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**WEINSTEIN
FAMILY LAW**

A PROFESSIONAL CORPORATION

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July 27, 2021

BY EMAIL Comments.Mailbox@njcourts.gov

Honorable Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Comments on the Future of Court Operations
Hughes Justice Complex; P.O. 037
Trenton, New Jersey 08625-0037

Re: Comments on the Future of Court Operations

Dear Judge Grant:

As an initial matter, I want to personally thank you for your service to the State during the entirety of your tenure as both a Judge of the Superior Court and as the Director of the AOC. I do not believe that we could have had a more respected and capable person in charge of the administration of our Courts during the pandemic than you. Your leadership has been greatly appreciated by both the Bar and general public alike. History will remember you fondly for all that you have done in your career.

I am writing to you not just to praise you, but to comment on the Future of Court Proceedings as expressed in the Notice to the Bar that you signed which is dated July 16, 2021.

I have spent the entirety of my 20 plus year legal career in the practice of Family Law. I even had the pleasure of appearing before Your Honor during the time you spent on the bench in Essex County when you sat in the Family Part. Respectfully, I am not in agreement with several of the proposed modifications to Future Court Operations. Specifically, please be advised as follows:

As to the proposal that Motions be heard remotely, I am very much opposed to continuing to hear Motions either on Zoom or by telephone. Your Honor will recall that Motions in the Family Part, especially in the FM docket, deal with a variety of profound legal issues especially during the *pendente lite* stage of proceedings. Often times, divorces and other Family Part matters are the first true experience a private citizen will have with the Judiciary as a litigant. They are not familiar with our legal system. I believe that it is necessary that litigants experience firsthand that Judges of the Superior Court are human beings and not technocrats on a computer screen. Litigants should be seen and heard by the Court in person. They deserve to have in person access to the Judge that is making decisions affecting their own lives and those of their children.

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Further, the Court should have the benefit of addressing the litigants in person and making their own assessments with their own senses. The benefits of in person Court Appearances for Motions in the Family Part remains significant. It should not be anomaly to make a Court appearance in person for a Motion.

The off the record communication and personal interaction between the Bench and the Bar, before and after Motions, is a vital component in keeping the Bench and Bar in sync as it relates to changes in the practice. We will be losing our ability to be in touch with one another if we do not meet in person in the Courtroom and in Chambers.

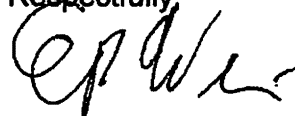
It is especially important to point out that unlike other proceedings, litigants in the Family Part are people and not corporations. They deserve to see how their own money is being spent, especially seeing their attorney advocate on their behalf while they are on their feet making a legal argument.

I further believe that an MESP should revert back to an in person appearance for many of the same sentiments that I have already expressed. There is a need for litigants to interact in person with their attorneys and the attorneys for the adverse party. It is the most effective way to foster trust and settlement between the sides.

Lastly, I am also of the opinion that Uncontested Divorce Hearings and Default Hearings should be heard in person, and not even be allowed to be submitted on the Papers, except in rare instances and only with the prior approval of the Court. People marry one another either during a civil or religious ceremony that is officiated by a third party. When the parties become divorced, they should also appear before a third party (a Judge) to get divorced. They should hear from the Court that they are now divorced. It should not just be a form Judgment that is sent in the mail.

The practice of law is a true privilege. We owe it to the public to give them our very best, even if it means the inconvenience to all of having to appear in person in Court. I am hopeful that my brothers and sisters of the Bar, especially the Matrimonial Bar, will speak up and let their voices be heard, that they are ready, willing, and able to return to Court, and that it is necessary that a majority of our Court appearances take place in the Courthouse where they belong.

Respectfully,

A handwritten signature in black ink, appearing to read 'E. Weinstein', written over the word 'Respectfully'.

EVAN R. WEINSTEIN

ERW:gtw