

JUDICIARY TIMES

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Fall 2014

A Career of Firsts

Monmouth's Lawrence Lawson Retires After Four Decades as a Lawyer, Judge

By **Delia O. Foster**

Judiciary Secretary 2 Confidential
Monmouth Vicinage

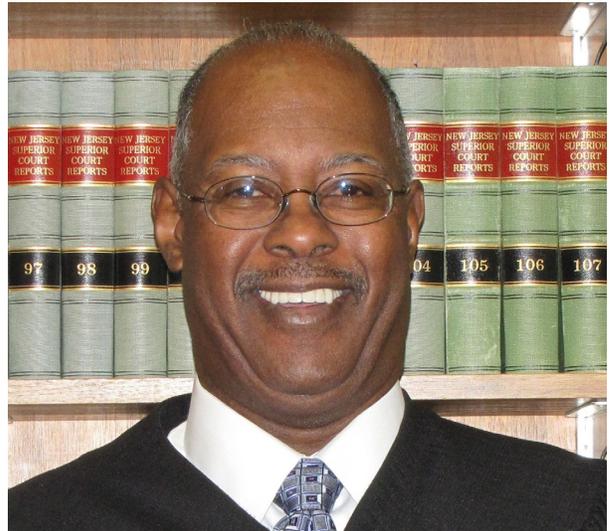
After a career on the bench that spanned nearly three decades, Assignment Judge Lawrence M. Lawson retired from the Monmouth Vicinage on Aug. 29.

A Monmouth County native, Lawson's legal career was marked by many firsts in the legal and political arenas, including becoming the Judiciary's first African-American assignment judge and his hometown's first African-American mayor.

"Judge Lawson has distinguished himself as a wise and fair leader in the Judiciary," Chief Justice Stuart Rabner said. "His decades of exemplary service have earned him many admirers and will continue to inspire countless young attorneys as they embark on a career in the law. We will miss his tireless dedication to the cause of justice and wish him well in the next chapter of his remarkable journey."

Lawson became interested in law while attending Bowie State University in Maryland. After graduating, he enrolled at the Columbus School of Law at Catholic University in Washington, D.C., where he earned his law degree.

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Lawrence M. Lawson was the Monmouth Vicinage's first African American law clerk, judge and assignment judge in a legal career that began in 1972 and ended in July, when he retired.

Donald Volkert, Veteran Essex and Passaic Jurist, Retires

By **Sonya Noyes**

Municipal Division Manager
Passaic Vicinage



Donald J. Volkert Jr.

Passaic Vicinage bid farewell to Assignment Judge Donald J. Volkert Jr. in July, when he reached New Jersey's mandatory retirement age of 70 for judges.

During his 45-year legal career, Volkert earned a reputation as a zealous and civil advocate who, for more than 22 years on the bench, was

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Autumn is the Perfect Time to Reflect on Importance of Courts

By **Judge Glenn A. Grant**

Acting Administrative
Director of the Courts



Judge Glenn A. Grant

Autumn is a time of new beginnings. Vacation days are left behind as schools and colleges begin anew.

While our judges and staff have continued to work diligently throughout the summer, the new court calendar begins in September.

Some vicinages hold ceremonies to mark the occasion and to eulogize judges, staff, and attorneys who died during the previous court year. The annual General Assignment Order, which dictates the divisions in which Superior Court judges sit, takes effect each Sept. 1.

The start of a new court year is also the perfect time to reflect on who we are, what we are and the important role of

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Lawrence Lawson, a Judiciary Pioneer, Caps Long Legal Career

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In 1972, he was hired as a law clerk by his mentor, the late Judge Thomas L. Yaccarino, becoming the first African-American law clerk in the Monmouth County Courthouse.

When his clerkship ended, Lawson worked for the state Department of Community Affairs, Office of Legal Services, and eventually became acting director.

In September 1974, Lawson opened his own law firm, serving Asbury Park for 12 years and specializing as a criminal defense attorney while developing an interest in politics.

"I always had a knack for interacting with people and an interest in becoming involved in politics," he recalled in a 1999 interview.

While serving as municipal prosecutor for Asbury Park and attorney for the Neptune Township Board of Adjustment, Lawson won a seat on the Township Committee.

In 1984, he became the first African-

American Mayor of Neptune Township.

Lawson made history again in 1986, when Gov. Thomas Kean nominated him for a Superior Court judgeship in Monmouth Vicinage, making him the first African American to sit on the bench in the vicinage.

Lawson sat in the civil and criminal divisions before becoming presiding judge of the criminal division. Lawson made history again in 1993, when then-Chief Justice Robert N. Wilentz named him the Judiciary's first African-American assignment judge.

Judge Lawson's mark on the Monmouth County community reaches beyond his legal and political accomplishments.

His past community service includes coaching a basketball team from 11 p.m. until 3 a.m. to keep young people off the street. He also mentored students and volunteered at a men's program at United Fellowship Church in Asbury Park.

"Helping others is just a natural progression for me," he said. "The best thing I can do as a human being is to try and help others, bring them along."

Lawson said his enthusiastic involvement in programs to teach young people the value of education and perseverance has been one of the highlights of his judicial career.

"I take seriously the necessity of mentoring and developing future law professionals," he said. "Early in my law career, it became evident to me that the law clerk/judge relationship is invaluable."

During his 27 years on the bench, Lawson provided guidance to nearly 50 law clerks.

He emphasized the importance of treating everyone, both personally and professionally, with civility, dignity and respect.

"Judge Lawson has been a role model and inspiration for so many young lawyers and judges, myself included," said Assignment Judge Lisa P. Thornton, who succeeded Lawson on Sept. 1.

"He can never be replaced, but I and

others will continue to benefit from his excellent leadership and friendship over the years."

"I have known Judge Lawson for 30 years in his capacity as an attorney, Superior Court judge and assignment judge," said retired Chief Justice James R. Zazzali. "He has always conducted himself with dignity and decency."

Lawson's hands-on leadership style was felt by the entire Monmouth Vicinage. He worked closely with the trial court administrator, executive management and court staff throughout the vicinage.

"Judge Lawson knew the exact balance between leading me towards being the TCA he felt the vicinage needed while also allowing me the freedom to be the leader I was hired to be," said Trial Court Administrator Andrew M. Graubard. "I will always be grateful for the positive influence he has had on my career."

"Over the past 34 years I have had the privilege of knowing Judge Lawson as a law partner, judicial colleague and friend," said Judge Paul A. Kapalko.

"I have observed, first hand, his deep commitment to legal excellence, dedication to family, friends and colleagues and years of faithful service to the people of Monmouth County. His will be a lasting legacy of fairness and justice," Kapalko said.

Judge Lawson's many accomplishments include his willingness to take on leadership roles throughout the Judiciary.

He served as chair of several Supreme Court Committees, including the Criminal Practice Committee, Committee on Minority Concerns, Committee on Judicial Employee Outside Activities and the Judicial Libraries Committee. His judicial memberships included the Judiciary Budget and Planning Committee, Supreme Court Committee on Judicial Information Systems Policy, Judicial Reappointment Process Committee, and the Supreme Court Sentencing Committee.

He also served as the statewide Judi-

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The chief justice is Stuart Rabner. The acting administrative director of the courts is Judge Glenn A. Grant.

Please send short news articles, photos and suggestions to Mike Mathis, Editor, *Judiciary Times*, Office of Communications and Community Relations, PO Box 037, Richard J. Hughes Justice Complex, Trenton NJ 08625-0037 or to Mike.Mathis@judiciary.state.nj.us. Submissions are subject to editing, and not all can be published.

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Burlington Vicinage Victorious in Annual Juvenile Olympics

By **Julie Nomides**

Assistant Chief Probation Officer,
Middlesex Vicinage
and **Mary Flanagan**
Probation Services Division
Administrative Office of the Courts

The intensity and concentration on the faces of the athletes and their coaches was fierce.

No, it was not the Summer Olympics or the World Cup.

It was the 27th annual Juvenile Olympics, which was held July 31 at Perth Amboy High School. It was the first time the event was held in Middlesex Vicinage.

Juvenile probationers from across the state gather each summer to participate in the games, which enable juveniles and probation officers to become athletes and coaches and connect with a common goal.

Burlington Vicinage placed first in the competition, Essex and Monmouth vicinages were tied for second, and the Bergen Vicinage and Juvenile Intensive Supervision Program (JISP) tied for third.

“It is the commitment of the probation staff to rehabilitate our juvenile probationers that makes this kind of event possible,” said Curtis Hurff, chief probation officer in the Cumberland/Gloucester/Salem Vicinage and chair of Probation Services’ Positive Interventions Committee (PIC)

“It is a day that Judiciary staff can directly let youth know that we want them to set good goals, work hard, and reach them, and that we are here to help,” Hurff said.

As host of the games, Middlesex Vicinage provided more than 45 volunteers from the probation, family, and criminal divisions, to run the games, serve lunch and clean-up.

During the opening ceremony, juveniles and their probation officers from 19 counties and JISP proceeded around the track, each group carrying a flag bearing their county’s name.

The Star-Spangled Banner was sung by bilingual probation officer Michelle Diaz. Speeches by Middlesex Vicinage



The Middlesex County Sheriff's Department Color Guard enters the stadium at Perth Amboy High School at the start of the 27th annual Juvenile Olympics.

Assignment Judge Travis Francis, Presiding Family Judge Deborah Venezia, Trial Court Administrator Gregory Edwards and Vicinage Chief Probation Officer Kathie DeFuria followed.

The games were announced by Senior Probation Officer Tim Houtenville, who kept the events running smoothly and the crowd entertained.

The field events included the football, basketball and softball throw, long jump, double-dutch jump rope, obstacle course, track events and tug of war.

After completion of the last event and submission of the last score, everyone proceeded to the cafeteria for a lunch of sandwiches, chips, cookies and drinks.

An award ceremony followed. Medals were awarded in each event, gold for first place, silver for second, and bronze for third. As the winners were announced, the crowd cheered.

The athletes, many of whom had numerous medals around their necks, were cheered by their teammates and coaches. Finally, the trophies for overall wins were announced.

The event was hosted by PIC, which is composed of juvenile probation officers from throughout the state who identify and implement activities and

training designed to assist in the rehabilitation of young offenders.

Members exchange information on locally developed ideas so that successful interventions can also be used in other counties. PIC members, along with probation staff from every participating county, coordinated transportation and accompanied probationers to the event.

Judge Lawson Retires

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cial Megan’s Law Hearing coordinator and on the Megan’s Law Three-Judge Review Panel.

“Judge Lawson is a trailblazer,” said Yolande P. Marlow, manager of the Judiciary’s Minority Concerns Unit. “He exudes a deep respect for the New Jersey court system and a deep sense of concern and interest in the quality of services that court users in New Jersey receive at both the state and local levels. It has been a privilege to work closely with him for so many years on efforts to ensure fair and equitable access for all.”

Lawson’s long-time secretary Nancy Colson, whose August retirement coincided with Lawson’s, forged a friendship and professional partnership that began in 1975 and lasted four decades.

“Working alongside him instilled in me an eagerness to learn as much as I could and to do my best,” Colson said. “Judge Lawson’s example, his friendship and mentorship have allowed me to excel in my career and given me an opportunity to help others.”

Lawson’s will continue to serve on the Joint Committee on Criminal Justice, the Special Committee on Attorney Ethics and Admissions, the Supreme Court Evidence Committee and on the Subcommittee on Standards, Revision to Part III of the Criminal Practice Rules of Court.

He also plans to maintain close ties with his Judiciary and other law associates and intends to spend time with his family, travel and play golf.

Chief Justice Names Assignment Judges in Three Vicinages

By **Tammy Kendig**

Communications Manager
Administrative Office of the Courts

Chief Justice Stuart Rabner has named three new assignment judges.

Ernest M. Caposela now heads the Passaic Vicinage, Deborah Silverman Katz is in charge of the Camden Vicinage and Lisa P. Thornton is the top jurist in the Monmouth Vicinage.

New Jersey's Judiciary is divided into 15 vicinages, each headed by an assignment judge who is the chief judicial officer and is responsible for the administration of all court units within the vicinage.

Caposela succeeded Donald J. Volkert Jr., who reached the mandatory retirement age of 70 on July 27.

"Judge Caposela is a seasoned litigator and gifted judge whose professionalism and dedication to the law are exceptional," said Chief Justice Stuart Rabner. "I have no doubt that he will lead the Passaic Vicinage with distinction and make a lasting contribution to the administration of justice."

Caposela was nominated to the Superior Court by Gov. Christine Todd Whitman and took the oath of office on June 18, 1999. He was reappointed with tenure in 2006.

Upon his initial appointment, he was assigned to the family division in the Passaic Vicinage, where he worked until he was transferred to the criminal bench in 2003. He returned to the family division in 2010, when he was named family presiding judge of the vicinage.

Prior to his judicial appointment, he worked in private practice, providing general legal services but focusing



Ernest M. Caposela

on litigation and criminal defense. He served as the attorney to the City of Passaic Zoning Board, the Paterson Library Board, the Paterson Rent Leveling Board and the Paterson Restoration Corporation.

"I am thrilled beyond words to be able to serve the public in this new capacity," Caposela said. "As a long-time resident of Passaic County, I believe whole-heartedly that one could not ask for a better group of judges and staff to serve the people who live and work in our cities and towns. I am grateful to be able to work with them to advance the cause of justice."

Caposela earned his law degree at the Brandeis School of Law at the University of Louisville. He holds a master's degree in public administration from New York University and a bachelor's degree from Fairleigh Dickinson University.

Caposela lives in Wayne with his wife and three children.

Silverman Katz succeeds Lee A. Solomon, who was appointed to the New Jersey Supreme Court. The newly appointed justice took his oath of office on June 19.

"I am delighted to name Judge Silverman Katz as the assignment judge for the Camden Vicinage," Rabner said. "Her work experience and demeanor are impressive, as is the respect she has earned from her colleagues. She has the wisdom, expertise and management skills to lead the judges and staff of the Camden Vicinage and contribute to our ongoing efforts to ensure the delivery of justice to New Jersey's residents."



Lisa M. Thornton

Silverman Katz earned a bachelor's degree at Adelphi University and a law degree at Hofstra University School of Law. She began her legal career as a law clerk for Judge Alfred Samanga of the Nassau County Criminal Court and also interned for the Community Legal Assistance Corporation in Hempstead, New York.

After graduating law school, she became an associate attorney at the firm of Tomar, Seliger, Simonoff, Adourian & O'Brien in Haddonfield, where she concentrated on residential and commercial real estate, libel and defamation law, and asbestos litigation.

In 1988, she opened the law firm of Begelman and Katz, continuing in private practice until 1991.

From 1991 to 1996, Silverman Katz served as assistant disciplinary counsel to the Disciplinary Board of the Supreme Court of Pennsylvania, where she investigated and prosecuted ethics claims filed against Pennsylvania attorneys.

In 1997, she became assistant county counsel for Camden County, advancing to hold the title of first assistant county counsel and then county counsel. She remained with the office until her appointment to the bench by Gov. Jon S. Corzine in January 2008.

Silverman Katz served in the civil division, special civil part, until September 2008 and then moved to the family bench. She was reassigned to the civil division in February 2011 and has remained there until being named assignment judge.



Deborah Silverman Katz

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Chief Justice Appoints Three Judges to Appellate Division



Carol E. Higbee



Thomas V. Manahan



Thomas W. Summers

By Tammy Kendig

Communications Manager
Administrative Office of the Courts

Chief Justice Stuart Rabner has named three judges to the Appellate Division.

The appointments of Carol E. Higbee, Thomas V. Manahan and Thomas W. Summers were effective Aug. 1.

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 each year.

Higbee was appointed to the bench by Gov. James Florio and took her oath of office on Feb. 19, 1993.

She served on the civil bench in Atlantic County for 21 years and was named presiding judge of the civil division in 2005.

While on the bench, Judge Higbee has overseen multi-county litigation involving thousands of plaintiffs seeking damages for harm caused by a number of pharmaceutical products.

She has served as chair of the Conference of Civil Presiding Judges and has been a member of Judicial Council. She also was chair of the Model Civil Jury Charge Committee.

Before taking her judicial oath, Higbee was a civil trial attorney specializing in medical malpractice, product liability and personal injury cases. She holds a bachelor's degree from Temple University and a law degree from the

Beasley School of Law at Temple University. Judge Higbee is married and has two children, Daniel Higbee and Susan Chihi, and one granddaughter, Ana Higbee. She lives in Absecon with her husband Scott.

"I love the law and have been fortunate to work with so many wonderful people throughout my judicial career. I am grateful for the opportunity to serve the public as an appellate judge, and I look forward to the new challenges that await," said Higbee.

Manahan was nominated by Gov. Jim McGreevey and was sworn into office on March 31, 2003. He sat on the civil bench in Morris County, moving to the family bench in 2004. In 2007, he moved again, this time to the criminal division. He was named presiding judge of the criminal division in 2008.

A graduate of Mount St. Mary's College and Seton Hall University School of Law, Manahan began his legal career as an assistant prosecutor in the Union County Prosecutor's Office in 1979.

In 1983, he left to work in private practice, specializing in commercial litigation, employment law, insurance issues, municipal defense, and public sector law.

In 1997, he was nominated to be the Union County Prosecutor by Gov. Christine Todd Whitman. He served in that role until 2002. He then joined the New Jersey Office of the Attorney General as assistant attorney general and director of State Police Affairs. He remained with the department until his appointment to the bench.

"I am honored to be named to the Appellate Division," said Manahan.

"The judges and staff in the Morris/Sussex Vicinage have been wonderful friends and colleagues. I thank them for their friendship and support as I move into this new role in the Judiciary."

Summers was nominated by Gov. Jon Corzine and was sworn into office on May 27, 2008. He was assigned to the civil bench in the Mercer Vicinage until 2011, when he was transferred to the criminal division.

Summers attended Lafayette College, where he earned a bachelor's degree. He earned his law degree at Rutgers University School of Law-Newark. He began his law career in 1984 as a law clerk in the Essex Vicinage conducting settlement conferences for small claims cases.

He then went into private practice, working as an associate in general practice with a focus on education law, personal injury, business agreements, landlord/tenant, and estate matters. He opened his own law office in Trenton in 1990 and continued his general practice until his appointment to the bench.

As an attorney, Summers served on a number of committees and boards, including the American Bar Association's Standing Committee on Client Protection, the New Jersey Lawyers' Fund for Client Protection Board of Trustees, and the District VII Ethics Committee.

"This appellate appointment is the highlight of a legal career I have enjoyed beyond measure. I am delighted to be given this opportunity to work with the esteemed judges of New Jersey's appellate bench," Summers said.

Appellate Division Ushers in Digital Age With eDATA

Editors Note: Beginning with this edition, the Judiciary Times will feature several stories focusing on a specific program or issue. This edition highlights the Judiciary's efforts in technology.

By Mike Mathis
Judiciary Times Editor

The days of using carts to wheel boxes of documents to the Appellate Division Clerk's Office in Trenton are dwindling.

The division's eDATA initiative is in full swing and growing in use.

eDATA, which stands for Electronic Docketing of Appeals and Tracking Application, enables attorneys in some case types to initiate an appeal and submit motions, along with associated documents, through njcourts.com.

Attorneys can review the documents they've filed and those filed by their adversaries through the eDATA portal. All documents must be submitted as PDFs.

Electronic filing not only reduces copying charges by reducing the amount of paper, it allows attorneys to file on evenings and weekends.

Appellate Division Clerk Joe Orlando said eDATA was the result of a vision of Chief Justice Stuart Rabner, Judge Glenn A. Grant, acting administrative director of the courts and Judge Carmen Messano, presiding judge for administration, to make electronic filing in the Appellate Division a reality.

"This was very much a team effort," Orlando said. "Our approach was to get input from as many internal and external sources as practicable while maintaining our responsibility to develop a system that worked for everyone as much as possible under the circumstances that existed."

Development of the eDATA system began in November 2011 and the system went live in June 2013, said Karen Carroll, who supervises the unit. Carroll said more than 1,600 appeals have been filed through eDATA through July 2014.

"I was impressed with Karen's ability to present eDATA in the design phase, to synthesize the input received during

demonstrations to approximately 30 groups, and to modify the design based on that input," Orlando said. "We received valuable input every time we did a presentation whether it was from the bench, the bar or the staff. So eDATA became a composite of a lot of different perspectives. I think that is the best way to develop an effective system."

The eDATA project is being implemented in four phases.

The first phase of the project involved criminal appeals and motions submitted by the Office of the Public Defender, the Attorney General's Office and all 21 county prosecutor's offices.

The second phase will involve civil appeals and motions submitted by the Office of the Public Defender, the Attorney General's Office and the Office of the Law Guardian. The third and final phases will involve criminal and civil appeals and motions submitted by attorneys who have a Judiciary debit-type account and appeals and motions filed by any attorney and pro se litigants.

The second phase will be implemented shortly. There is no schedule for beginning the third and last phases.

Nearly 100 percent of the appeals filed by the Office of the Public Defender are filed through eDATA, Carroll said.

"Filing fees were not required with this case type, therefore we started with them," Carroll said of the public defender's office. "The goal is to get it as much paperless as possible."

Implementation of the fourth phase will be a large undertaking because about 30 percent of the filings the appellate division receives are from pro se litigants, Carroll said.

Before eDATA began, five copies of an appeal would have to be made and filed and sent to the parties. Now the original is filed electronically and three copies are filed for use by the court, Carroll said.

The move to electronic filing has caused Carroll's unit to grow from three employees in November 2011 to eight today, she said.

She said unit will grow through the

reorganization of staff as the number of cases it handles increases and the reliance on paper decreases.

"It's a big adjustment to the way people do their work," Carroll said.

There's an App for That Using iPads to Interview Inmates Saves Time

By Sarah Chavez
Administrative Specialist 1
Atlantic/Cape May Vicinage

iPads are getting more use in the courthouses in the Atlantic/Cape May Vicinage.

Assistant Criminal Division Manager Jody Chase worked with the New Jersey Department of Corrections (DOC) to interview inmates via the video conferencing app Vidyo.

From their desks, court personnel can interview inmates using the video conferencing app on the iPad. The Cape May County Criminal Division uses the Vidyo app for 5A form interviews instead of going to the jail to do the interview.

Use of the app saves time and keeps court staff safer since they don't have to go to the jail.

"In the criminal division, time is of the essence in keeping cases moving forward and assuring litigants of their right to a speedy trial," Chase said.

"Utilizing the iPads for interviews is a huge time-saver for court staff and allows us to keep cases on track for disposition."

Did You Know?

The Judiciary uses Facebook, Twitter and YouTube to communicate the work of the courts to the public and court staff.

The Judiciary uses RSS feeds and SMS text alerts to inform users about court news, closings and Supreme Court decisions.

To sign up for these services, go to njcourts.com and look for the icons on the right side.

Atlantic/Cape May Uses Flatscreens, Wireless in CIC Cases

By Sarah Chavez

Administrative Specialist 1
Atlantic/Cape May Vicinage

Asked to list the essential equipment needed for access to the courts, one might not immediately think to include a 60-inch television and wireless access.

In the family division of the Atlantic/Cape May Vicinage, however, the use of large flat screens and wireless capabilities are critical in Children in Court (CIC) cases.

Cape May County Family Division Judge John R. Rauh's courtroom is equipped with two 60-inch television screens that are connected to a wireless system that enables the displays on the court clerk's computer and at the judge's bench to be shown on the televisions.

This allows documents to be seen by defendants, witnesses, families, and other court users in the courtroom simultaneously. Orders are drafted, edited, and produced on the spot. This collaborative effort in the courtroom allows parties to leave the hearing with the order.

In CIC cases, the New Jersey Department of Child Protection and Permanency attorney, law guardian, defense counsel, and defendant can view the order and edits in real time.



Family Division Judge John R. Rauh presides over a Children in Court (CIC) case at the Cape May County Courthouse. Large flat screen televisions and wireless capabilities are essential in hearing CIC cases in the Atlantic/Cape May Vicinage.

Once all parties agree, the clerk prints the order in the courtroom, the judge signs the order, and copies are handed to the parties.

"Having the orders up on the screen ensures that we address all the issues that we're supposed to in a proceeding," Rauh said. "It also helps everyone understand what the court is ordering and why."

CIC case orders can be long and involved. Draft orders and proposed changes are sent to the court by counsel prior to the hearing.

Once the order is displayed on the screens, the judge can direct changes based on courtroom testimony. This procedure gives the judge the ability to keep attorneys on topic, speeding up the process in court.

It also allows for other media to be presented through DVDs or a USB thumb drive.

Attorneys can show presentations that can be seen by all court participants. They also can display additional documents, evidence or orders, as long as they are in an electronic format.

Who You Gonna Contact?

The Web Team in the Office of Communications and Community Relations

By Mike Mathis

Judiciary Times Editor

It's a common dilemma everyone has faced: Who do you contact when you can't find what you're looking for on a website?

The New Jersey Judiciary's website, njcourts.com, has a link at the bottom of each page – identified as "contact us" – that directs users to email the web team in the Office of Communications and Community Relations (C&CR).

The "contact us" link was developed to report web-related issues such as broken links and outdated or incomplete

information, but the overwhelming majority use it to inquire about issues that include jury service, traffic tickets and to comment about court cases, said Kim Madera, who until recently was manager of internet services.

"It's really geared toward technical questions or problems with the website," but we get interesting question we never expected," Madera said.

Of the 4,701 inquiries received through July, only 51, or 1.1 percent, were technical in nature, according to statistics maintained by C&CR.

The overwhelming majority of the 40 to 50 inquiries the web team receives

daily are for jury information, followed by attorney-related information for the Office of Attorney Ethics and the Lawyer's Fund for Client Protection, according to statistics.

Recent messages included a question from a prosecutive juror who asked whether a courthouse had a charging station so he could charge his electric car and someone who wrote they could not attend jury duty the next day because they were on a plane en route to their vacation destination.

The web team also receives questions

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Overcoming Disability and Miles to Conduct a Court Hearing

By **Tina DiNicola and Sue Golding**
Operations Division
Cumberland/Gloucester/Salem
Vicinage

Family judges handle thousands of child support hearings each year. In most cases, the parties appear before the judge, testimony regarding the finances of both parties is taken, the judge rules and everyone goes home.

Some hearings, however, require extra effort to ensure that court business is conducted smoothly - especially if one of the parties lives nearly 3,000 miles away and both parties are deaf and require the assistance of specialized interpreters.

The family division, trial court administration, information technology, operations and the Administrative Office of the Courts (AOC) worked together in March to help a judge in Gloucester County conduct an unusual child support hearing, believed to be the first of its kind in the state.

Judge Robert P. Becker presided over the hearing in which the defendant, who lives in California and filed the application, participated through the

use of an iPad. One of the litigants required an American Sign Language (ASL) interpreter and the other required a certified deaf interpreter who works with those with linguistic variations.

"Given the complexities of the process, everything went seamlessly," Becker said. "It was amazing to see the efficiency of the interpreters involved." The defendant asked the court for a reduction in support because his financial situation changed. The family division scheduled a hearing before Judge Becker, and all parties were notified of the date.

Diane Frank, interpreter coordinator in Gloucester County, made arrangements for Linda Lamitola, an ASL interpreter from the AOC, to be present at the hearing at the Gloucester County Justice Complex in Woodbury with a certified deaf interpreter who was contracted specifically for the hearing. Saul Hernandez, Julie Bompensa and Rebecca Hunter from court administration wired the courtroom with help from Anthony Romen from the AOC.

They also ensured that that the litigants could use iPads and videoconfer-

encing to participate in the hearing.

The defendant used FaceTime, a videoconferencing program available on Apple mobile devices. Another iPad was connected to the widescreen monitor in the courtroom so everyone could see him.

A separate videoconferencing unit was set up so staff at the AOC could observe the proceeding.

The courtroom was packed with court staff and spectators who wanted to witness the full power of technology in a courtroom.

"This was the first time that something like this had ever been done in New Jersey Superior Court where Apple technology, internal video conferencing and ASL interpreting were utilized in unison," said Hernandez, the vicinage's assistant trial court administrator.

Jury Manager Susan Golding, who serves as the vicinage ADA coordinator and attended the hearing, remarked that the "only other difference in the hearing was that it moved more slowly to allow for the interpreters to maintain a flow in interpreting all that was said."

Essex Vicinage Civil Division Uses Bar Panel to Reduce Backlog

By **Ugonma Achebe-Chukwunyer**
Court Services Officer 1
Essex Vicinage

Before 2013, the Essex Vicinage Civil Division's Complementary Dispute Resolution program, which includes arbitration and mediation, housed the only court-initiated options available to parties who wanted to discuss settlement instead of going to trial.

That has changed in the last year.

In late 2012, Judge Dennis F. Carey, III, the vicinage's presiding civil judge, introduced a Voluntary Settlement Conference Bar Panel to the division, which has become a great resource for the division's plan for backlog reduction.

In the last year, 75 percent of the cases sent to the panel have been settled within the first week.

Carey aimed to reduce backlog through innovation, including settlement techniques and other means that would help the division work more efficiently.

The panel was formed with the goal of reducing backlog while maintaining a high level of professionalism, dignity, and respect between staff and court users.

Carey appealed to the Essex County Bar Association to see if attorneys would be interested in serving on a voluntary settlement conference panel.

"Since we don't have enough judges, I asked the Essex County Bar Association if attorneys would be willing to volunteer to serve on a panel to help resolve case issues and give litigants a chance to settle," Carey said.

On a typical Monday morning, the presiding judge has a large number of

cases and a limited number of judges.

After assigning the oldest listed cases for trial, the remaining cases are sent to the bar settlement panel for conferencing.

The only cases not sent to the panel are the "no pay cases," which consists of verbal threshold auto and medical malpractice cases. Insurance companies do not offer settlements in these cases and they have to be tried.

The panel consists of one experienced plaintiff's attorney and one experienced defense attorney. Each of the attorneys, Frederick Miceli, Raymond Connell, Frank Zazzaro, and Peter DeSalvo, volunteer for three hours.

In the interest of dignity and decorum, the cases are conferenced in a designated conference room in the

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Judiciary Website Named to Top Ten List by National Group

By Tammy Kendig

Communications Manager
Administrative Office of the Courts

The New Jersey Courts' statewide website, njcourts.com, recently was named a Top Ten court website by the Forum for the Advancement of Court Technology (FACT).

The winners were announced at the annual meeting of the National Association of Court Managers in Scottsdale, Arizona.

"We are honored that our comprehensive and interactive statewide website has been recognized by FACT, a national organization of court professionals and information technology companies," said Chief Justice Stuart Rabner. "I am so proud of Communications Director Winnie Comfort and her outstanding team of web developers, led by Kim Madera, for making njcourts.com a national leader among court websites."

The five-member panel of judges included court managers and business leaders with expertise in justice issues who judged court websites on the accessibility of public records, the

quality of the user interface, accessibility, interactive capabilities, and overall impression.

The FACT evaluators made note of the comprehensiveness of the site, the audio and visual components, and the fact that the site offers so much to so many different constituents.

"We are glad that njcourts.com has been recognized for providing useful information and resources for all of our court users, including litigants, lawyers, the media and the general public. From legal reference materials to self-help forms for self-represented litigants, from searchable databases for civil cases and criminal convictions to our online ticket payment system, the Judiciary website aims to provide information and assistance to all of our customers," said Judge Glenn A. Grant, acting administrative director of the courts.

Founded in 1989, FACT is a consortium of private-sector companies and court representatives dedicated to strengthening the dialogue between courts that use technology and companies that provide technology.

FACT members support a variety of

national court and technology management associations, including the National Center for State Courts, the Court Information Technology Officers Consortium, and the Conference of State Court Administrators.

Web Team Handles Variety of Questions

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about traffic tickets, payment of child support and how to apply for jobs with the Judiciary.

Some express their displeasure over court cases, Madera said.

Most inquiries are forwarded to those in the Judiciary who can best answer the question or solve the problem.

For example, juror-related questions are forwarded to the jury manager in each vicinage, and vicinage-specific issues are directed to the ombudsmen there.

"We ensure those who submit to us get followed up," Madera said. "They are not ignored."

Attorney Panel Helps Reduce Civil Case Backlog in Essex

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Complementary Dispute Resolution wing of the Historic Courthouse.

A trial is scheduled if the cases are not settled.

The panel has been well-received by the bar association and hailed as an innovative approach to case management and disposition.

"The settlement panel, in my opinion, serves as an important adjunct to the other resolution vehicles, including arbitration and mediation, to both litigants and attorneys in resolving cases," DeSalvo said.

"In many instances, the panel receives feedback from the attorneys who have participated and have determined that the panel's recommendations are almost invariably shown to be the actual range of settlement of cases," Miceli added.

"In other words, we have actually contacted individuals who have

appeared before us, to track whether our numbers have proven to be effective to those attorneys. We have found that in the very high percentage of those cases, they have settled close to the panel's recommendations. That allows us to know that it is not only the process that is being effective, but also that the numbers being placed on these cases reflect the settlement values of the cases and what they settle for."

Carey said he was hopeful that more attorneys will volunteer to serve on the panel.

"Having the viewpoint of an experienced plaintiff's attorney, combined with that of an experienced defense attorney, provides the panel with a strong sense of credibility and allows the trial lawyers to trust the bar panel's recommendations," Carey said.

Judiciary Issues General Assignment Order

Chief Justice Stuart Rabner has released the General Assignment Order for the court year 2014-2015.

The order lists all assignments for judges in the Appellate Division, Tax Court, and the civil, criminal, family and general equity divisions of Superior Court. The order also lists acting assignment judges, vicinage presiding judges of each trial court division and presiding judge of each part in the Appellate Division of Superior Court.

The General Assignment Order is available at njcourts.com.

Bad Weather? Get Text Alerts

Go to njcourts.com and click on the SMS button on the right side of the page.

Autumn is the Time to Reflect on Importance of Courts

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courts in our society.

Courts are essential to a free and democratic society.

Courts work to ensure the public's safety by addressing crimes committed against victims and their families; protecting children from abuse and ensuring that those harmed by others are compensated.

Courts strive to ensure that all defendants are afforded due process and to provide a neutral forum for the resolution of disputes in which the individual rights of both sides are respected and protected.

To appreciate this, think about other countries in the world that have no structured form of jurisprudence, or where, unlike in the United States, those charged with a crime must prove their innocence.

Consider that today, a defendant in another country may have no right to defend himself or be represented by an attorney, and elected judges – never juries – decide cases behind closed doors. In contrast, in our nation, a prosecutor must prove someone charged with a crime committed that crime, and a

jury of one's peers decides guilt or innocence.

Our Judiciary, however, is only as strong as its judges and staff. Our personnel inform and serve the public and set the foundation for the success of the Judiciary.

Do you remember skimming stones into a lake or river as a child and counting the number of ripples you could make? How many ripples can you make in your life? In your career?

Your contribution to this organization is to inform and serve the public. You set the foundation for the success of the Judiciary.

I would like to thank our judges and staff in our county courthouses, municipal courts and in the central office for their extraordinary work and effort throughout this past court year. The public service you perform is critical to providing a fair, accessible, and effective system of justice for all.

I would also like to thank judges for their willingness to assume new assignments and to take on new case types.

Through the dedication of each and every employee, the Judiciary continues to preserve the rule of the law.

New Assignment Judges Named in 3 Vicinages

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"It is an honor to be named assignment judge and I thank Chief Justice Rabner for his confidence in me," Silverman Katz said. "The Camden Vicinage is a wonderful place to work and I am grateful for the support of my colleagues, both judges and staff, who have made working here such a pleasure. I am certain that, together, we will continue to provide excellent service to the residents of Camden County."

Silverman Katz lives in Cherry Hill with her family.

Thornton succeeds Assignment Judge Lawrence M. Lawson, who retired Aug. 31 after serving on the bench since 1987 and as assignment judge since May 1993.

"Judge Thornton has a proven record as a judge and an innovative manager, and has tackled administrative problems with inventive solutions," Rabner said. "With her strong background as a trial attorney and her experience on the bench, including in municipal court, she is exceptionally well-qualified to lead the Monmouth Vicinage."

Thornton was appointed to the bench in January 2008 by Gov. Jon S. Corzine. Since then, she has served in the civil and criminal divisions as well as the family division, where she is currently the presiding judge.

As presiding judge, she developed a "Law Clerk Bootcamp" to enrich the experience of recent law school graduates who are training for their legal careers.

Thornton began her career at Prudential Financial in December 1986 and earned her law degree while employed there, where she rose to senior trial attorney. She simultaneously sat in Neptune Township Municipal Court from January 1999 until December 2001.

She was named special deputy com-

Bob O'Neill Named Head of Financial Services

By Mike Mathis

Judiciary Times Editor

Acting Administrative Director of the Courts Judge Glenn A. Grant has named Robert O'Neill as the new assistant director for financial services.

He succeeds James S. Agro, who recently was named operations manager in the Atlantic/Cape May Vicinage.

O'Neill, who has been serving in the position in an acting capacity since July, oversees financial operations, including budgeting, financial reporting, spending plans, accounting, position control, accounts payable, grants administration, title IV-D financial activities, banking, cash management, reconciliation, trust funds, audit, purchasing and fixed asset management.

"Bob is a talented professional who has been an asset to our financial management team for a long time,"



Robert O'Neill

said Grant. "I am pleased that we will be able to use his accounting and managerial skills in this expanded role in the central office." O'Neill joined the Judiciary in 2003 as administrator of the financial services division within the Office of Management and Administrative Services. He previously held financial-related positions for two medical product manufacturers and a pharmaceutical firm.

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Judge Volkert Steps Down From Passaic Vicinage Bench

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respected for his fairness, legal knowledge and upbeat temperament. His blend of knowledge, management style and experience transformed the Passaic Vicinage over the past six years.

“With his intelligent and inspirational management style and his quick wit and sense of humor, Volkert made monumental improvements in the Passaic Vicinage, raising staff morale, dramatically improving the facilities, establishing high work performance standards and assembling the finest staff of administrators in the judiciary,” said Judge Ernest M. Caposela, who succeeded Volkert as assignment judge.

Originally from Verona, Essex County, Volkert earned his bachelor’s degree from the University of Charleston in 1966 and his law degree from Ohio Northern University in 1969.

Prior to his admission to the bar, Volkert worked as an intern in the Essex County Probation Department.

Volkert was admitted to the Supreme Court of Ohio in 1969, the Supreme Court of New Jersey and U.S. District Court of New Jersey in 1970, the U.S. Supreme Court in 1976, the New York State Bar in 1982 and to the Third Circuit Court of Appeals in 1984.

From 1972 through 1982, Volkert was an assistant U.S. attorney and later served as chief of the civil division in the U.S. Attorney’s Office.

He later became managing partner in New Jersey for two New York law firms. From 1990 until his appointment to the bench, Volkert was a partner at the law firm of Lum, Hoens, Conant, Danzis & Kleinberg in Roseland.

Gov. Jim Florio nominated Volkert to the Superior Court in February 1992. He was assigned to the criminal division in the Essex Vicinage and served a stint as drug court judge until 1999, when he was reappointed for tenure and named presiding judge in the family division. He returned to the criminal division as presiding judge in September 2003.

During his tenure in the Essex Vicinage, Volkert served on many committees as both a member and chair,

including chair of the New Jersey Conference of Family Division Presiding Judges and the Bail Judge Subcommittee, co-chair of the Essex County Youth Services Commission, and a member of the Supreme Court Criminal Practice Committee and the Statewide Domestic Violence Working Group.

He continues to be a frequent lecturer for the Institute of Continuing Legal Education, Judicial College, New Judge Orientation and other seminars and programs.

Chief Justice Stuart Rabner named Volkert assignment judge of the Passaic Vicinage on May 15, 2008.

“Judge Volkert is a gifted trial judge who has excelled in all areas,” the chief justice said at the time. “His wealth of experience—on the bench and as a manager—makes him an ideal person to head the Passaic Vicinage following Judge Robert Passero’s exceptional leadership.”

Accomplishments under Volkert’s tenure in the Passaic Vicinage include the opening of the main entrance to the Historic Courthouse in Paterson, the relocation of the probation division to new offices, transforming the drug court into a model for other vicinages, and making Military Appreciation Month a focal point in the year.

“I have been blessed with the opportunity to work with some of the most dedicated and talented people imaginable,” Volkert said. “I have a special feeling for many of the people who make up the Passaic Vicinage, and never cease to be impressed by how committed and productive they are.”

Volkert spoke about the many rewarding experiences he had in Passaic Vicinage and added, “Getting to work with and know the truly exceptional judges we have here has been an honor.”

Volkert has had a significant impact on the judges and staff in the Essex and Passaic vicinages.

“He certainly has made all of us value our profession. I have been honored to have him as a friend,” said retired Judge Thomas P. Zampino.

Asked of what he was most proud,

Volkert was quick to reply, “my family.”

Volkert, a resident of North Caldwell, Essex County, is married to Susan Volkert, a partner at DeCotiis, Fitzpatrick & Cole. They have six children: Christine; Scott, a lieutenant colonel in the U.S. Marine Corps.; Jamie, an FBI agent in the Washington, D.C. office; Elizabeth, a graduate of Temple University School of Medicine; Stephen, a financial analyst; and Michael, a student at Temple University School of Medicine.

Assignment Judges Named in Three Vicinages

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missioner of the New Jersey Department of Banking and Insurance in April 2002, and in January 2006 left the department to become senior associate counsel in the Office of the Governor.

In September 2006, Thornton joined the state Attorney General’s Office as chief of staff. She served until her appointment to the bench in January 2008.

She serves on the Supreme Court Advisory Committee on Extrajudicial Activities. She recently served in the Rutgers-Camden School of Law “Diversity Pipeline” Program, designed to encourage minority students to develop skills that could apply to judicial positions. Judge Thornton is the first female African-American assignment judge in the history of the modern court.

“I am humbled and delighted to be named by Chief Justice Rabner to lead this outstanding body of judges and staff in Monmouth County,” Thornton said. “It is a great honor to succeed Judge Lawson into the chambers of the assignment judge, and I will strive to maintain and advance the successes of his tenure.”

Thornton received her law degree from Rutgers School of Law-Newark in 1992 and her bachelor’s degree from Rutgers University, Douglass College in 1986. She lives in Neptune.

Courthouse Lintel Returned to Middlesex Courthouse

By **Betty Agin**

Law Librarian

Middlesex Vicinage

When New Brunswick Public Library Director Bob Belvin toured the artwork in the Middlesex County Courthouse with members of the New Brunswick Historical Society, something in a drawing of the old 1797 courthouse caught his eye.

It was the lintel, a horizontal structural member such as a beam or stone that spans an opening. The heavy stone had been stored in the library basement for years.

The lintel was donated to the library by historian James Brady of Highland Park and was originally identified as a piece of the Bayard Street School when it was demolished.

After seeing the same stone – with the date and writing on it - in the courthouse picture, Belvin realized the stone stored in the library basement was the 1797 courthouse lintel.

He contacted courthouse art committee member Nancy Einbinder, who arranged the tour. Belvin offered the lintel for the courthouse collection.

“It was amazing,” Einbinder said. “Here we had a historic drawing of the original jail and courthouse, and he had the original lintel depicted in the drawing.”

The lintel is now displayed in a wood cabinet built by East Brunswick Vocational and Technical High School students. The cabinet sits next to the picture of the old jail.

The 1797 courthouse served as courthouse and jail. The structure was built with stones from the old Barracks,



The lintel, or stone that spanned the opening of the old Middlesex County Courthouse, recently was located in the basement of the New Brunswick Public Library. It's now on display in the present Middlesex County Courthouse.

which served as a courthouse and jail from 1778 to 1794, when it was destroyed by fire. It stood on the corner of Bayard and Neilson streets in New Brunswick.

Brady has collected many items, including decorative features of demolished buildings, to preserve New Brunswick's history. He donated the lintel to the library when he moved from New Jersey.

He said he was glad to learn that the lintel had found a new home in the Middlesex County Courthouse. The art committee plans to commission a plaque with the names of the students who built the cabinet.



Burlington Vicinage judges and staff held a meeting with Col. James Hodges, commander of the Joint Base McGuire-Dix-Lakehurst, and Lt. Col. Matt Coakley, staff judge advocate, on July 29. The goal of the meeting was to forge a partnership between the vicinage and the joint base to address areas of mutual concern and to collaborate on upcoming events. Pictured (left to right) are Judge Mark Tarantino; Assignment Judge Ronald E. Bookbinder, Coakley, Donna Mazzanti, administrative specialist 4, and Trial Court Administrator Jude Del Preore.



Mission Statement of the New Jersey Courts

We are an independent branch of government constitutionally entrusted with the fair and just resolution of disputes in order to preserve the rule of law and to protect the rights and liberties guaranteed by the Constitution and laws of the United States and this State.