersey litigation. They further claim that only the execution of the special agreement relates to New Jersey, which cannot justify jurisdiction over Solutia and Monsanto Co., as they did not exist when the special agreement was executed.

The court ultimately determined that more information about corporate structure and activities was necessary before a decision could be made as to whether jurisdiction over the defendants was appropriate. Both motions to dismiss were denied to allow for further jurisdictional discovery before litigation on the merits could commence.

For more information about New Jersey's Complex Business Litigation Program go to www.njcourts.gov/courts/civil/cblp.html.

Spotlight: Cumberland County Courthouse

Editor's Note: This story is the sixth in a series detailing the rich histories of New Jersey's courthouses.

By Mike Mathis
Judiciary Times Editor

The area around Broad and Fayette streets in Bridgeton has been the center of court-related activity in Cumberland County for more than 300 years. The current courthouse that dominates the area is now nearly 110 years old but is not the original. The first Cumberland County Courthouse was located across the street at Broad and Franklin streets.

Shortly after the state Legislature created Cumberland County from the easternmost part of Salem County on Jan. 19, 1748, it ordered the freeholders and justices of the peace to meet at the settlement of Cohansey Bridge - present day Bridgeton - to select a location for a courthouse.

The freeholders first decided to hold an election to determine the location of the county seat. Cohansey Bridge beat out Greenwich Township in an election marked by allegations of voter fraud. It would not be the last time there would be controversy over selection of the county seat. Another dispute would arise nearly a century later, this time involving Millville.

The first court session was held in Cohansey Bridge in February 1749, a year before county officials ordered the drafting of a deed to buy land for a courthouse. Construction of the building - a two-story wood frame structure erected across what is now Broad Street and slightly east of Franklin Street - began in March 1752.

The first court session in that courthouse was held in August 1752 before the building was even finished. The courthouse was completed the following year at a cost of roughly \$390. But it stood for only six years. A fire in an adjacent tavern spread to and destroyed the courthouse in late 1758. On Jan. 4, 1759, the freeholders and justices of the peace agreed to build a new brick courthouse on the site of the destroyed

courthouse. The layout was the same as the original except there was a cupola on the roof to house a bell, which was to be purchased by subscription.

The second courthouse, completed in 1760, served residents for more than 80 years until it was razed in 1844. Recognizing the need for additional courthouse space, the freeholders in 1836 purchased the land where the current courthouse stands for \$1,600. However, the old dispute over where the location of the county seat arose again.

Millville had increased in population and importance since its founding 40 years earlier, prompting some to push for the county seat to be located there. Advocates petitioned the Legislature to allow a countywide election to determine if the new courthouse should be built in Bridgeton or whether it should be located elsewhere. Once again, Bridgeton prevailed, but the July 1837 election did not settle the issue.

The dispute was resolved in 1844 when a new township was created and the newly expanded freeholder board - including a representative from the new municipality - passed a resolution to build a third courthouse on the site of the current courthouse. The three-story brick structure cost \$10,674.42 and was expanded in 1881. The old courthouse, sold for \$85, was torn down.

The growth of Cumberland County and the increased need for government services led the freeholders to pass a resolution on Sept. 18, 1908, authorizing construction of the current courthouse. The structure, which cost \$94,475 to build and another \$25,000 to furnish, featured a clock that had been in the former courthouse and donated by the citizens of Bridgeton. Thousands attended a gala in the heavy rain to celebrate the cornerstone that was laid on May 22, 1909. The first addition to the courthouse was dedicated in 1956; another addition was completed in 1996.



An early image of current Cumberland County Courthouse. Photo credit: Cumberland County Historical Society



The Cumberland County Courthouse in Bridgeton as it appears today.