

Law Vault Signs On!

LAW  VAULT®

New Member Benefit through a new Partner in Progress

Since the introduction of applications like Dropbox, people have become more comfortable with the security and usability of the cloud. However, when it comes to the law, many lawyers have been hesitant to adopt new technologies. As a New Jersey lawyer, Jonathan Roth became frustrated with the laborious process of exchanging documents and realized technology could make the process more efficient while also saving firms money.

In designing and developing Law Vault, a cloud-based document exchange application, Jonathan wanted to address the pain points he and his colleagues experienced on a daily basis—wasted hours on scheduling, filing, copying and waiting for documents to be delivered. Now, with Law Vault, attorneys can log on to a simple, secure online portal to upload and exchange documents as well as easily schedule appointments and depositions with their adversaries.

In implementing Law Vault, it is estimated that firms may save \$300 or more per case by reducing the amount of staff time required for exchanging documents or scheduling events and eliminating

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Young Lawyers Hit the Jackpot

The Bar Association is fortunate to have a very active Young Lawyer Committee, and many of its members were in attendance at *The Tasting Games* on March 7th to support this important Foundation fundraiser. It seems these younger bar members either are very talented or very lucky (probably both), for during the course of over three hours

of gambling, the group collectively won enough chips to make a Trump sweat. As the evening's gaming action was coming to an end, the flush young lawyers converged at the roulette table. After a brief huddle, they decided to pool their collective winnings together and let them all ride on one final spin.

(Continued on Page 14)

Advertise in the 2014 Dinner Dance Program Book

Support the Bar Foundation's Community Service Programs

This year's Annual Dinner Dance will take place on **Friday, June 13th** at the Collingswood Grand Ballroom of the Scottish Rite Temple in Collingswood. Pay tribute to the Association's incoming President Casey Price, and the incoming Officers and Trustees of the Association and Foundation by placing an ad in the 2014 commemorative program book.

Proceeds from the Dinner Dance and Adbook support the Bar Foundation's many community service programs and projects that improve the quality of life for local residents, such as parties and picnics for disadvantaged kids, scholarship awards for deserving high school and law school students and scholarships for disabled students attending the Larc School.

Reserve a display ad for your firm or place your own personal display ad. To be included in this year's book, use the Adbook Flier in this month's inserts. To be included, your ad must be received by Bar Headquarters no later than **FRIDAY, MAY 30th**.

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Cocktails & Conversation Bench/Bar Cocktail Party

— Members Only —

If you're looking for a great opportunity to relax with colleagues from the bench and bar while enjoying a two hour open bar and mouth-watering party fare, then Cocktails & Conversation fits the bill.

Scheduled for 6-8 pm, Thursday, May 22nd at Café Aldo Lamberti on Route 70 East in Cherry Hill, this "Members Only" event will pay tribute to Camden County's own Supreme Court Justice Faustino "Fuzzy" Fernandez-Vina, and provide a terrific opportunity to mix and mingle with colleagues and Camden County judges of the Superior, US District, Bankruptcy and Workers' Compensation Courts, in a relaxed atmosphere.

Admission is still only \$55 (\$50 for lawyers admitted less than 5 years), with advance reservations required. Refer to the Cocktails & Conversation Bench-Bar Cocktail Party insert in this month's Barrister for additional information and to make your reservation(s). **This is a member only event and early registration is encouraged for this traditionally "packed house" evening.**

THE DOCKET

Tuesday, April 8th

*Comparative Ethics - PA, NJ & Model Rules:
You Mean They are Different?*

4 – 6:15 pm

Tavistock Country Club, Haddonfield

Wednesday, April 16th

CCBA Board of Trustees Meeting
4:00 pm

Bar Headquarters, Cherry Hill

Wednesday, April 23rd

Hon. Peter J. Devine Award Presentation
6 – 9 pm

Tavistock Country Club, Haddonfield

Thursday, April 24th

CLE on Tap! Criminal Trial Preparation
3 – 6:15 pm

McCormick & Schmick's
941 Haddonfield Road, Cherry Hill

Tuesday, April 29th

Probate & Trust Committee Luncheon
Noon – 2 pm

Tavistock Country Club, Haddonfield

Tentative agenda for April 16 Trustees Meeting

A tentative agenda for this month's regular Board of Trustees meeting follows. The meeting will begin at 4 pm, at Bar Headquarters in Cherry Hill. Meetings are open to the membership. Anyone interested in attending should notify and confirm their attendance by calling Bar Headquarters at 856.482.0620.

- I. Call to Order
- II. Minutes from Previous Meeting
- III. Treasurer's Report
- IV. President's Report
- V. Executive Director's Report
- VI. Membership Committee Report
- VII. Young Lawyer Committee Report
- VIII. Standing Committee Reports
- IX. Foundation Update
- X. NJSBA Update
- XI. New Business (if any)
- XII. Old Business
- XIII. Adjourn

Pay Your Dues

Don't Delay, Renew Today!

Dues notices for the 2014-15 membership year should be on your desk, or soon will be, and are payable by June 1. Paying promptly ensures that your Association continues to serve you and the community with its many important programs and services.

As a CCBA member you receive numerous benefits, which more than justify the cost of dues:

- A wide array of affordable, convenient and informative CLE seminars, all offering New Jersey and Pennsylvania CLE credits. As a CCBA member, you receive a 30% tuition discount, which makes each credit almost \$11 less per credit than ICLE seminars. Additionally, our seminars are conveniently located which saves you both valuable time and the high cost of gasoline!
- Discounted tuition and special offers on the many CLE programs available online through the *Camden County Online CLE Learning Center*.
- Our monthly publication, *The Barrister* provides updates on changes affecting you, your clients and practice, as well as substantive articles written by fellow Camden County practitioners, law practice management tips, and notices to the bar.
- Committees that offer opportunities to network with peers while shaping the future of your Association.
- Professional and social activities designed to enhance your law practice
- An online Member-to-Member Referral service
- Discounts on many legal products and services for you, your clients and your family members, and much more.

Now, more than ever, your membership in the CCBA provides the value-added benefits you need in today's economic climate.

Beyond the many tangible benefits of membership, you will also continue to enjoy the intangible benefits of supporting the CCBA. The Association has worked diligently since 1881 to improve the practice of law and Bench-Bar relations in Camden County, and to foster collegiality among its members. You, your profession, and society are better for the experience and the service you have performed.

Your CCBA membership supports these goals and benefits the entire community. Renew your membership, or join today, and support our mission to ensure that the Camden County legal community remains the finest in New Jersey.

THE BARRISTER

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President

Gary W. Boguski
199 6th Avenue
Mt. Laurel, NJ 08054

President-elect

Casey Price
35 Kings Highway East
Suite 110
Haddonfield, NJ 08033

First Vice President

Jennifer G. Fowler
76 East Euclid Avenue
Suite 101
Haddonfield, NJ 08033

Second Vice President

Louis R. Moffa, Jr.
457 Haddonfield Road
Suite 600
Cherry Hill, NJ 08002

Treasurer

Eric G. Fikry
301 Carnegie Center
3rd Floor
Princeton, NJ 08540

Secretary

Ronald G. Lieberman
4 Kings Highway East
Haddonfield, NJ 08033

Executive Director

Laurence B. Pelletier
1040 N. Kings Highway, Suite 201, Cherry Hill, NJ 08034

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Editorial Offices

1040 N. Kings Highway
Suite 201
Cherry Hill, NJ 08034

Advertising

856.482.0620
kdp@camdencountybar.org

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**Be an active participant
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**ATTEND MEETINGS
AND FUNCTIONS!**



The Association lost a good friend and respected colleague on March 3, with the passing of Past President ('80-'81) Harvey M. Mitnick.

Harvey's reputation for professionalism and civility in the legal profession was well known and respected by all who knew him, and is something for which he will be remembered.

Harvey's longtime partner, Rocco DePersia, summed up the thoughts of most who knew Harvey, "He was one of the very best men I ever knew and I will miss him."

Harvey will certainly be missed, but his legacy will live on through the Harvey M. Mitnick Foundation for the Administration of Justice & Equality.

As a special remembrance, The Barrister is pleased to reprint the following article, written when Harvey was co-chair of the Association's Committee on Professionalism.

Practicing Professionalism

By Harvey M. Mitnick

As I watched the immediate celebration after Mark McGwire's historic 62nd home run, and the award ceremony after the game, the respect for professionalism between Mark McGwire and Sammy Sosa was readily apparent. McGwire's respect for our national pastime and its long tradition was likewise obvious.

Unfortunately, it is my observation that throughout the past decades not only the public's perception of our profession, but that of our own members through their actions have lost respect for each other, and in some instances have little regard for sanctity and decorum inside the confines of the courtroom.

I ask each member of the Bar to assess their own behavior in the courtroom, in terms of some simple rules which should be self-evident:

- Do you bring food or beverages into the courtroom?
- When court is in session and you are not "up to bat," do you talk in the courtroom or wander through the courtroom and disturb the proceedings?
- Are you prompt and punctual?
- Are you guilty, when due in more than one court, of marking the case "ready hold" without notice to your adversary, or just taking care of business in another court without previously explaining your scheduling problems to the other attorneys involved? Civility and professional courtesy would dictate a simple phone call to your adversary in an attempt to resolve your respective scheduling conflict. Your adversary's schedule is as important to him/her as yours is to you.
- Do you attack, castigate or direct offensive remarks to opposing counsel on the record?
- Do you fail to grant your adversaries' requests for extensions of time or adjournments of motions, etc., which would be permitted by Court if you did consent? Do you do so despite the fact that there is no prejudice to your client?

The tradition of the Camden County Bar Association in terms of cooperation and courtesy between the Bench and Bar, as well as between attorneys, has always remained one of the strongest, if not the strongest, in the State of New Jersey. All you need to do is travel the width and breadth of this state to corroborate the above. Although the number of attorneys in our county has increased dramatically over recent years, and the ability to personally know your adversary has been substantially reduced, our strong tradition of civility and professionalism must be preserved. We need not practice in a "cut throat" manner, nor "win at all costs." The merits of the litigation and fundamental fairness should be primary, and not the fee.

Hopefully, if you simply reflect on the dictates of common courtesy, the practice of law will be less stressful and the administration of justice better served.

Take a moment to remember McGwire and Sosa hugging; the scene with the Maris family; and the tradition of the great sport of baseball; and equate such genuine moments to your professional obligations, duties, courtesy and civility to your fellow attorneys and the Court.



The Association is saddened by the recent passing of the following members.

Salvatore J. Avena

February 3, at the age of 87

Eleanor H. Klein

February 20

U. S. District Judge Stanley S. Brotman (ret.)

February 21, at the age of 89

Past CCBA President Harvey M. Mitnick

March 3, at the age of 79

We extend our deepest sympathies to the families, friends and colleagues of these departed members.

They will be missed.



PERSONAL INJURY LAW

The Importance of Public Benefits in Settling Personal Injury Cases

By Thomas D. Begley, Jr., CELA

Public benefits must always be considered in the settlement of a personal injury case. They are important for two reasons: (1) whether there is a lien to repay the public benefits, and (2) whether the plaintiff's continued eligibility for public benefits depends on the establishment of a self-settled special needs trust. Common public benefits include the following:

Supplemental Security Income (SSI)

SSI is a monthly payment from the Social Security Administration to the SSI recipient. The maximum payment for an individual for 2014 is \$721 per month.¹ For many people this is a significant benefit. Over a calendar year, it is \$9,132. With inflation adjustments over a five-year period it might amount to \$50,000. SSI is essentially a welfare program. It is "means-tested," which means that there are income and asset tests to determine eligibility. SSI does not have a lien against a personal injury settlement, but a special needs trust is required to maintain the plaintiff's eligibility.

Social Security Disability Income (SSDI)

The amount of the SSDI benefit, like Social Security Retirement, is based on the amount the worker paid into the system during his working career. This is known as a PIA. SSDI has no lien against the personal injury settlement and a special needs trust is not required to maintain eligibility.

Medicaid

Medicaid is a medical payment program. It provides very broad coverage. There are a number of variations on this program. One is straight Medicaid. If a person's income is less than \$972 per month, he or she is aged, blind or disabled, and has assets of less than \$2,000, he or she is eligible for Medicaid. Another variation is New Jersey Family Care. This is an income-based program. There is no asset test. Medicaid has a lien against a personal injury settlement. A special needs trust is required to preserve eligibility for regular Medicaid, but not for New Jersey Family Care.

Affordable Care Act (ACA)

The ACA is funded with Medicaid dollars for individuals who have income less than 138% of the Federal Poverty Level. While it is unclear from the legislation and regulations and there has been no case law, it would appear that if an individual is receiving a Medicaid subsidy under the ACA, then there would be a lien against the personal injury settlement to the extent that Medicaid dollars were paid. There is no asset test for ACA insurance, but to the extent the assets produce income, it affects eligibility and premiums. Generally, a special needs trust would not be required.

Medicaid Waiver

There are a number of Medicaid Waiver Programs in New Jersey. Typically, these programs have an income cap of \$2,163 per month for 2014 and an asset test of \$2,000. Medicaid Waiver Programs typically provide home care and care in residential settings such as group homes, assisted living facilities, and nursing homes. Medicaid Waiver Programs have liens against personal injury settlements and special needs trusts are required in order to maintain eligibility.

Medicare

Medicare is essentially a medical insurance program. To be eligible, an individual must be over age 65 or disabled and receiving SSDI or Railroad Retirement Disability or suffer from End Stage Renal Disease (ESRD) or Amyotrophic Lateral Sclerosis (ALS). Coverage is very broad, but there are copayments, deductibles, and premiums. There is a Medicare lien against a personal injury settlement, but a special needs trust is not required to preserve eligibility.

Medicare Advantage

A Medicare Advantage Plan is essentially a Medicare HMO. Medicare Advantage Plans must provide all of the benefits covered by Medicare and they do offer additional coverage relating to deductibles and copayments. Clients often purchase Medicare Advantage Plans rather than stay with Traditional Medicare, so that a Medicare Supplement is not required. Medicare Advantage has a lien

against personal injury settlements and a special needs trust is not required in order to maintain Medicare Advantage.

Supplemental Nutrition Assistance Program (SNAP) (formerly Food Stamps)

SNAP provides assistance to eligible individuals and families to assist in the purchase of food. There is an income test related to total household income. There is also an asset test. There is no lien against a personal injury settlement. A special needs trust is often required to maintain benefits.

Federally-Assisted Housing

Federally-Assisted Housing provides housing assistance, usually rental assistance, to low-income individuals and families. There is a Regional Income limit for purposes of determining eligibility and, if an individual or family is determined to be eligible, the individual typically pays 30% of his or the family's actual adjusted gross income as rent. There is no lien against a personal injury settlement for federally-assisted housing. There is no asset test, but income from assets is considered income. A special needs trust is sometimes, but not always, required to maintain eligibility.

Temporary Assistance to Needy Families (TANF)

The TANF program in New Jersey is called WorkFirst NJ. The program provides temporary cash assistance and many other support services. The program known as General Assistance is part of the WorkFirst NJ program and provides benefits to families or individuals even if they do not have children. There is a lien against the personal injury settlement.

Therefore it is critical to obtain correct information from clients, so that liens can be satisfied, trusts can be established where necessary, and MSA accounts can be set up in appropriate cases.

¹ 78 Fed. Reg. 66413 (Nov. 5, 2013).



Martin H. Abo, CPA/ABV/CVA/CFF

April 15th's A-Coming!

Need Money? Need Time? Need an Extension?

Yep. It's that time of year where we accountants start reminding you to confer with us since the April 15th deadline is looming. Clearly, there are probably many reasons you may not be prepared to file from not having the K-1 from the partnership you're in, to waiting to get the tax basis from a property you inherited or were gifted, to waiting for that third corrected 1099 statement your brokerage firm supposedly sent, or to just plain "out-of-sight-out-of-mind" and procrastination. We still want you to file an extension.

As you've heard us get on the case of those of you who are thinking "...I swear, I just don't want to file an extension. I'm afraid I'll be flagged as a late filer, will get hit with exorbitant penalties and, worse; increase my odds of getting audited."

Hey, when you file an extension you're simply asking for more time to properly complete your tax forms. The IRS wants you to file "complete and accurate" returns. If you have to rush through your return, do not have all the proper support and information required, need to make estimates of figures, don't have time to adequately review and comprehend what is being filed—there is a good chance you may NOT be filing a complete and accurate return, even with the best of intentions.

Now don't quote Abo on this but we'd venture a guess that the majority of all CPAs practicing in the tax arena file an extension. Now really—if it was a concern, don't you think we'd file our own returns first?

Oh yes, one more reason we've found some individuals do not want to extend is because they are in the process of buying a new home or refinancing and their lender is requesting a copy of their tax return. Or how about getting out those financial aid applications for colleges? Most such lenders will accept a copy of an extension along with copies of documents substantiating income (W-2s, 1099s, K-1s, etc.), perhaps a "draft of the tax return" to be followed by the actual and copies of the prior year tax returns.

So here are "Abo's Top Ten" thoughts we want you to know about the different factors you may wrestle with if you don't have the money or information needed.

1. **If you do not file by the deadline, you might face a failure-to-file penalty.** Without a valid extension, a late filed return is subject to a 5% per month penalty on any unpaid balance. While this cannot be more than 25% of your tax (ouch), we believe this can and should be avoided. We'll talk more on this later.
2. **If you do not pay by the due date, you could face a failure-to-pay penalty.** The failure-to-pay penalty is $\frac{1}{2}$ of 1% of your unpaid taxes for each month the taxes are not paid after the due date (i.e. an annualized 6%). This penalty is assessed on any taxes not paid by April 15th if the outstanding amount is more than 10% of the total tax obligation. It can be up to 25% of the unpaid taxes (ouch again).

(Continued on Page 6)

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We are proud to be a Partner in Progress of the Camden County Bar Association.

Let us know if you:

- Need our technical experience and professional insight for projects on accounting, tax, valuation, investigative or litigation support;
- Need help with estate or trust tax returns;
- Would like us to confidentially assess your own personal tax situation or run multiple scenario tax projections for you;
- Have a company or individual you'd like us to meet with;
- Would like any of the numerous articles and handouts of particular interest to lawyers and law firms at Abo and Company, including:
 - Presentation entitled "The Financial Side of a Law Practice—What They Forgot To Tell You in Law School"
- Presentation to the National Employment Lawyers Assoc-NJ on "Law Firm Collections and Receivable Tips"
- Labor & Employment Law Section of the New Jersey Bar's seminar "Use of Experts in Employment Cases"
- The National Business Institute (NBI) at their two days of seminars entitled "Accounting 101 For Attorneys"
- NYC, NJ, Camden County and Chester County PA Bar seminars on "Buy-Sell Agreements" (includes our 122 point checklist on buy-sells)
- The Sharper Lawyer's seminar entitled "Practical Strategies to Improve Your Law Firm's Bottom Line"
- Abo and Company's "Inventory of Personal Assets—Financial and Estate Planner"
- Abo and Company's 88 point "Attorney Trust Accounting Checklist"
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- IRS Audit Technique Guide on Attorneys and Law Firms
- Checklist for those serving as Executors
- Sample Reconciliation of Income Tax Return with Actual Disposable Income

To learn more or to receive any of the above, please contact by phone, fax or e-mail:

Martin H. Abo, CPA/ABV/CVA/CFF (marty@aboandcompany.com)

Patrick Sharkey, CPA/MST/CSEP (pat@aboandcompany.com)

New Jersey

307 Fellowship Rd., Ste. 202 • Mt. Laurel, NJ 08054
Phone: 856-222-4723 • Fax: 856-222-4760

Pennsylvania

6 E. Trenton Ave., Ste. 5 • Morrisville, PA 19067
Phone: 215-736-3156 • Fax: 215-736-3215



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April 15th's A-Coming!

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3. **If you do not pay the tax balances by April 15th, interest will be due on any amount not paid.** The interest rate on underpayments as of this writing through March 31, 2014, is 3% per annum (stay tuned after April 1). Not all that bad by itself and certainly a lot less than the rate charged by most credit card companies (even combined with the late-to-pay penalty).
4. **The failure-to-file penalty is generally more than the failure-to-pay penalty.** So if you cannot pay all the taxes you owe, you should still file your tax return and explore other payment options in the meantime. Now you know why we want you to file an extension.
5. **If you file your return more than 60 days after the due date, the minimum penalty is the smaller of \$135 or 100 percent of the unpaid tax.**
6. **If you file an extension and you pay at least 90% of your actual tax liability by April 15th, you will not be faced with a failure-to-pay penalty if the remaining balance is paid by the extended due date.** This extended due date is now October 15th with the filing of a valid automatic six month extension (those days of Abo and Company and other accountants having to run around for a second extension before August 15th are fortunately gone). By having 90% of your tax liability paid by April 15th, filing an extension gives you an extra six months to come up with the remaining tax dollars at a relatively low interest rate.
7. **If both the failure-to-file penalty and the failure-to-pay penalty apply in any month, the 5 percent failure-to-file penalty is reduced by the failure-to-pay penalty.**
8. **You will not have to pay a failure-to-file or failure-to-pay penalty if you can show that you failed to file or pay on time because of reasonable cause and not because of willful neglect.** Do you feel like depending on the IRS to determine "reasonable?"
9. **States can be even more problematic than the IRS.** Most states will grant you an automatic extension of time to file if you obtain a federal extension. The problem often lies in that states have gotten very tough in disallowing extensions and thus imposing late filing penalties if 80% of the actual state tax liability is not paid in the form of withholdings or, estimated payments by April 15th. Perhaps this is why Abo and Company and other tax professionals sound so annoying by asking you if you owe tax and suggesting it be paid in (even before IRS) to so avoid the possible state disallowance. We've found New Jersey and New York to be especially vigilant in this regard. With the denial of the extension and imposition of penalty and interest charges from the original due date of the return, don't be surprised when you receive a letter from the state. Still, we suggest forwarding your tax preparer the assessment before so paying.
10. **There are other reasons to file an extension.** Sure, the main reason for filing a valid extension is to avoid the confiscatory late-filing and late-payment penalties & interest we have seen reach as high as 47.5%. Even if you expect a refund, filing a valid extension protects your right to recharacterize an IRA contribution or permits you to defer funding a self-employed retirement plan (not a regular IRA, Roth IRA or Coverdell Education Savings Account). It also enables self-employed individuals to even delay opening a

S.E.P. plan as late as the extended due date (let alone funding it). One strategy we often implement for our self-employed individual clients is to pay all taxes deemed due with an extension and then funding the retirement later when cash flow permits, as late as October 15th.

There's a simple way to extend this daunting deadline—file an extension, form 4868, and just make sure it's postmarked by April 18th. It's only one page—actually a half page—and doesn't even require a signature. That's it! You will then have until October 17th to get all of your documentation together, have ample time to thoroughly review and, more importantly, understand the returns and, finally, to then file them in a timely matter.

Alas, this still may not suffice for many. If you owe so much tax that you still won't be able to pay them by the extended due date of October 15th, one option may be to confer with your tax professional to file the paperwork to enter into an installment agreement with the IRS. On these forms you effectively inform the government how much you can afford to pay each month. You also tell them the specific day of each month you will make this payment. The IRS will still charge interest at the prevailing federal rate as well as a reduced monthly failure-to-pay penalty (.25%) on the outstanding balance. **DO NOT TAKE THIS LIGHTLY.** Not making such a scheduled payment will cause the remaining outstanding balance to become immediately due.

Martin H. Abo, CPA/ABV/CVA/CFF is a principle of Abo and Company, LLC Certified Public Accountants – Litigation and Forensic Accountants. The firm is a Partner in Progress of the Camden County Bar Association. With offices in Mount Laurel, NJ and Morrisville, PA, Marty can be reached at marty@aboandcompany.com or by calling 856-222-4623.



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By Cynthia Sharp
cindy@thesharperlady.com

Take Charge of Your Own Economy

Part 2 of 2

Part One of this Article (published in the last issue of The Barrister) discussed the process of individual assessment of financial health and setting personal financial goals. Part Two describes additional strategies that will help attorneys and legal professionals attain financial security.

Develop Budgetary Discipline

Some agree with Oscar Wilde that "Anyone who lives within their means suffers from a lack of imagination." On the other hand, meeting your savings goals requires you to live below your means.

The budget process seems simple; yet, according to the 2012 Consumer Financial Literacy Survey, more than half of the adults surveyed had not established a household budget (tinyurl.com/bne3gll). Information regarding the mechanics of setting up a budget along with basic budget worksheets are readily accessible through a number of Internet resources. The process involves recording all sources of income and listing all expenses (whether incurred monthly or

otherwise). The expense side should include the amount needed to be set aside to meet long- and short-term financial goals discussed in part one last month. After subtracting expenses from income, there will either be a deficit or surplus. If you have a deficit, you need to either make more money (a topic beyond the scope of this article) or reduce expenses. Enhancing net worth by adjusting lifestyle can pose a huge challenge; however, it becomes more palatable when you maintain the perspective that the long-term financial goal is more important than short-term gratification. If you have a surplus, save it!

Do Not Carry Balances On Credit Cards

Credit cards offer a convenient method by which to make and keep track of expenditures. Besides, it is fun to cash in on the accumulated points. However, their double-edged allure is apparent to those who use them to live an otherwise unaffordable lifestyle. Responsibility for monthly payments can continue for years after the items

purchased are discarded or extravagant restaurant meals are enjoyed.

Example: Joe Lawyer and his family decide they deserve a vacation. Because he is barely making ends meet, he charges \$5,000 on his Visa card knowing that he can squeeze \$150 per month out of the budget to pay the debt. Presuming an 11 percent rate of interest, he will make his final payment about three and one-half years after the vacation, and the actual cost of the trip will be \$6,000 (the interest payments total \$982.62).

As a general rule, if you can't pay the credit card bill at the end of the month, don't incur the charge. If you have already incurred significant credit card liability, commit *now* to a plan to satisfy the debt no matter how overwhelming it may seem.

A number of online calculators are available that will assist you in establishing realistic goals. Tempting as it may be, I do not recommend taking out a home equity loan to consolidate outstanding credit card debt.

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MUNICIPAL COURT

Conditional Dismissal — the Municipal Court PTI

By Robert C. Wolf Esq., Liebling, Malamut, LLC

Pre-Trial Intervention (PTI) has existed in Superior Court for longer than the 2C Code itself. Historically, the diversionary program has been applied to any indictable offense that qualifies, regardless whether the offense was drug related (Title 35 or 36), or non-drug related. In Municipal Court, the only diversionary program that has so far been available, is Conditional Discharge, pursuant to N.J.S. 2C:36A-1, a drug related diversionary program that is restricted to qualifying offenses within Title 35 or 36. That is to say, Conditional Discharge was the only municipal court diversionary program until January 4, 2014.

Assembly Bill 3598 of the 214th Legislature, carved out section 2C:43-13.1, Eligibility and application, a new section in the 2C Code that allows defendants "charged with a petty disorderly offense or disorderly persons offense...[to] apply to the court for entry into the conditional dismissal program...". This section permits D.P. offenses and Petty D.P. offenses that do not qualify for Condition Discharge, to be eligible for admission into a new municipal court program, similar to that of PTI, referred to in the statute as *Conditional Dismissal* (with some limited exceptions). Conditional Dismissal is designated as a one (1) year term.

When does the new program take effect? The Bill was enacted on September 6, 2013. It's effective date was "120 days after enactment," which would make the effective date, January 4, 2014. *Note: the program only applies to offenses that occurred "on or after the effective date of the bill."* As I sit and write this article, it has been almost two months since the effective date and I have yet to hear of one occurrence of a municipal court PTI application. I made phone calls to five (5) municipal court

administrators who work in courts that have relatively large dockets, to inquire what sorts of issues they have dealt with, while adjusting to the new municipal diversionary program. All five had no idea what I was talking about.

It is possible that probation officers, prosecutors and Judges will all similarly need to get acquainted with the new legislation. Speaking from a purely practical standpoint, any attorney seeking to make application to the new program may be tasked with filing a motion, and presenting the prosecutor and Judge with evidence of the new legislation. I imagine it also means that, presently, there are no standard municipal court blank Conditional Dismissal application forms for defendants or Court staff to fill out.

The application fee is \$75, which according to the bill, is to be "deposited in the newly created 'Municipal Court Diversion Fund'..." However, "the bill allows the defendant to apply for a waiver of the fee by reason of poverty." Additionally, the defendant will still be required to pay the Court cost, mandatory penalties and any restitution, as well as any additional fee the Judge may decide to impose (not to exceed the statutory fine that would have applied upon conviction).

[Merely as a side note, the Bill also acknowledges that the former language in both the PTI and Conditional discharge statutes, that designated a \$75 Application Fee, to "defray the cost of juror compensation" is outdated and no longer applies. So "the bill updates these sections of law accordingly," by eliminating the "juror" language but rerouting the \$75 into a new budgetary fund.]

(Continued on Page 10)

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CIVIL PRACTICE CORNER

By William F. Cook

Step-Down Law Not Retroactive

In the latest step-down showdown, the Supreme Court held in James v. New Jersey Manufacturers that the 2007 statute prohibiting step-downs does not apply retroactively.

James takes us once again to Pinto, the Court's 2005 seminal step-down ruling. In Pinto, the Court held that a carrier *may* cap the UM or UIM coverage provided to employees in an employer's commercial auto policy at the limits available to such employees through their *personal* auto coverage.

Of course, Pinto did not end the debate, but instead mobilized an aggressive legislative response by step-down opponents which resulted in the 2007 enactment of N.J.S.A. 17:28-1.1(f). The statute now prohibits lower UM/UIM limits for an employee than what his or her employer enjoys under a commercial auto policy.

Fast forward to James, which involved whether the 2007 legislation effectively rescinded a step-down provision that was in effect at the time of the plaintiff's accident. The policy in James was issued on March 18, 2007. The underlying accident occurred on July 5, 2007, but N.J.S.A. 17:28-1.1(f) did not become effective until September 10, 2007.

The Court held that N.J.S.A. 17:28-1.1(f) did not apply. Justice LaVecchia observed that the "possibility that a bill might become law is an expectation built on uncertainty until it happens." Thus, while the law reformed policies when it became effective, an employee's claim made on an auto policy "must be judged based on the law governing the policy at the time of the occurrence: the accident." Since the accident occurred before the effective date of the law, the step-down provision remained in effect.

James appears to be a limited ruling, as it affects cases involving business auto accidents prior to September 10, 2007. Still, the Court's opinion provides a useful overview of the principles governing statutory interpretation.

Offers of Judgment

In Feliciano v. Faldetta, the Appellate Division held that the fees awarded under the offer of judgment rule are not duplicative of contingent fees.

Feliciano and Faldetta were in a car accident on March 7, 2007. Feliciano later sued Faldetta in Cumberland County.

After discovery, the Law Division denied Faldetta's summary judgment motion, holding there was a factual dispute over whether the injuries failed to satisfy the verbal threshold.

Feliciano served and filed an offer to take judgment under R. 4:58-1 for \$15,000. Faldetta rejected the offer. After a three-day trial, the jury returned a verdict for Feliciano and awarded \$50,000 for pain and suffering. The Law Division later entered judgment for \$109,185.27, which included \$42,230 in counsel fees, \$6,831.09 in litigation expenses, and \$6,998.67 in interest under R. 4:58-2. Faldetta's policy limits were \$50,000.

On appeal, Faldetta argued that he was entitled to an offset of the fee award for plaintiff's counsel's contingent fee. The Appellate Division rejected this argument, holding that under R. 4:58-2, plaintiff's counsel was entitled to fees and costs incurred after the offer of judgment was rejected, whereas counsel was entitled to compensation from the client for services provided prior to the rejection under the fee agreement. Thus, there is no overlap in fee compensation for plaintiff's counsel.

Capitol Watch

The Legislature is again considering a bill which would change the statute of limitations in legal malpractice cases from six years to two and eliminate the recovery of attorney fees in such actions as authorized by Saffer v. Willoughby, 143 N.J. 256 (1996).

(Continued on Page 10)

Nominations Sought for CC Bar Foundation Board of Trustees

Lawyers Strengthening our Community

The legal profession is committed to helping others and to further that ambition the Camden County Bar Foundation (CCBF) was created in 1986 as the Association's charitable partner. Through a wide range of annual community service programs and projects, the Foundation provides joy, comfort and hope to members of our community who most need and deserve it, while fostering a greater understanding of the legal system.

If you enjoy making smiles happen, letting others know that there are people who care about them, and helping deserving law students find the financial resources necessary to complete

their education, then you should consider taking a leadership position as a Bar Foundation Trustee.

We're looking for members who want to make a difference, who have creative and new ideas to expand and improve existing programs while developing new ones, who find satisfaction in helping others and who are interested in taking a leadership position.

If this is YOU, then please submit a letter of interest and resume to Bar Headquarters by **Friday, May 2**. You CAN make a difference!

CIVIL PRACTICE CORNER

Continued from Page 9

The legislation would bring lawyers, architects, and engineers into line with doctors in professional malpractice cases.

The General Assembly Judiciary Committee heard testimony on February 10th from the NJSBA and others on the proposed legislation. The NJSBA supports the legislation, A1254, which was introduced by Assemblyman Prieto. Similar legislation was introduced in prior sessions, but stalled.

Comments Wanted

The Supreme Court has invited written comments on the 2012-2014 published report of the Civil Practice Committee by April 11th.

Among the proposed rule changes is a requirement that in all actions in which personal injury damages are sought, plaintiff must include a HIPAA authorization for every medical provider named in his or her interrogatory answers.

R. 4:24-1 would also be amended to toll the discovery end date in cases that were removed to U.S. District Court and later remanded back to the Law Division.

Comings and Goings

Effective March 10, Judge Kassel has been assigned to the Civil Part, and Judge Kelley to the Criminal Part.

The Civil Practice Committee welcomes Judge Kassel back to the Civil Part and wishes Judge Kelley all the best in the Criminal Part.

Congrats

Finally, congrats to Michael P. Madden, who received the NJSBA's prestigious McLaughlin Award in February at the Hyatt Regency in New Brunswick.

The McLaughlin Award is presented annually by the NJSBA's Civil Trial Bar Section to an attorney and/or judge recognized for demonstrating civility, legal competence and professionalism in the practice of civil trial law.

It's not breaking news to anyone in Camden County that Mike has long exemplified all of these qualities since starting his practice in 1972 with Farrell, Eynon and Munyon in Haddonfield.

Bob Baxter, last year's distinguished recipient of the McLaughlin Award, did the honors of making this year's presentation, which included written remarks from Mike's college football coach, NFL Hall of Famer Marv Levy. Justice Hoens was also a recipient of this year's award.

Many congrats to Mike, his family, and his firm from the Civil Practice Committee.

Contributors Wanted

The Civil Practice Committee welcomes contributors to the Civil Practice Corner. Interested persons may contact me at wcook@brownconnery.com.

Make YOUR association work for you! *Get Involved in a Committee.*

MUNICIPAL COURT UPDATE

Conditional Dismissal — the Municipal Court PTI

(Continued from Page 8)

Who is not eligible? The PTI statute sets forth 17 criteria for Prosecutors and Program Directors to consider when screening an applicant. N.J.S.A. 2C:43-12(e). The new Conditional Dismissal statute includes only 10 criteria. N.J.S.A. 2C:43-13.1(c). Nine of them are nearly identical to those in the PTI statute. The tenth, however, is a catch-all section that states "Any other factors deemed relevant to the court,"

In addition to the 10 criteria in section (c), section (b) lists 8 additional criteria that were never mentioned in the PTI statute. For example, (b)(1)(b) excludes applicants that were acting in furtherance of "...a continuing criminal business or enterprise." N.J.S.A. 2C:43-13.1(b)(1)(b). This exclusion had formerly only been the subject of case-law. Charges that stem from organized crime, or those that victimized the elderly or a minor person, are also excluded from participation. And yes, DUIs are specifically excluded.

Also, as is the case with PTI and Conditional discharge, prior participation in any New Jersey diversionary program will disqualify applicants for the Conditional Dismissal program.

Who decides who gets in? The biggest glaring difference distinguishing the Conditional Dismissal statute from the PTI statute is that the determination is made by the Judge and not the prosecutor. According to 2C:43-12(e), the PTI statute, "[p]rosecutors and program directors shall consider, in formulating their recommendation of an applicant's participation in a supervisory treatment program..." the seventeen (17) criteria mentioned above. However, in the new Conditional Dismissal statute, it states that "...the court shall consider

the following [10] factors." While there appears to be no specific subsection in the Conditional Dismissal statute dedicated to the Judge's designee as the decider in chief, the language in factor 10, "other factors deemed relevant by the court," further supports the fact that the Court bears the burden.

How do I appeal from denial? If PTI is denied and the applicant desires to appeal the decision, 2C:43-12(f) instructs that "a motion shall be filed before the designated Judge (or Assignment Judge) authorized pursuant to the rules of court to enter orders." On appeal of a denial of PTI by the program director or prosecutor, the standard of review is patent and gross abuse of discretion. State v. Dalglish, 86 N.J. 503 (1981). There is no section in the Conditional Dismissal statute that instructs the procedure for an appeal from denial. I can only assume that appeals by a defendant will follow the general 20 day rule.

Municipal Prosecutors should be aware that in the original language of Assembly Bill 3598, the legislation that authorized the new diversionary program, it states, "if the court approves a defendant's participation in the conditional dismissal program over the municipal prosecutor's objection, that order will, upon the request of the prosecutor, be stayed for a period of 10 days in order to permit the prosecutor to appeal the order to the Superior Court."

In any case, attorneys on either side would be advised to have the Court place the precise findings and conclusions on the record for appeal purposes.



Foundation Trustee Andy & Sandy Kushner, Foundation President Lou & Megan Lessig, Event Co-chair Joe McCormick



Barry Sullivan & Maura Murphy



Mike & Nina Dennin



Mike, Lois & Mike Rakoski



Judge & Mrs. Fratto



Food, drink and fun a plenty!



Don Fox, Barbara Etish, Judge Baxter, Judge Pugliese & Susan Pugliese

The Tasting Games!

Friday, March 7th was a terrific night for the Camden County Bar Foundation as the Collingswood Grand Ballroom came alive with the tantalizing scents of terrific food, fine wine, craft beer and the excitement of Atlantic City at the Foundation's ***The Tasting Games!*** fundraiser.

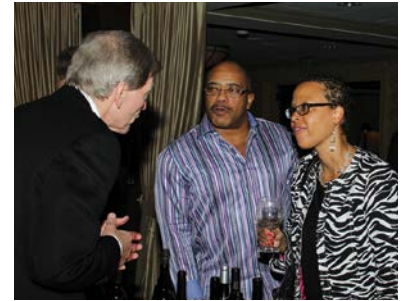
The evening included a Fine Wine and Craft Beer Tasting, scrumptious food provided by 17 local restaurants and specialty shops, exciting casino games and of course, the 40" TV & Kindle Fire raffle drawing. Congratulations to Neal VanDeusen who won the TV, and Douglas Johnson who won the Kindle.



CCBA First couple Pati & Gary Boguski



Neel Bhuta, Rachael Brekke, Jack McDermott



Fruit of the Vine!



Allen & Barbara Etish, Judge Axelrad & Barry Weinberg



Donna & Judge Ragonese



Partner in Progress (Law Vault)
Jonathan Roth & Lilia Londar



'Nuff said!

WINE & FOOD

By Jim Hamilton

Since there were many more value priced wines in the Michael Skurnik Wines portfolio uncovered at the January tasting than there was column space available to discuss them, let's continue to talk about some of them. Hopefully, by reaching back a few months for wines to feature, there is at least a chance that retailers who may have been similarly impressed by the wines will have had both the time and inclination to purchase them for you to buy and try. Yes, the key word there is inclination.

As I have previously reported, where once the dry German wines tended to remain in Germany, in part because of the native wine consumers' taste and also based on a sense of the American wine drinker's palate, we now are seeing more dry ("trocken") German wines in our market. I just bought some more 2011 Clemens-Busch Riesling Trocken, and will be interested to see whether the 2012 is as successful (and if so, whether it will surface again). Another dry Riesling worth trying that you *might* be able to find is **2012 Kruger-Rumpf Kapellenberg Riesling Trocken**. The grapes come from vines reasonably mature and elevated, causing the yields and amount of sugar at harvest to be conducive to crafting a dry wine. It evidences a taut but ripe fruit profile, citric notes leaning toward lime, with stone fruits and minerals creating a crisp and lasting impression. This wine should prove to be a versatile complement to a variety of dishes.

Further proof of the rising quality of the Strub family's wines can be found in the **2012 Strub Niersteiner Hipping Riesling Feinherb Thal**. Like the Strub Brückchen mentioned last month, this wine shows the skillful hand young Sebastian Strub is employing as he holds the winery reins more firmly. There is a fleshy heft to the wine, with fruit within the ripe peach spectrum of flavors and an undercurrent of earth, stones and subtle mint tea. "Feinherb" is a word sometimes used to portray a wine that is not really sweet yet not completely dry. It could, perhaps, be called "halbtrocken," but it seems that word has fallen from favor. And yes, the German wine industry really *does* want to make their labels less confusing!

Indeed, Gysler is a winery that has been working to simplify matters for the

consumer. **2012 Gysler Weinheimer Riesling Kabinett** is a winning wine that offers as much soil drive as fruit drive. It has the balance so necessary in off-dry wines, exhibiting saliva-inducing acidity while remaining round and ripe in flavors that resemble white peaches and baked apples.

While the *cognoscenti* consider the Riesling grape to be among the finest white grape varieties grown, uncertainty with how it will communicate its classic qualities still may cause consumers to balk at buying Riesling wines. Another white grape that probably commands more respect among wine "experts" than the casual wine consumer is Chenin Blanc. This may be because few American wineries, where grape varieties typically are noted on the label, have achieved success with the varietal, and regions where it enjoys a degree of acclaim, e.g. France's Loire Valley, often do not identify the grape variety on the label (e.g. Vouvray). A wine offering a nice glimpse at Loire Valley Chenin Blanc is **2010 Domaine FL Anjou Blanc Le Chenin** (notice how they sneak the varietal on the label!). This is a dry, crisp wine that offers saline-tinged lime fruit with just a touch of the lactic quality Chenin can impart.

If we go up river from the Anjou region to the eastern Loire Valley, the white grape of choice becomes Sauvignon Blanc and the prime real estate for growing it is in and around the hilltop town of Sancerre. **2012 Domaine Martin Sancerre** represents a nice entry-level approach to the wines of this region, offering the grassy notes we often find in the varietal, with classic boxwood aromas blended in with creamed corn features. It has a gentle pungency that many (particularly fans of New Zealand versions) expect from their Sauvignon Blanc.

If you are not an "ABC" wine drinker (Anything But Chardonnay), you may enjoy trying the **2011 Daniel Barraud Mâcon-Chaintré**. When you think of white Burgundy wine, visions of expensive Meursault or Puligny- or Chassagne-Montrachet may come to mind. However, the Mâconnais region of Burgundy does not have the standing to command high prices, even in instances where they may be warranted, so it can be a good place to look for classic Chardonnay. This particular wine is lively and



characterful, exhibiting unadorned apple and citric fruit that is clean and palate pleasing. It is a Chardonnay for those who are put off by the tropical fruit, over-oaked versions we often associate with "New World" Chardonnays.

Since rosé wines have become an increasingly popular addition to summer tables, and the promise of warm weather lurks, allow me to highlight a perennial rosé winner from the heartland for those wines, Provence. **2013 Mas de Gourgonnier Les Baux de Provence Rosé** is a pale colored, fruit-packed wine that should not be relegated only to patio sipping, but rather enjoyed for its inherent quality and versatility. We find the quintessential Provençal rosé fruit of strawberries and ripe watermelon, with a penetrating vibrancy that likely comes from some of the sturdier varietals in the blend. It may be summer in a bottle, but it truly is a wine for all seasons.

2010 is widely considered as a stellar vintage for the red wines of Bordeaux, and as is often the case, the cream of the Bordeaux red wines — the "classified growths" — fall outside most people's view of value pricing. As I have said before, however, the regard for Bordeaux wines has led to a spread in quality from the famous appellations on both sides of the river running through them to the so called satellite appellations. Thus, while the "right bank" appellation of St. Emilion may yield wines that can be bank breaking, the adjoining appellation, Côtes de Castillon, offers many affordable alternatives. **2010 Chateau de Clotte** represents such value. Its blend is 30% each Merlot, Cabernet Sauvignon and Cabernet Franc and 10% Malbec, from vines averaging 40 years in age. There is a nice weight to the wine, with some subtle oak framing a mélange of black fruits with ripe tannins offering some real persistence on the palate. Who says the Bordelais can't price wines for everyday drinking?



PRESIDENT'S PERSPECTIVE

by Gary W. Boguski

We are now officially into spring and I promised myself that I would stop kvetching about the crazy winter weather we experienced. Instead, I thought I would mention some of the positive things that came out of this winter.

1. We came to really appreciate 35 degrees and sunny.
2. I discovered, through the help of my daughters, my new favorite show which is *The Office*. Through the miracle of Netflix, I can watch the show even though it is off the air.
3. I discovered the best way for me to deal with zero degree days or 12 inches of new snow. That was to start the day with my personal Breakfast of Champions; two lightly toasted frosted, blueberry Pop-Tarts®.
4. The best thing that came out of this winter was the anonymous surprise gift someone left for me at my gym shortly after Christmas. Upon my arrival at the gym, on that particular day, I went to my usual locker and there was my gift, a gold Rolex watch. What a thoughtful gift, and my benefactor did not even leave a note.

This past month did have its sad moments. The Camden County Bar Association lost a true icon with the passing of Harvey Mitnick. Hearing the comment of his sons, the Rabbi and Rich Josselson recounting Harvey's life, we got to see the picture of a man who loved being a lawyer and brought great honor to our professions. Harvey worked hard for 53 years and also showed us how to balance hard work with family and the enjoyment of life. We were told that Harvey had a simple creed, "Treat everyone fairly and do the best you can." What a simple, perfect way to live one's life. Eleven years ago two "clowns" received the Peter J. Devine award for service to the Camden County Bar Association. A few years ago, Harvey received that Honor. He was a truly deserving recipient.

Last month also brought a disturbing headline in the news. A resident of Delaware tried to hire a hit man to kill his lawyer. I guess there is no professional insurance we can purchase that would cover all risks. Reading that story prompted me to research the internet for lawyer jokes. I stopped counting after a couple of hundred. Some lawyer jokes would be amusing if it were not for the reality that a large number of people truly believe that lawyers are at the root of what is wrong with society. Never mind the rights and civil liberties that we protect every day. Never mind the workplace, roadway and community safety protections that we have helped to create over the years. Never mind that the first call that everyone makes after being charged with a traffic offense is to their lawyer. Harvey was proud of being a lawyer and we all should be proud.

For those of you who missed it, *The Tasting Games* at the Collingswood Grand Ballroom on March 7, was a resounding success. Spectacular food presented by 17 South Jersey restaurants. Luckily I stopped eating 24 hours in advance of the event so that I could circle the ballroom sampling food from all the participating restaurants. A great selection of wine and craft beer was also provided by Maro Brothers in Hainesport. To top it off, everyone enjoyed casino night where the end game was great prizes including gift certificates and gift baskets. Many thanks to the sponsors and special thanks to Joe McCormick who chaired *The Tasting Games* Committee and served as our emcee for the prize give-away.

This month we will be honoring Judges Mariano, Eynon and Hyland as this year's recipients of the Devine Award, April 23, at Tavistock. If you have not already registered, please sign up to help us honor these great recipients.

In the meantime, let's all treat everyone fairly and do our best.

P.S. I turned the watch in at the desk of the gym and it was claimed minutes later by the rightful owner.

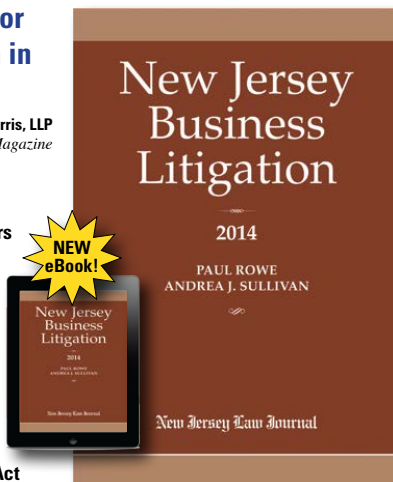
New Jersey Business Litigation

by Paul A. Rowe and Andrea J. Sullivan

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- Oppressed Minority Shareholders
- Rule 10b-5 and Section 10(b) of the Securities Exchange Act
- Antitrust
- Restrictive Covenants
- RICO
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YOUNG LAWYER HAPPENINGS



YOUNG LAWYER CHAIR

There's really not much going on this month – APRIL FOOLS!

By Rachael Brekke

At this point you probably didn't even believe that for a second, but considering I'm always on the other end of the joke for April Fools Day, I just couldn't resist. March was a GREAT month so I just want to recap the highlights for those of you who missed out. Even with the bitter cold weather, the Rutgers Alumni event at Treno was incredibly well-attended with alumni judges, professors, partners, and young lawyers. For those of you who went to Rutgers Law, it's definitely a night you don't want to miss next time.

The CCBF Tasting Games at the Collingswood Ballroom was the following night and a big success for the Foundation. Great food and wine to taste all night with the addition of casino games and tons of raffle prizes. It was my pleasure to get the craps table started with Jeanette Kwon and Sarah Cranston. The casino games were a big hit this year and everyone at the tables quickly became friends and walked away winners. Thank you to our Young Lawyer volunteers for the night: Cosmos Diamantas, Neel Bhuta, Jack McDermott, Sarah Cranston, and Jeanette Kwon.

Next up was the Quizzo Night at Dubh Linn Square with Burlington County Young Lawyers. I honestly can't speak more highly of this event. What a fun night! We had well over 50 young lawyers come out for a night of networking and quizzo. Thanks to our NJSBA Representative, Arupa Barua, for sponsoring the food for the night too. AND guess what else! We donated 40 children's books and \$200 to the Camden County Library Kids Room!!! Seriously, what an amazing way to spend a Thursday night. Congrats to the big

winners of the night, Chris Vanette, Lauren Hagovsky, Brian Wolosky, and Jeremy Rubin. Thank you to Short Hills Deli for sponsoring our winning prizes!

April will be no exception, especially with the warm weather on the way. We will kick off the month with our **Young Lawyer Lunch on April 2nd at CCBA HQ** (1040 N. Kings Hwy) at 12:30pm. This will be a very productive planning meeting for a few upcoming events so please try your best to plan for an hour away from your billables.

Here are a few events for you to get involved with this month. On **April 19th** the Young Lawyers will be hosting an **Easter Party at the Anna Sample House** in Camden from **11:30 am–1:30 pm**. For our new members, the Anna Sample House is a temporary emergency shelter that accommodates single women and families. Our Charitable Chair, Jenny Kasen, does a fantastic job organizing the event and leading our young lawyer volunteers. Please let me know if you want to get involved. This is a great way to spend your Saturday morning and it really means the world to the kids.

On **April 23rd** we are returning to the **Cathedral Kitchen from 3:30–5:30 pm** to volunteer with their amazing staff to serve dinner to the homeless and less-fortunate residents of Camden. Each year, Cathedral Kitchen serves more than 200,000 meals and it is truly an honor to be part of such an incredible movement. I encourage you to join us, please let me know if you're interested because we can only bring six young lawyers per visit.

Stay tuned for the Spring Picnic with the kids from Camden!

Young Lawyers Hit the Jackpot

(Continued from Page 1)

The number chosen for this bold move was "00," selected, they said, because it appeared like eyes staring into their souls. "Who spiked their drinks?!" Association President Gary Boguski wondered after hearing the reason.

The chips, piled Empire State high, were pushed in dramatic fashion onto the field of felt by Young Lawyer Chair, Rachael Brekke. "We figured we'd had our fun, so why not make a big splash," Rachel recounted. "Besides, most of us had spent the evening enjoying the food, wine and beer, so we were feeling frivolous. The energy at the table was pretty intense, so I guess we got caught up in the excitement." Foundation President Louis Lessig remarked "I noticed a gaggle of gamblers, so I went over to check out the action. When I saw this towering stack of chips being placed on one number, I had visions of the Foundation becoming another Revel!"

With increased stakes and tension, all eyes turned to the now crowded table. The muscular croupier leaned back and gave the wheel a vertigo-inducing spin, causing a centrifugal force that made the ball seem glued in its track, postponing the moment of truth

(Continued on Page 15)



(l-r) Foundation President Louis Lessig, YLC Member Mike Dennin, Larc School Executive Director Susan Weiner, Association President Gary Boguski and YLC Chair Rachael Brekke.

The Association and Foundation congratulate the Young Lawyer Committee for another successful Lobster Bake last September.

When all was said and done, the YLC was able to present a check for \$18,585 to the Larc School in Bellmawr, a non-profit special education school serving students between the ages of 3 and 21 with a wide range of moderate to severe disabilities, at no cost to the families.

Again, CONGRATULATIONS and keep up your good works!



LAW PRACTICE MARKETING

Charting a Different Course: A Woman Lawyer's Checklist

(Part 1)

By Kimberly Alford Rice

For all the chatter, studies, and disheartening stats we read on where Women in the Law rank in the legal services sector, I say "pooie." Yes, the numbers stink; yes, there are real barriers, discrimination, disappointing treatment from law firm leadership, but hey, we are women "with a capitol W," as the phrase goes.

Though I am not, nor ever have been a practicing attorney, I have also carefully and strategically navigated the career slalom amongst men in the sense that I am usually the only woman in management in the board room; have been perceived as a "trouble-maker" at times when I preferred to regard my role as a "positive change agent;" and have proactively spoken out for and against a leadership decision when I sensed it was misguided.

To say this, I say: If a woman (lawyer or other professional) is committed to creating the career of her dreams, she will, with some support and help.

Below is a checklist along your journey to get and stay on track:

1. **Recognize the value of getting the "right folks" on the bus and those who must come off.** For a host of reasons, not everyone will be a supporter. Just know that and keep moving forward in executing your plan for reaching a "happy place" in your professional life. There are the doubters, the second-guessers, the jealous ones, and generally those who want to stand in your way. Utilize your astute intuition and clear the path of those who do not totally support you. You'll pick up valuable others along the way.
2. **Get and stay focused.** Of course, it is too easy to lose focus on creating the ideal professional life by how just everyday life can step in the way. That is one of the reasons why it is imperative to develop a strategic plan for your goals/objectives each year (with reasonable deadlines and measurable metrics) to keep you on track. There are few tools more useful than a blueprint (aka strategic plan) to help you get and stay focused.

Young Lawyers Hit the Jackpot

(Continued from Page 14)

interminably. When the ball finally descended, it struck the wheel surface so hard and often it sounded like a jackhammer. The ball bounced from number to number before it finally nestled into its resting place. Yes, "00."

The Guinness Book of World Records sent personnel to a Seattle Seahawks home game to measure the noise level of the boisterous fans. *Philadelphia Inquirer* food critic Craig Laban provides decibel readings in his restaurant reviews, often bemoaning the excessive sound. Well, if you want to know what **LOUD** really can be, you should have heard the reaction of that devil's game crowd. Winners and watchers erupted with screams of Vesuvius magmatude, their faces distorted with Munch-like looks of disbelief. Chandeliers shook as a tsunami of whooping waves drowned the room. "Does anyone have a wheelbarrow!" exclaimed Executive Director, Larry Pelletier as he watched a chipload of winnings being moved to the lucky bettors. "Oh, if only this weren't Jim Hamilton's annual April article," Rachael lamented. Yes, the chips may have been fool's gold, but maybe next year they will be more than simply chips passing in the night.

3. **Enlist support of professional coach.** Referring to item #2 above, the probability that you will stay focused *and* execute with any great consistency and persistency exponentially increases when you engage the services of a professional coach. When we build the accountability factor into the mix, everything about creating your ideal professional life experience works better. Care enough to invest in yourself, and seek out this critical resource.

4. **Carve out a non-conformist role.** Because there are way too many paths to a fulfilling career than to settle into the traditional one, should you identify another path which will work better for you? What do I mean? Well, if commuting time consumes too much of your work day, propose to work at home (or closer to your home) at least one day per week.

If childcare concerns are always looming, propose and/or create a different situation. For instance, on Mondays and Wednesdays, you leave the office by 2 pm knowing you will jump back into your work once you have your children at home and settled. There are many ways to "skin a cat," as the saying goes. Just be prepared for your fellow female colleagues to exhibit signs of jealousy of your courage and assertiveness to make this work for you. It will likely happen.

5. **Become a masterful time manager.** Yep, as women we often wear too many hats. To stay focused and invest the requisite time to create the professional experience you crave, you must assess and evaluate on an ongoing basis "is this worth my time." Often, we can outsource some of the tedious tasks of existence such as personal errands and car pools.

There are plenty of virtual personal assistants who would be delighted to take your errand and shopping lists right off your hands. There is literally a service for almost everything you can imagine: online grocery ordering; pick-up/drop off dry cleaning and shoe repair services; housekeepers who offer cooking/chef services; lawn services and landscapers, etc. Do not cling to the "I can do it all" or "I really need to do that" mentality if you are committed to creating your dream professional life which likely includes building a prosperous client base. Tough decisions need to be made and you are the one to make them.

6. **Delegate like a "Big Girl."** Referring to the popular phrase "put on your Big Girl panties and just deal with it." My version is "put on your Big Girl panties, and delegate it."

Similar to item #5, the world does not need any more martyrs and "control-aholics" who feel they must control every aspect of their lives. Let's get real for a moment. Something has to go if you are intent on charting a different course for your life. Take a hard look at where your time goes, and find sources to which to delegate. Must you prepare a full dinner every night? With a little tutorial, could anyone else in your household prepare dinner at least once per week? How about creating incentives to entice the proposition? There are so many ways to re-claim some of your valuable time that it would be useful to invest the time and access the resources for doing it.

In the next article installment, I will provide additional steps you can take to chart a different professional course...until then, this will get you started with the list above by taking a few concrete steps to charting your own professional course to greater fulfillment and success.

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February 2014

Active (14)

Brittany Berenato, Esq.

8 Bayberry Court
Cherry Hill, NJ 08003
P: 609-220-8829

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Cherry Hill, NJ 08003
P: 856-751-7676

Elyse G. Crawford, Esq.

Parker McCay, P.A.
9000 Midlantic Drive, Suite 300
Mt. Laurel, NJ 08054
P: 856-985-4057

Emily DeSmedt, Esq.

Fox Rothschild, LLP
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Atlantic City, NJ 08401
P: 609-572-2273

Brian D. Gelbert, Esq.

NJL
501 King Avenue
Cherry Hill, NJ 08002

Matthew J. Gindele, Esq.

Singley & Gindele, LLC
129 W. Evesham Road
Voorhees, NJ 08043
P: 856-429-3144

T. Ahlise Greenbaum, Esq.

16 Tracey Terrace
Cherry Hill, NJ 08003

Patrick J. Hughes, Esq.

Connell Foley, LLP
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Cherry Hill, NJ 08002
P: 856-317-7100

Tara L. Johnson, Esq.

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Dustin G. Kreider, Esq.

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Singley & Gindele, LLC
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P: 856-429-3144

John S. Sitzler, Esq.

Sitzler & Sitzler
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P: 609-267-1101

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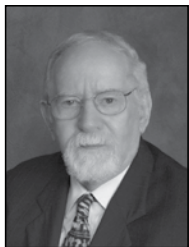
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By Hon. Richard S. Hyland (ret.)

Back in the Day

If you have traveled the N.J. Turnpike and Garden State Parkway, prize our judicial system, and appreciate the value of your Haddonfield home and its business district, you should feel indebted to these departed members of our Association. Although not born in Haddonfield, but residing there shortly after, Alfred E. Driscoll could trace his family's roots there back to Revolutionary days. He was our first two term Governor with a list of accomplishments too numerous to mention all in this limited space. He was far more than the "Father of the Turnpike," and a trip to Google will reveal his amazing career after Harvard Law.

It began in local Republican politics, then the state Senate, and then election as Governor. Foremost, he was a tireless advocate of government reform and was instrumental in the adoption of our new Constitution in 1947.

It modernized the Executive branch, and created what was considered the finest judicial system in the nation, which we still enjoy. It also abolished racial segregation long before the rest of the country caught up. His vision for the State resulted in construction of the Turnpike and Parkway, and he was famous for countless on-site inspections in order to control costs and to insure their timely completion.

As Governor, he increased teachers' salaries, desegregated the N.J. National Guard and appointed William J. Brennan, a Democrat, to our Supreme Court. As you know, he was appointed to the U.S. Supreme Court by President Eisenhower who ruefully noted years later that it was his biggest mistake! However, many think he was one of the great Justices of the 20th Century and what an impact he has made on our law—thanks to Al Driscoll. He died in Haddonfield at 72 and his son Peter, continues to practice as a long-standing partner at Archer and Greiner.

Coming from more humble origins, Bartholomew A. Sheehan was born in Camden to a large Irish family. He attended Camden Catholic High H.S. and was made Captain of the basketball team. At 19, he took his scholastic and sports talents to the Jesuit Fathers at



St. Joseph College where he was also selected as Captain of the team and was the highest scorer in each of his 4 years. He also pursued his love of Latin and never thought of it as a "dead" language since he would invoke it on occasion, years later at the family dinner table, as son Bart remembers.

He also played independent ball for Camden in the Eastern League with teammate Neil F. Deighan, Sr., the father of our beloved Judge, Neil F. Deighan, Jr. In those days the game was played in an enclosed wire cage, and the players were referred to as "cagers" in the sports columns. Think ice hockey without the pads, helmets and masks and with more bruises and welts. Always the athlete, he tried his hand (and jaw) at boxing under the name "Sailor Burke." Unfortunately, the "Sailor" was sunk to the mat several times by his opponent's torpedo-like fists.

After night school at Temple Law, he passed the Bar in 1933 with Howard Culp, Norman Heine, Joe Lipkin (Bill's brother), and later judges to be: Lou Goldman and John Wick. He was already making a name for his eloquence as a toastmaster and speaker, leading to his election to the General Assembly in 1936, as a Democrat running with FDR at the top of the ticket. He ran for the state Senate in the next election, but was defeated by guess who? Al Driscoll! Notwithstanding that, Driscoll supported his appointment to the Camden County bench where he served for several years and presided over some notorious murder cases, some of which ended with the death penalty. And he was the judge who signed the commitment Order sending serial killer Howard Unruh to Trenton State Hospital for life. He retired from the bench in 1954 at the invitation of the Camden Trust Co. to become its senior trust officer. It had been named as the trustee for the Dorrance Estate (Campbell's Soup founder) and the bank needed a lawyer with the ability and reputation to administer it.

In 1954 he was appointed to the Delaware River Port Authority, and as Chairman of its Finance Committee oversaw the funding of the proposed PATCO line. As originally planned, it was to remain elevated through the heart of Haddonfield which drew the wrath of the "town fathers" who threatened to block the entire venture. He found the money to depress the tracks through the Boro and avoid a dreaded "Chinese Wall." That also protected and enhanced residential property values and brought life back to a floundering retail and professional district.

With the passing of his wife and retirement from the bank, he decided to enter the Jesuit Order as a brother and undergo its rigorous novitiate training. This was not surprising in some ways since he was the embodiment of a devout Catholic. In fact, his home in Haddonfield was across the street from Christ the King Church so he could readily attend its 6 am daily Mass. The last report I had of him was on his hands and knees, humbly scrubbing the floor of the bookstore at St. Joe's Prep. He remained as a brother the last 26 years of his life. His son practices in Summit and Ed, his nephew is one of our past Presidents.

Please forward any comments to: rhylandatlaw@aol.com



Hon. Richard S. Hyland

Mediation

10 yrs. Superior Court Judge (ret.)

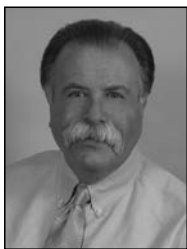
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rhylandatlaw@aol.com



SPINNING MY WHEELS

Who Says You Can't Go Home Again

By Andrew Kushner

You can't go home again. The phrase has entered American common parlance although first penned by Thomas Wolfe in his novel of the same name published after his death. It has come to be used as a shorthand way of saying that your youth or childhood memories need to remain just that and you cannot recapture them. While this is true for the most part, that doesn't stop me from trying to recreate an earlier, if not completely youthful relationship, with a certain car. Of the many cars I have owned over the past 45 years, few have left any indelible impression such that I wish to still possess it. I can count on the fingers of one hand, and have several digits left over, the cars that fit into that category.

One such is a particular Alfa Romeo, bought just about 20 years ago and the only one of the six Alfas that I purchased new from the dealer. In 1994 I bought a red over tan 164Q four door sedan with just about all of the gadgets and options that could be provided at the time. It was comfortable, fast and was a pretty scarce model in the US—even for Alfa Romeo. The "Q" model was the high performance version of the 164. It had some go fast body cladding and a rear deck spoiler but also a set of beautifully polished intake runners that boosted the horsepower of the V6 to 230—quite a number for 1994. That year about 35 units were imported to the US and my red one was of that number. The following year, Alfa's last in the US for almost 20 years, less than 100 "Q"s were imported, although the final year did include the addition of a passenger air bag. I kept that car for four and a half years, selling only because the siren song of an older Porsche 911 stole me away. I regretted the sale from that day forward.

Fast forward to 2013. Having held my trusty Saab for now going on eight years (it is 11 years old) and 92,xxx miles, I am thinking of a replacement that fits me both financially and otherwise. The "otherwise" covers a whole lot of ground. Since I am caught in the usual conundrum of wanting to drive what I can't afford and not wanting to drive what I can, some creative, outside of the box thinking is in order.

There is another part of this process and it is this: I have come to the conclusion that I suffer from automotive technology overload. Without going into a rant, suffice it to say it is my considered opinion that automobile manufacturers are now caught up in the idea that because a technology *can* be applied to a car does not mean that it *should be done*. There, I have said it. I am not some Luddite, pining for the days of drum brakes and bias ply tires, but when the computing power of just one of the increasing number of computers, and the systems they support, could run all the software used on the Apollo Missions with room to spare, maybe we need to rethink the concept. I do understand that the younger generations have grown up with this technology and, at least as regards the social media aspect, expect that these will be part of their vehicles. God forbid they should be disconnected for more than five minutes!

This all leads me back to the question of what to find to replace the Saab? For the past six months or so I have haunted the usual online sites to see if there might be an Alfa Romeo 164Q that was all together reasonable, with low miles and properly maintained. With less than 150 imported over this two year period I thought the search would not bear fruit. And then early on a November morning I was trolling Ebay and up pops a 1995 164Q red/tan with 52,000 miles being offered

by the original owners. Of course something had to be amiss and it was: The asking price was about what the car would have sold for new 19 years ago. The old cliché holds that, just because a car is rare, doesn't make it automatically expensive. This is even truer when it is applied to a four door Italian sedan. Having tracked the prices of lesser 164s, I knew that the asking price was just plain wrong by a factor of at least two. However, I had to let the sellers have their chance. The auction proceeded with a number of offers being made. I could not tell what the offer amounts were as that information is not provided by Ebay. After about four days into the eight day auction, I emailed the seller just to introduce myself, explain some of my Alfa *bona fides*. I apologized that, while I had been interested in the car, the price would not fit. I wished them good luck in their sale.

Two days later an email response was received that they had "dropped" the "buy it now" price by \$10K and would I be interested. I politely demurred. Next day another email indicated further cracks in their pricing but, still, I begged off. Finally, the auction closed with all 10 bids declined by the seller. In a final email to me from the sellers, they came clean with both the highest declined bid and what they were "truly willing to accept." I know that they are telling me the truth since I had unintentional confirmation by one of the bidders who expressed his frustration in one of the Alfa Romeo forum sites that I frequent. Further back and forth communications followed and resulted in sort of a hybrid offer on my part. I proposed a figure that fit within their much reduced expectations but with several caveats. First, I would not want to complete the deal until after the first of the year, and second, I wanted to review all of their receipts from the prior 19 years. They seemed to be genuinely interested in seeing that the car went to someone who not only knew the model but also had the identical model! Both conditions were accepted with their additional response that "After the middle of December we are socked in for the winter and no transporter is going to be able to get up to get that car until early spring. Can I wait that long?

Of course I could and, after review of their records and estimates for transport and initial maintenance once the car arrived, did strike a deal. It turns out the couple, originally from the San Francisco area, had been living in a three building type of compound in the mountains of Idaho for the last 15 years and they have a total of four Alfas. They seemed to be very conscientious in the maintenance of the car, even though it has been driven a total of only about 15,000 miles in the last ten years. None of that mileage was done during the winter where the car is placed in its own heated garage. I peg the sellers to be in their mid to late 60s and we have had numerous emails back and forth over the last month or so, sometimes related to the car, sometimes unrelated. They appear a lovely couple in semi-retirement.

This is not the first, nor the second time I have bought a car sight unseen. Twice before I made this leap and either my investigation or planning has paid off or I have been incredibly lucky. I tend towards the lucky part. I am hopeful that the charm continues for, as I write this in late January, I have about two more months before the red sedan is dropped at my mechanic for a thorough check and baseline maintenance. I will see whether I can prove Thomas Wolfe wrong and will report back honestly on the result.

VERDICTS OF THE COURT

Superior Court of New Jersey

VERDICT: No Cause Liability Verdict: 100% Against Plaintiff; Damage Verdict: \$0 (2/6/14)
 Case Type: Auto Negligence
 Judge: Anthony M. Pugliese, J.S.C.
 Plaintiff's Atty: Patrick G. Monaghan, Esq.
 Defendant's Atty: Stephen Wolf, Esq.
 L-3917-12 Jury

VERDICT: Damage Verdict Against Defendant: \$50,000 and \$100,000 Punitive Verdict Against Defendant (2/7/14)
 Case Type: LAD
 Judge: John T. Kelley, J.S.C.
 Plaintiff's Atty: Kevin M. Costello, Esq.
 Defendant's Atty: George R. Szymanski, Esq.
 L-4575-11 Jury (8)

VERDICT: Damage Verdict: \$46,163.20 Against Defendant pursuant to indemnification agreement (2/11/14)
 Case Type: Personal Injury
 Judge: John T. Kelley, J.S.C.
 Plaintiff's Atty: Thomas M. Rittweger, Esq.
 Defendant's Atty: Claire Neiger, Esq.
 L-1479-12 Bench

VERDICT: No Cause (2/12/14)
 Case Type: PIP Coverage
 Judge: Deborah Silverman Katz, J.S.C.
 Plaintiff's Atty: Kelly Czajka, Esq.
 Defendant's Atty: Jacqueline McDonald, Esq.
 L-752-12 Jury (6)

VERDICT: No Cause (2/20/14)
 Case Type: Auto
 Judge: John T. Kelley, J.S.C.
 Plaintiff's Atty: George R. Szymanski, Esq.
 Defendant's Atty: Charles F. Blumenstein, II, Esq.
 L-5166-11 Jury (7)

VERDICT: Liability Verdict: 100% Against Defendant; Damage Verdict: \$0 (2/21/14)
 Case Type: Auto Negligence
 Judge: Anthony M. Pugliese, J.S.C.
 Plaintiff's Atty: Marc Greenfield, Esq.
 Defendant's Atty: Tanja Riotto-Seybold, Esq.
 L-4801-11 Jury

VERDICT: No Cause (2/25/14)
 Case Type: Auto Negligence
 Judge: Louis R. Meloni, J.S.C.
 Plaintiff's Atty: Jonathan D. Marx, Esq.
 Defendant's Atty: Catherine N. Harrington, Esq.
 L-4845-11 Jury

VERDICT: Liability Verdict: 14% Against Defendant S Czyzewski, 16% Against Defendant Ivystone Farm Civic Association, 55% Against Waterford Township, 0% Against Scott Pierson; Damage Verdict Against above Defendants: \$4.75 million for pain, suffering, disability, impairment & loss of enjoyment of life; \$180,326.72 for past net lost wages; \$470,747.76 for future net lost wages; \$3,485,909.83* for past medical costs; \$795,583.12* for future medical costs *Subject to molding based upon 3rd party payments (2/26/14)

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 Judge: Robert G. Millenky, P.J.Cv.
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 L-5524-09 Jury

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(Continued from Page 1)

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Take Charge of Your Own Economy

Part 2 of 2

(Continued from Page 7)

Example: Presume that Sally Barrister has an outstanding balance of \$35,000 in credit card debt at 15 percent interest. If her goal is to eliminate the debt in four years, she would need to pay \$974.08 every month.

Minimize Investment Mistakes

Having money to invest for the future presents its own set of challenges. The objective is to enjoy reasonable return on the asset (whether through appreciation or income) as opposed to losing your proverbial shirt.

Make sure that you get your education from an unbiased source. Many financial planners look out for the client's best interest and make recommendations accordingly. However, some present biased information to guide the client into a product from which the planner will receive a high commission.

Along that same line, beware of doing business with people who suggest that you invest in deals that will generate a huge return on your funds in a relatively short period. Remember, "If it sounds too good to be true, it probably is." Living by this precept can save you some headaches.

I have personally witnessed several clients and friends who were persuaded to mortgage their homes to invest in ponzi operations, highly leveraged real estate deals (now underwater), and risky tax shelters. Many of these "opportunities," if not most, went south and sour. The investors were saddled with the sting and burden of expensive mistakes. If you do not understand how the investment

works (including the purported tax benefits), keep your money for another opportunity—which will certainly come along.

Establish Open Financial Communication in Relationships

It's difficult enough to accomplish financial success on your own without taking into account the values and expectations of a spouse or significant other. Ideally, you will be in harmony in all aspects of your relationship—including financial. However, the chances of finding a romantic partner with whom you are in complete agreement on money issues is highly unlikely, if not impossible. According to a recent survey conducted by Harris Interactive on behalf of the American Institute of Certified Professional Accountants, American couples argue about financial issues more than any other issues, including child rearing and division of household chores (tinyurl.com/92blucg).

Although some couples opt to live separate financial lives, most are intertwined—at least to some extent. Establishing a strong communication process with respect to finances will go a long way toward prevention of relationship discord as a result of financial disagreements. Money discussions may not be romantic, but money disagreements are even less so. The following tips should prove helpful:

1. Strong relationships are founded on full disclosure with respect to all aspects of life. Before the marriage or other

commitment, make sure that you exchange the following information regarding your respective incomes, assets, and liabilities. (Couples entering into prenuptial arrangements are required to exchange this information.) The thorough couple will compare credit reports and credit scores. It is better to reveal a poor credit history now rather than later, when you are trying to make a joint purchase with your partner.

2. Clearly allocate responsibility with respect to the administrative aspect of money management and accumulation goals.
3. Have a regularly scheduled "business meeting" (at least quarterly) to discuss short — and long-term goals, savings, cash flow, and spending issues.
4. Do not deceive your mate about finances. The Harris Interactive survey cited above revealed that three in ten adults who are married or living with a partner admit to potentially deceitful behavior about money.

So Take Charge

No matter your current circumstance, you can improve your economic status - over time. A bright financial future is attainable by those willing to form and consistently follow sound financial habits like those outlined above.

**An earlier version of this article was published in the January/February 2013 (vol. 30, no. 1) issue of GP SOLO, a publication of the American Bar Association.*

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www.TheDivorceConciergeOfSouthJersey.com

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LEGAL BRIEFS

Parker McCay attorney **Kevin D. Sheehan** has been elected to the Board of Directors of Big Brothers Big Sisters of Burlington, Camden & Gloucester Counties. Sheehan will assist the organization in achieving its strategic objectives and its mission to improve the lives of children. Mr. Sheehan is the chair of the Real Estate and Land Use Department at Parker McCay.

Bruce P. Matez, a partner at Borger Matez, was recently interviewed by Dr. Vicki Handfield, Psy.D. on the program "Mind, Body, Spirit," which airs on Talk Exchange Radio (WTER), a business internet

radio show broadcasting from South Jersey. Mr. Matez discussed mediation and collaborative divorce, and how each can be used as an alternative to traditional divorce litigation.

Peter L. Frattarelli, Chair of the Labor and Employment Law Department at Archer & Greiner P.C., was a featured speaker at the Beyond Accommodation Conference, a statewide event promoting employment of individuals with disabilities,

We rely on members to provide announcements for the Legal Briefs section. If you have a new member of the firm, you've moved or you or a member of your firm has received an award or recognition for a professional or community activity, we want to know and share it with fellow bar members. Please email your submissions to lbpc@camdencountybar.org.

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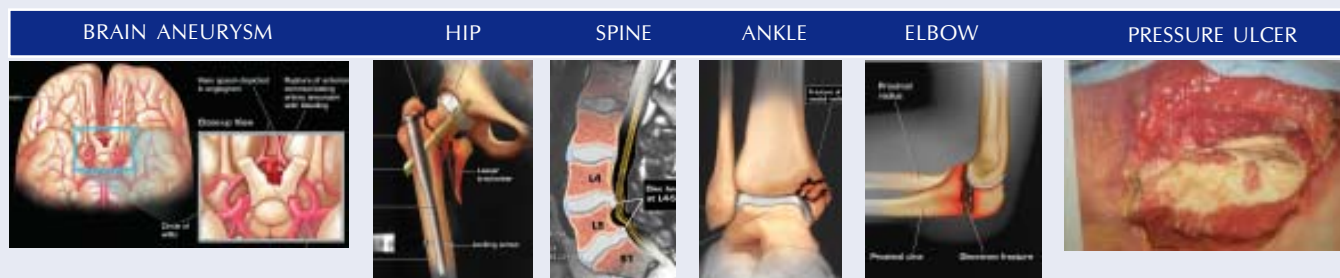
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- \$415K Nursing Home Neglect-Pressure Ulcer
- \$490K Truck Accident - Lumbar Fusion - Partial Disability
- \$990K Nursing Home & Assisted Living Facility Neglect-Multiple Pressure Ulcers
- \$400K Recovery-Pain & Suffering for Fatal Fire (Verdict of \$375K plus \$25K Settlement)
- \$500K Jury Verdict-Excess Over Remainder of \$100K CSL Policy Against Allstate Insureds with Offer of Judgment for Policy-Herniated Discs
- \$500K Nursing Home/Hospital Neglect - Pressure Ulcers

535 Route 38 • Suite 328 • Cherry Hill, NJ 08002
856.665.7140

Camden County Bar Association

Comparative Legal Ethics—PA, NJ & Model Rules: *You Mean They Are Different?*

Tuesday, April 8, 2014 • 4 - 6:15 pm
Tavistock Country Club • Haddonfield

New Jersey & Pennsylvania MCLE Approved Service Provider — YOUR Trusted CLE Source!

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Charles M. Hart, Esq.

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MODERATOR

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The New Jersey Supreme Court has carried out its constitutional authority to govern “the admission to practice and the discipline of persons admitted,” by the adoption of rules governing attorney conduct and by the issuance of opinions construing the rules.” As a result, the substantive law of New Jersey attorney ethics consists of the Rules of Professional Conduct, the Rules Governing the Courts of the State of New Jersey, the opinions touching on attorney ethics issued by the New Jersey Supreme Court, and the

opinions issued periodically by the committees of the Supreme Court.

But many lawyers also practice in Pennsylvania. Are the Rules of Professional Conduct different across the river?

What's included?

- A comparison of the Rules of Professional Conduct between New Jersey and Pennsylvania
- A further comparison to the ABA Model Rules of Professional Conduct
- Hypotheticals which demonstrate and illustrate the differences

TUITION: Walk-in registrants add \$15
(includes refreshment & materials)

\$70 CCBA Members

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PENNSYLVANIA CREDIT: Seminar INCLUDES 2 hours of ETHICS credit from the Pennsylvania CLE Board. If you need credit for any other state, notify us when you register.

Reservation Form — Print Clearly — Detach and return with payment no later than **April 4, 2014**

Name(s) _____

Address _____

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Telephone _____ Email _____

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PA CLE Credits Requested? ☐ Yes ☐ No PA I.D. # _____

QUESTIONS?

Call Us: 856.482.0620

Fax Registration: 856.482.0637

CHECKS PAYABLE/RETURN TO:

Camden County Bar Association
Ethics Seminar
1040 N. Kings Highway, Suite 201
Cherry Hill, NJ 08034

Required

MATERIALS FORMAT:

- ☐ Advance Email
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Camden County Bar Association Presents The 2013

Hon. Peter J. Devine, Jr.

Award Presentation



6-9 pm

Wednesday, April 23, 2014

Tavistock Country Club

Haddonfield

Join colleagues and friends from the bench and bar to recognize and pay tribute to three outstanding Association members and present them with the Association's highest honor for distinguished service to the Bar.



Hon. David G. Eynon



Hon. Richard S. Hyland



Hon. John B. Mariano

Enjoy a three-hour, upscale cocktail party (cash bar) featuring delectable hors d'oeuvres and mouth-watering food stations, relaxed conversation, networking and a brief formal presentation of the 2013 Devine Awards to three of the Association's most respected members.

\$65 per person
RSVP by Friday, April 18, 2014

Reservation Form — Print Clearly — Detach and return with payment no later than **April 18, 2014.**

Name(s)

Address

City/State/Zip

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Email

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Expiration

Signature (Credit Card Payment Only)

QUESTIONS?

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Fax Reservation: 856.482.0637

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Devine Award
1040 N. Kings Highway, Suite 201
Cherry Hill, NJ 08034

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Bridge the Gap with

2014
Schedule

CLE on Tap!



Newly admitted attorneys

Earn those "Bridge the Gap" credits you need for New Jersey MCLE Compliance then relax with a cold one!

The Camden County Bar Association is YOUR one stop shop for those fifteen NJ "Bridge the Gap" CLE credits required of newly admitted lawyers. The "CLE on Tap" program is an easy, affordable and enjoyable way to complete your requirements. Each program runs from 3-6:15 pm, offers 3.9 NJ credits - 3.0 PA Substantive credits, and is followed by a relaxing, Young Lawyer's networking happy hour.

Each program is just \$90 for CCBA members (\$130 non-members). If a MEMBER buys a complete series of four programs valued at \$360, you only pay for three-\$270.* (NON-MEMBERS \$390). 15.6 NJ credits - 12 PA credits for under \$300 (members) — Unbeatable!

* Complete series (any four) must be purchased at one time to receive the free program.

All programs will be held at McCormick & Schmick's, 941 Haddonfield Rd., Cherry Hill. These programs satisfy the required subject areas of the Additional Mandatory Requirements for Newly Admitted Lawyers. (Reg. 201:2)

Spring 2014 Series (15.6 Total NJ Credits/12.0 PA Credits)

Summer/Fall 2014 Series (15.6 Total NJ Credits/12.0 PA Credits)

February 27 — NJ Basic Estate Administration **RSVP 2.25.14**

June 26 — NJ Trust & Business Acctg./Law Office Mgmt. **RSVP 6.24.14**

March 27 — NJ Basic Estate Planning **RSVP 3.25.14**

September 23 — NJ Real Estate Closing Proc. **RSVP 9.19.14 Tuesday**

April 24 — NJ Criminal Trial Preparation **RSVP 4.22.14**

October 23 — NJ Civil Trial Preparation **RSVP 10.21.14**

May 29 — NJ Municipal Court **RSVP 5.27.14**

November 20 — NJ Family Law **RSVP 11.18.14**

Registration Form — Print Clearly — Detach and return with payment no later than the program RSVP date shown above.

Name(s) _____

Address _____

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I am registering for:

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☐ NJ Real Estate Closing Proc.
☐ NJ Civil Trial Preparation
☐ NJ Family Law

PA CLE Credits Requested? ☐ Yes ☐ No PA I.D. # _____

Questions?

Call Us: 856.482.0620

Fax Registration: 856.482.0637

Checks payable/return to:

Camden County Bar Association-CLE on Tap!
1040 N. Kings Highway, Suite 201
Cherry Hill, NJ 08034

The "New" Jersey Estate Tax Statute After the Estate of Lillian Garis Booth

Co-sponsored by the Probate & Trust Committee

Tuesday, April 29, 2014 • Noon
Tavistock Country Club • Haddonfield

New Jersey & Pennsylvania MCLE Approved Service Provider — YOUR Trusted CLE Source!

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Angela Titus McEwan, Esq.
Archer & Greiner, P.C.
Haddonfield

DISCUSSION TOPICS

- The Tax Court's interpretation of the New Jersey Estate Tax Statute and the potential new way of calculating its result
- How the marital deduction got lost
- Win one for the taxpayer—no reduction of executor commission deduction based upon inheritance tax regulations
- Applicable federal laws and the trap of the state interplay

Luncheon Buffet • Open to all members & guests

- Advance Reservations (*CCBA Members*) ~ \$40; Walk-ins ~ \$55
- Advance Reservations (*Non-Members*) ~ \$65; Walk-ins ~ \$80

New Jersey Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for **1.0** hours of total CLE credit. Of these, **0** qualify as hours of credit for ethics/professionalism. *The actual credits earned may be less if the course time is less than 50 minutes.*

Pennsylvania Credit: Seminar INCLUDES **1.0** hours of SUBSTANTIVE credit from the Pennsylvania CLE Board. If you need credit for any other state, notify us when you register.

Reservation Form — Print Clearly — Detach and return with payment no later than April 25, 2014

Name(s) _____	
Address _____	
City/State/Zip _____	
Telephone _____	Email _____
Credit Card # _____	Expiration _____
Signature (<i>Credit Card Payment Only</i>) _____	
PA CLE Credits Requested? <input type="checkbox"/> Yes <input type="checkbox"/> No PA I.D. # _____	

Required

MATERIALS FORMAT:

- ☐ Advance Email
☐ Disk

PAYMENT METHOD:

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Questions?

Call Us: 856.482.0620

Fax Registration: 856.482.0637

Checks payable/return to:

Camden County Bar Association
Probate & Trust Luncheon CLE
1040 N. Kings Highway, Suite 201
Cherry Hill, NJ 08034



Since 1881 . . . Your Home Court Advantage!

Scientific Approaches To Defending Drug Cases In Municipal Court

Co-sponsored by the *Municipal Court Committee*

Wednesday, April 30, 2014 • 4 pm
Haddonfield Borough Hall • Haddonfield

New Jersey & Pennsylvania MCLE Approved Service Provider — YOUR Trusted CLE Source!

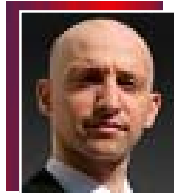
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Legal Education



MODERATOR

Jason C. Pollack, Esq.
*Law Offices of Jason C. Pollack
Audubon*

PRESENTER



Kevin Leckerman, Esq.
*Leckerman Law, LLC
Cherry Hill—Philadelphia*

DISCUSSION TOPICS

- Why the proper requests are absolutely essential
- Crossover with DUI/drug cases
- Using expert witnesses effectively

Open to all members & guests

- Advance Reservations (*CCBA Members*) ~ \$10; Walk-ins ~ \$15
- Advance Reservations (*Non-Members*) ~ \$20; Walk-ins ~ \$30

New Jersey Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for **1.0** hours of total CLE credit. Of these, **0** qualify as hours of credit for ethics/professionalism. *The actual credits earned may be less if the course time is less than 50 minutes.*

Pennsylvania Credit: Seminar INCLUDES **1.0** hours of SUBSTANTIVE credit from the Pennsylvania CLE Board. If you need credit for any other state, notify us when you register.

*Reservation Form — Print Clearly — Detach and return with payment no later than **April 28, 2014***

Name(s) _____	
Address _____	
City/State/Zip _____	
Telephone _____	Email _____
Credit Card # _____	Expiration _____
Signature (<i>Credit Card Payment Only</i>) _____	
PA CLE Credits Requested? <input type="checkbox"/> Yes <input type="checkbox"/> No PA I.D. # _____	

Required

MATERIALS FORMAT:

- ☐ Advance Email
☐ Disk

PAYMENT METHOD:

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Questions?

Call Us: 856.482.0620

Fax Registration: 856.482.0637

Checks payable/return to:

Camden County Bar Association
Municipal Court Committee CLE Meeting
1040 N. Kings Highway, Suite 201
Cherry Hill, NJ 08034



Since 1881 .. Your Home Court Advantage!

Residential Real Estate

Conditions Issues from Inspector & Attorney Perspectives

Tuesday, May 20, 2014 • 4 - 6:15 pm
Tavistock Country Club • Haddonfield

New Jersey & Pennsylvania MCLE Approved Service Provider — YOUR Trusted CLE Source!

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MODERATOR

Charles G. Resnick, Esq.

Law Offices of Charles G. Resnick
Cherry Hill



What's included?

- Lease purchase options & right of first refusals (eviction vs. ejection)
- Getting the tenant out for the buyer (who wants to occupy)
- Effect of seller's improper handling of the security deposit
- Municipal inspections for rentals, different than for purchase
- Standards to be applied in home inspections/Legal implications of home inspections
- What is a "material defect?"
- Land use problem - Is it really a duplex?, and much, much more!

Get ready for the Association's annual Real Estate program organized by our resident real estate expert, Chuck Resnick. As usual, there will be plenty of good information from our panelists and great materials for future reference.

TUITION: Walk-in registrants add \$15
(includes refreshment & materials)

\$70 CCBA Members

\$25 Paralegals/Legal Secretaries

\$100 Non-Members

FREE to Law Students

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PENNSYLVANIA CREDIT: Seminar includes **2** hours of SUBSTANTIVE credit from the Pennsylvania CLE Board. If you need credit for any other state, notify us when you register.

Reservation Form — Print Clearly — Detach and return with payment no later than **May 19, 2014**

Name(s) _____

Address _____

City/State/Zip _____

Telephone _____ Email _____

Credit Card # _____ Expiration _____

Signature (Credit Card Payment Only) _____

PA CLE Credits Requested? ☐ Yes ☐ No PA I.D. # _____

QUESTIONS?

Call Us: 856.482.0620

Fax Registration: 856.482.0637

CHECKS PAYABLE/RETURN TO:

Camden County Bar Association
Real Estate Seminar
1040 N. Kings Highway, Suite 201
Cherry Hill, NJ 08034

Required

MATERIALS FORMAT:

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- ☐ Mastercard
- ☐ Amex



Since 1881 .. Your Home Court Advantage!

How Do I _____? A Practical "How-to" For Litigators

Wednesday, May 21, 2014 • 4 - 6:15 pm
Tavistock Country Club • Haddonfield

New Jersey & Pennsylvania MCLE Approved Service Provider — YOUR Trusted CLE Source!

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FACULTY

Louis J. DeVoto, Esq.*
Rossetti & DeVoto, P.C.
Cherry Hill

Christopher J. O'Connell, Esq.*
Sweeney & Sheehan
Westmont

MODERATOR

Shawn C. Huber, Esq.*
Brown & Connery LLC
Westmont

* Certified Civil Trial Attorney by the New Jersey
Supreme Court



What's included?

- Litigation techniques from discovery through trial (e.g. How do I depose a difficult witness? or, How do I impeach a witness at trial?)
- "How to" demonstrations of many things litigators must do
- Perspective from both plaintiff and defense attorneys
- Fill in the blank in "How do I _____?" with your own questions

Are you, or do you want to be a civil or criminal litigator? Do you represent plaintiffs and defendants in hearings, arbitrations and mediations as well as jury and non-jury trials? If you answered yes to either of these questions, then this seminar is for you.

Join our seasoned experts for this informative "how-to" program that will help you learn how to win.

TUITION: Walk-in registrants add \$15
(includes refreshment & materials)

\$70 CCBA Members

\$25 Paralegals/Legal Secretaries

\$100 Non-Members

FREE to Law Students

NEW JERSEY CREDIT: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for **2.4** hours of total CLE credit. Of these, **0** qualify as hours of credit for ethics/professionalism, and **2.4** qualify as hours of credit toward certification in civil trial law, criminal trial law, workers compensation law and/or matrimonial law. *The actual credits earned may be less if the instruction time is less than 120 minutes.*

PENNSYLVANIA CREDIT: Seminar includes **2** hours of SUBSTANTIVE credit from the Pennsylvania CLE Board. If you need credit for any other state, notify us when you register.

Reservation Form — Print Clearly — Detach and return with payment no later than **May 19, 2014**

Name(s) _____
Address _____
City/State/Zip _____
Telephone _____ Email _____
Credit Card # _____ Expiration _____
Signature (Credit Card Payment Only) _____

PA CLE Credits Requested? ☐ Yes ☐ No PA I.D. # _____

QUESTIONS?

Call Us: 856.482.0620

Fax Registration: 856.482.0637

CHECKS PAYABLE/RETURN TO:

Camden County Bar Association
Litigation Seminar
1040 N. Kings Highway, Suite 201
Cherry Hill, NJ 08034

Required

MATERIALS FORMAT:

- ☐ Advance Email
- ☐ Disk

PAYMENT METHOD:

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- ☐ Visa
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Since 1881 .. Your Home Court Advantage!

Cocktails & Conversation



Bench-Bar Cocktail Party

6-8 pm • Thursday, May 22nd • Aldo Lamberti's • Cherry Hill

\$55 (\$65 @ the door) • \$50* (\$60 @ the door) * Admitted to the bar 5 years or less.

Members Only • RSVP by May 16th

Cocktails & Conversation Bench-Bar Cocktail Party is one of the Association's most popular member only events.

Reserve your place now to join colleagues and friends for the Association's final **member only** Bench-Bar networking event until September, and enjoy two relaxed hours of mouth-watering food, open-bar cocktails and conversation with judges of the Superior, U.S. District, and Workers' Compensation Courts at one of Camden County's finest restaurants.

You will also want to be present as the Association officially recognizes and congratulates Camden County's own Justice Faustino (Fuzzy) Fernandez-Vina.

Use the reservation form below to reserve your place early for what is certain to be a sold-out event.

Cocktails & Conversation, what better way to spend a late-week, spring evening?

*Registration Form — Print Clearly — Detach and return with payment no later than **May 16, 2014.***

Name(s) _____

Address _____

City/State/Zip _____

Telephone _____

Email _____

Credit Card# _____

Expiration _____

Signature (Credit Card Payment Only) _____

Payment Method

☐ Check Enclosed

☐ Visa

☐ Mastercard

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Checks payable to:

Camden County Bar Association

Bench-Bar Cocktail Party

1040 N. Kings Highway, Suite 201

Cherry Hill, NJ 08034

Questions: 856.482.0620

Fax Reservation: 856.482.0637



Camden County Bar Association & Foundation

Installation Dinner Dance

Friday, June 13, 2014

The Installation of

Casey Price

as the 88th President of the
Camden County Bar Association

Collingswood Grand Ballroom
Collingswood, New Jersey

Adbook Reservation

_____ Outside Back Cover	\$1,200
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_____ Full Page (5" W X 8" H)	\$800
_____ 1/2 Page (5" X 4")	\$450
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_____ 1/8 Page (2" X 2")	\$200

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Proceeds support Foundation charitable projects for disadvantaged children, senior citizens, student scholarships and other charitable projects and programs to improve the quality of life for Camden County residents.

The Camden County Bar Foundation is a 501(c)(3) not for profit charitable organization registered with the Office of the Attorney General of New Jersey. Contributions to the Foundation are tax-deductible to the extent allowed by current IRS regulations.

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