Newest Justice

Fernandez-Vina Seated on N.J. Supreme Court

By Mike Mathis
Judiciary Times Editor

Fidel Castro played a small but critical role in Faustino Fernandez-Vina’s family’s journey to the New Jersey Supreme Court.

Although the family supported Castro against the Batista dictatorship, Castro soon turned to communism after he rose to power in 1959, which resulted in the nationalization of the family’s businesses and confiscation of their home.

The family emigrated to the United States from Cuba to start new lives. Fernandez-Vina and his mother arrived first, followed months later by his father and brother.

“It’s an incredible odyssey,” said retired Judge Francis J. Orlando Jr., a childhood friend of Fernandez-Vina’s who preceded him as Camden Vicinage assignment judge. “This is a wonderful story, a great story that makes you feel good. It’s an only in America kind of story.”

Chief Justice Stuart Rabner administered the oath to Fernandez-Vina during a swearing in ceremony Jan. 17 at the Walter K. Gordon Theater at Rutgers-Camden. The new associate justice attended law school there after his graduation from Widener University in Chester, Pa.

Gov. Chris Christie, state legislators, members of the state and federal judiciaries, attorneys from across the state and former NFL players Billy “White Shoes” Johnson and Joe Fields - who played football at Widener with Fernandez-Vina - attended the ceremony.

“Hé was known for his tireless work ethic, for his practical, direct approach to people and issues and for his good common sense,” the chief justice said of Fernandez-Vina’s 22-year career as an attorney. “And his 10 years on the bench, in each position that he has held, have only reinforced that reputation as a brilliant, no-nonsense jurist and as someone who both gets along with lawyers and can be decisive at the same time. He’s also known as someone who cares deeply about the work of the Judiciary, about the cause of justice.”

Fernandez-Vina thanked many who helped him throughout his life, including Orlando, the judges and staff in the Camden Vicinage and his parents.

“They supported me in all my endeavors,” Fernandez-Vina said of his parents. “I learned honor, respect and hard work from them. I never heard them complain, ever.”

The state Senate unanimously confirmed Fernandez-Vina’s

Through Technology, A Family Separated Marks A Milestone

By Jeanne Seymour
Administrative Specialist 4
Atlantic/Cape May Vicinage

Atlantic/Cape May Vicinage Assignment Judge Julio L. Mendez presided over a special court session at the Atlantic County Criminal Courts Complex in Mays Landing on Dec. 5.

Judges, family, friends and staff gathered to celebrate the candidates who passed the New Jersey Bar Examination. Some came from as far as Philadelphia.

The parents of Joshua Galvan, law clerk to Appellate Judge Susan F. Maven, took a less traditional route to the ceremony, attending via Skype from the Netherlands.

Galvan’s parents appeared on a television screen at the front of the room. They watched as their son and fellow new attorneys or nieuwe advocaten as they are known in the Netherlands, took their oath.

According to the New Jersey Bar Association, “No one is admitted to the New Jersey Bar without signing the attorneys’ roll and taking the oath to support the
Fernandez-Vina Takes Seat On New Jersey Supreme Court

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nomination to the court Nov. 18, and Rabner administered the oath early the next day during a brief ceremony in the court’s conference room in the Richard J. Hughes Justice Complex in Trenton.

A half hour later, Fernandez-Vina was on the bench hearing oral arguments in three cases concerning self-representation in certain civil cases, workers’ compensation and warrantless searches by police.

“It’s humbling,” Fernandez-Vina said afterward. “It’s a great honor. It’s a pleasure working with the justices. They’re warm, helpful and collegial, and I’m grateful to continue my service to the people of New Jersey in this capacity.”

After graduating from law school, Fernandez-Vina served as a law clerk to Superior Court Judge E. Stevenson Fluharty before going into private practice.

Fernandez-Vina was appointed to the Superior Court bench by then-Gov.

Associate Justice Faustino Fernandez Vina speaks following his swearing in as a New Jersey Supreme Court Associate Justice at Rutger-Camden on Jan. 17.

Associate Justice Faustino Fernandez-Vina hears arguments during his first day on the New Jersey Supreme Court on Nov. 18.


Fernandez-Vina first sat in the civil division of the Camden Vicinage. He moved to the family division in 2006 and was named presiding judge of the civil division on Feb. 1, 2007.


Correction

Of the initial cases sent before panels targeting backlog in Monmouth Vicinage, 54 out of 124, or 44 percent, have been settled. A story about the panels had incorrect information.

Editor’s Note

The deadline for the spring 2014 edition of the Judiciary Times is Friday, March 7.
Lee Solomon Named Assignment Judge For Camden Vicinage

By Tamara Kendig
Communications Manager
Administrative Office of the Courts

Chief Justice Stuart Rabner has selected Superior Court Judge Lee A. Solomon to lead the Camden Vicinage.

Solomon succeeds Assignment Judge Faustino J. Fernandez-Vina, who was appointed to the New Jersey Supreme Court. The newly appointed justice took his oath of office on Nov. 19.

“Judge Solomon is an experienced leader who has demonstrated his ability to oversee various organizational structures and guide management and staff with sound judgment,” Chief Justice Rabner said. “He has earned the admiration and respect of colleagues across various disciplines for his ongoing efforts to ensure that service to the public is responsive and efficient.

“I have the highest confidence that he will lead the Camden Vicinage ably and strongly,” Rabner said.

Solomon was first appointed to the bench in January 2006 by then-Acting Gov. Richard J. Codey.

He served in the Camden Vicinage for two years in the family division, and then for two years in the criminal division. In February 2010, Gov. Chris Christie named Solomon president of the Board of Public Utilities. Solomon left the bench to lead the BPU until December 2011, when Christie nominated him to return to the bench in Camden. He rejoined the court in the civil division.

In April 2013, the chief justice named Solomon presiding judge of the criminal division. Immediately prior to his appointment to the Judiciary, Solomon served as deputy U.S. attorney for the southern vicinages of New Jersey, appointed in 2002 by then-U.S. Attorney Chris Christie. He also served as Camden County prosecutor for five years and acting prosecutor for one year. Before his appointment as prosecutor, he served for five years in the New Jersey General Assembly.

“To be named assignment judge by Chief Justice Rabner is an opportunity I accept with humility and appreciation,” Solomon said. “I was grateful for the chance to return to the Judiciary and be part of the important work done every day in our courtrooms and offices.

“And with this appointment, I commit myself to leading my colleagues on the Camden bench, along with the staff that keeps one of the busiest courthouses in the state operating so successfully, to the very best of my ability,” he said.

Solomon received his law degree from Widener University School of Law in 1978 and his bachelor’s degree from Muhlenberg College in 1975. He is married and has three children. The family lives in Haddonfield.

Ocean Vicinage Holds Successful Landlord-Tenant Seminar

By Tara Nelson
Court Services Officer
Ocean Vicinage

Nov. 13, 2013 was a brisk fall day at the Ocean County Library’s Lakewood branch.

There was a constant incoming flow of people from surrounding communities who wanted to understand landlord and tenant obligations and the related court process.

Ocean County’s Assignment Judge Vincent J. Grasso felt that the event “speaks well of Ocean’s continuing effort to foster fairness and access.”

Pam Marsh and Tara Nelson, court services officers in the civil division, greeted visitors and provided literature to support the evening’s session. Patrick Conley, assistant civil division manager, facilitated the event, which began with introductions of panelists from various agencies throughout Ocean County.

They included the Ocean County Board of Social Services, Ocean-Monmouth Legal Services, Solutions to End Poverty (STEPS), the Puerto Rican Action Board and local attorney Charles Bauer.

An informative overview of the special civil part’s landlord tenant unit was given by Eli Vazquez and Lisa Slavick, both court services supervisor 2, and James Castaneda, court services officer. Presenters explained the components of the landlord/tenant court, the complaint process and service requirements, the use of mediation, the Security Deposit Act, steps in the eviction process and how to apply for a stay, and warrants of removal.

Bauer and Veena Valyathan of Ocean-Monmouth Legal Services explained the nature of landlord/tenant relationships, the legal obligations that support such relationships and what to expect in court.

Jim Brady of Social Services described the programs available to residents of Ocean County through its Special Response Unit if emergent help is needed.

Special Civil Part Court Officer Jason Rienzo explained the eviction process, required documents and illegal lockouts.
More than 16,490 litigants, lawyers, jurors and others who visited the New Jersey Courts during the week of Oct. 7 to Oct. 12 participated in the Judiciary's first Access and Fairness Public Survey.

More than 1,400 Judiciary staff administered the survey, which was designed by the National Center for State Courts to measure the public's perception of how accessible and fair they find the courts during their visit. The survey was administered in every Superior Court courthouse in the state, the Superior Court Clerk's Offices at the Richard J. Hughes Justice Complex in Trenton, and in many off-site court facilities such as probation offices. Results will be posted at njcourts.com.
Public Survey in Courthouses and Offices Throughout N.J.

Middlesex

Passaic

Atlantic

Bergen

Morris/Sussex

Burlington
Vicinages Celebrate Adoption Day With Smiles, Celebrations

By Betty Agin  
Administrative Specialist 4  
Middlesex Vicinage

The Middlesex Vicinage celebrated National Adoption Day at the Middlesex County Courthouse on Nov. 21.

The goal of the celebration was to raise awareness and educate the public about adoption and to recognize those who have opened their hearts and homes to children.

James P. Nolan Jr., an attorney who chairs the Middlesex County Bar Foundation’s National Adoption Day Committee, coordinated the celebration.

In addition to acting as emcee, he is also an adoptive parent.

“It’s a pretty heavy process, and I certainly feel toward what you’ve been through,” said Nolan. “Now, we’re here to celebrate the culmination of all your efforts.”

Fifteen families participated in the event. There are still 33 children waiting for adoption in Middlesex County, an “all time county low,” according to Assignment Judge Travis Francis.

The festivities began with an opening ceremony in Judge Francis’s courtroom.

Ivan Scott, who as a teenager was adopted by Middlesex County Sheriff Mildred Scott, credited his adoption as the key to his success.

“Without my parents adopting me, who knows where I would have been,” said Scott, who is now a lieutenant with the Middlesex County Prosecutor’s Office.

Adopting families, their children and the attendees enjoyed a continental breakfast. The hallway outside the courtroom was festooned with balloons and gifts for the children and families.

The program was co-hosted by the Superior Court, the Middlesex County Bar Association, the New Jersey Division of Child Protection and Permanency, the Middlesex County Board of Chosen Freeholders, and the Middlesex County Surrogate’s Office.

National Adoption Day is an annual event in which courts and communities in all 50 states come together to finalize thousands of adoptions of children and to celebrate families who adopt. Middlesex Vicinage established the celebration in 2007.

Five Judges Named ASTAR Fellows

Assignment Judge Peter F. Bariso Jr. of Hudson Vicinage, Judge Robert H. Gardner of Essex Vicinage, Judge Paul A. Kapalko of Monmouth Vicinage, Judge Deborah Silverman Katz of Camden Vicinage and Appellate Judge Mitchel E. Ostrer have been named fellows of the Advanced Science & Technology Adjudication Resource Center (ASTAR).

ASTAR is a non-profit judicial education organization that prepares judges to preside over cases that involve advanced science and technology issues. The organization is funded through a grant from the U.S. Department of Justice.

By Fern L. Varasano  
Court Services Supervisor 2  
Monmouth Vicinage

Twenty-five children were welcomed into 17 forever families at the Monmouth Vicinage Adoption Day Program on Nov. 22.

For the past eight years, the vicinage has celebrated National Adoption Day with the hope that one day, every child will have a family.

Welcoming remarks were given by Assignment Judge Lawrence M. Lawson. He described how children bring meaning and purpose to our lives and thanked the adoptive families for inspiring others to transform the life of a child.

Lt. Governor Kim Guadagno also spoke at the program. She fought back tears as she reminisced about adopting her third son in the Monmouth Vicinage.

She also promoted New Jersey’s Safe Haven Act, which allows an infant to be given up legally and anonymously at any hospital emergency room or police station.

Ashley Chiappano, a family advocate for Foster and Adoptive Family Services, which serves Ocean, Monmouth, Atlantic and Cape May counties, spoke about how adoption changed her life.

Chiappano became a licensed resource parent, or foster parent, in 2009 and provides support to other resource parents in the state.

Chiappano has two biological sons and adopted two daughters from foster care.

Several local agencies and organizations donated refreshments and corsages for the adoptive parents.

Each child under the age of nine received a stuffed owl and a pin that read I’m Special, I am Adopted. Older children received gift cards.

Each family was presented with a framed photo of their new family.

A display of information about the adoption process was available.
The New Jersey Judiciary has released a new video about a program that allows domestic violence victims to apply for a temporary restraining order (TRO) directly from a hospital or safe house using a video link to talk to a family court judge.

The 10-minute video provides a detailed look at the Hospital to Court Safety Assistance Project and the Safe House to Court Safety Assistance Project. It includes interviews with a judge, a hospital staff member and a safe house staff member, as well as a dramatization of how the system allows the victim to speak with the judge through the video system.

“This video highlights a successful partnership that has enabled victims of domestic violence to seek protection from the courts while they get treatment and support from hospitals and safe houses,” Chief Justice Stuart Rabner said. “By working together, we have made important strides to address the serious problem that domestic violence presents in our society today.”

The video highlights many of the programs’ benefits, such as better protecting victims by enabling them to receive a TRO before leaving the hospital or safe house.

Because domestic violence victims are less likely or less willing to travel to the courthouse on their own to seek a TRO, the program increases the chances that a victim will follow through in obtaining a TRO against the perpetrator. Victims also can receive treatment, protection and support from hospital or shelter staff during the process.

“Victims oftentimes do not have the time, the transportation, the childcare, or even the psychological strength or emotional empowerment to get themselves down to the courthouse to follow through on gaining a TRO,” said Judge Glenn A. Grant, acting administrative director of the courts. “A victim can work with law enforcement to secure much needed protection after the issuance of a TRO. By eliminating the obstacles for victims to present their case to a judge, we greatly increase the odds that the victim will obtain that important protection.”

Judges have praised the program, highlighting the value of being able to see and communicate directly with the victim by video. Just as in an in-court hearing, interpreting services are provided by the court when needed. Hospital and safe house staff have found that the program enables them to support victims during what can be an emotional court process. If granted, the TRO can be faxed directly to the victim at the hospital or safe house. After the hearing, the judge or court staff member provides the victim with additional information about the court process and other available resources. A date is set for the victim to appear in court to obtain a final restraining order.

The video can be accessed using the YouTube video link at njcourts.com.

Bridging the Miles With Video

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Constitution of the United States and the Constitution of New Jersey, the oath of allegiance to this State, and the oath of office as an attorney.”

“It is amazing what technology can do these days,” Galvan said afterward. “Because my parents live abroad, they were not able to attend the swearing-in ceremony at Mays Landing. Passing the New Jersey bar exam and getting sworn in were both incredibly important events in my life, and so my parents’ absence would have been a big disappointment.

“However, the incredible staff from the Atlantic County Judiciary were able to Skype my parents into the ceremony, making them virtual attendees,” he said. “My parents and I are very grateful that the Mays Landing Courthouse had the technology and staff available to make it all possible. It was as if my parents were right there in the audience, and it was an experience that I will never forget.”

Judge Bernard E. Delury Jr., administered a group oath for candidates who passed the Pennsylvania Bar Examination.

Speaking on behalf of both the Atlantic and Cape May County bar associations, Atlantic County Bar Association President Donna Michael-Ziereis talked about the role of a young attorney, saying there would be many late nights and early morning court appearances in their future. She also asked the candidates to get involved in the community.
Monmouth Vicinage Sponsors Family Engagement Art Contest

Work By Local High School Students Displayed Inside Courthouse

By Melissa Garrett
Substance Abuse Evaluator
Monmouth Vicinage

Early in 2013, the Monmouth Vicinage launched a Family Engagement Initiative in conjunction with the Monmouth County Local Council on Juvenile Justice System Improvement.

The goal of the initiative is prevention of further involvement in the juvenile justice system by including families in the treatment and rehabilitation of children.

As part of the program, the family division sponsored an art contest. All Monmouth County high school students were invited to submit artwork depicting the importance of family.

Submissions were received from Long Branch High School and the Marine Academy of Science and Technology in Highlands. They included beach scenes, first day of school photos, and a family of penguins.

Long Branch High School students Karina Castro, Nichole Chevalier, Roman Gonzalez and Venessa Marshall were selected as winners by a vicinage committee.

The students next faced the task of recreating their submissions in acrylic paint on the walls of the newly renovated juvenile waiting area in the Monmouth County Courthouse.

In less than three days, they completed 3-foot by 5-foot vignettes that matched their original artwork.

Since the artwork was completed, many court users and employees have stopped to admire the creative, colorful and meaningful artistry that transformed the room.

Assignment Judge Lawrence M. Lawson presented certificates to the students. A Long Branch High School teacher accepted a plaque on the school’s behalf.

Other waiting area improvements related to the initiative include a sign-in kiosk to reduce waiting time, a monitor that displays juvenile-related information and racks containing brochures on juvenile programs available in Monmouth County.

The vicinage also is working with the county’s juvenile justice stakeholders to improve communication and increase interaction with parents and families of juveniles in the system.

The initiative is funded through a grant by the Juvenile Detention Alternative Initiative (JDAI) through the New Jersey Juvenile Justice Commission. The Monmouth Vicinage has been involved with JDAI since 2004 and continues to play a leading role in its implementation.

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.