



Adopt-A-Family volunteers take a minute to warm up from the cold December weather after unloading cars, trucks, and SUVs laden with donations from Bar members, firms and friends to ensure a Merry Christmas for Camden families. Please see Page 9 for a list of our generous donors.



Charles Resnick Receives Rutgers Nardi Distinguished Service Award

Longtime Association member **Charles G. (Chuck) Resnick** was the recipient of the Rutgers School of Law-Camden Alumni Association's **Hon. Joseph M. Nardi, Jr. Distinguished Service Award**.

The Distinguished Service Award, was created in 2003 to honor a law school alum who has shown dedication to service through significant contributions to the Law School and the community. It was renamed in 2004 in honor of the Honorable Joseph M. Nardi, Jr., a greatly respected New Jersey Superior Court Judge, former Mayor of Camden and member of the Law School Community.

Pictured from left are Chancellor Edward Rentezelas, Charles Resnick and Hon. Francine I. Axelrad, Judge of the Appellate Division of New Jersey.

Congratulations Chuck!

Save This Date!
Friday, April 5th

Beer Tasting

Camden County Bar Foundation

E LOUNGE

807 Marlton Pike W (Rte 70)
Cherry Hill

*Details & reservation information
coming soon!*

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THE DOCKET

Monday, February 4th

Brown Bag Lunch Series - Websites
Noon – 1:30 pm
Bar Headquarters, Cherry Hill

Tuesday, February 5th

Young Lawyer Committee Meeting
12:30 – 2 pm
Bar Headquarters, Cherry Hill

Wednesday, February 6th

20th Annual Bankruptcy Conference
4 – 7:15 pm
Tavistock Country Club, Haddonfield

Thursday, February 7th

Hon. Peter J. Devine Award Luncheon
Noon
Crowne Plaza Hotel, Cherry Hill

Wednesday, February 20th

CCBA Board of Trustees Meeting
4 pm
Bar Headquarters, Cherry Hill

Thursday, February 21st

Cyber Bullying Seminar
4 – 6:15 pm
Tavistock County Club, Haddonfield

Wednesday, February 27th

*A Roundtable with
U.S. Attorney Paul J. Fishman*
4 – 6:15 pm
Tavistock County Club, Haddonfield

Thursday, February 28th

*CLE on Tap! Series –
NJ Basic Estate Administration*
3 – 6:15 pm
Brio Tuscan Grill in Town Place
@ Garden State Park, Cherry Hill

Tentative agenda for February 20, 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. All 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



**Andrew B. (Andy) Kushner
& Justin Loughry presented
the ethics seminar *I Can't Believe
I Have To Deal With This Problem!*
at Tavistock CC.**

Law School Scholarship Applications Due February 28

Each year the Bar Foundation awards a number of scholarships to deserving law school students. Scholarship applications are accepted from September 1st through February 28th. Applications must be received at Bar Headquarters no later than the February 28th deadline date to be considered. Recipients will be notified in April. Applications may be downloaded from our website, www.camdencountybar.org.

RESERVE TODAY!
Hon. Peter J. Devine, Jr.
Award Luncheon
Honoring Mark Oddo
See insert in this month's issue.

THE BARRISTER

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MEMBER ON THE SPOT



NAME:

Nicolas B. "Nick" Pedone

PRACTICE AFFILIATION:

Bankruptcy/collection, estate planning & administration and generally all kinds of transactional law.

YEAR ADMITTED TO BAR:

2010

OTHER BAR ADMITTANCES:

Pennsylvania, US District Court, District of New Jersey

PRIOR OCCUPATION: Paralegal

RESIDENCE: Voorhees, NJ

HIGH SCHOOL: Cherry Hill High School East

COLLEGE: Albright College

LAW SCHOOL: Rutgers University School of Law, Camden

WHAT LED YOU TO A LEGAL CAREER: Working as a paralegal for two years inspired me to pursue a career as an attorney.

BEST PERSONAL/PROFESSIONAL ATTRIBUTE: Willingness to accept constructive criticism and appreciation toward advice of those with more experience.

GREATEST FAULT: I sometimes tend to over think things.

WHAT I DO TO RELAX: Spend time with my wife and close friends.

HOBBIES: Reading, creative writing, working out

FAVORITE RESTAURANT: Olive Garden

FAVORITE TELEVISION SHOW: Various sitcoms from the 1950s, 60s and 70s

FAVORITE MOVIE: *Fall of Eagles*, *Star Wars* Trilogy

FAVORITE AUTHOR/BOOK: Dante's *Divine Comedy*

FAVORITE VACATION PLACES: Disney World, Sea World

FAVORITE WEBSITE: I don't have one

FAVORITE MUSEUM: Jamestown Settlement

FAVORITE WEEKEND GETAWAY: Lancaster, PA

ENJOY MOST ABOUT PRACTICING LAW: Knowing that I have the ability to help solve people's problems

MOST ADMIRED PERSON AND WHY: Abraham Lincoln for standing firm in his goal to preserve this country despite a civil war and a host of personal attacks from many individuals, including his own cabinet members.

WHEN AND WHERE HAPPIEST? College years at Albright College in Reading, PA

CHERISHED MEMORIES: Spending time with my family in Italy when I was a child

GREATEST FEAR: Losing a loved one

ALTERNATE CAREER CHOICE: Professor of History

GREATEST LESSON LEARNED FROM PRACTICE OF LAW: Never assume anything

PERSON YOU'D MOST LIKE TO DINE WITH: Queen Elizabeth II

PET PEEVE(S): Disorganization and lack of teamwork

LIFE'S HIGHLIGHTS: My marriage and graduating from high school, college and law school

GREATEST ACCOMPLISHMENT: Passing the bar exam

#1 PROFESSIONAL GOAL: To become a permanent part of a thriving private law practice

#1 PERSONAL GOAL: To successfully manage the work/life balance and spend as much time as I can with my friends and family

LIFE EXPERIENCE(S) WITH GREATEST IMPACT: My one-year judicial clerkship in Family Part working primarily with matrimonial dissolution motions

ADVICE TO YOUNG LAWYER: Be prepared for anything

HOPE TO BE DOING IN 10 YEARS: Being a veteran member of a private practice/in-house counsel dealing primarily with business transactions and be able to afford a comfortable life for my wife and children.

FAVORITE QUOTATION: *"It is better to remain silent and be thought a fool than to speak and remove all doubt."* ~ Abraham Lincoln

Judge M. Allan Vogelston (Ret.)

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NJSBA UPDATE

By Arnold Fishman

Try a Flyswatter

One of the most important tasks assumed by your State Bar Association is the monitoring of all proposed legislation. Not only do we have Sections devoted to every conceivable practice area, we also have a Legislative Committee that is charged with the review of projected statutes. Bills that are introduced in either house are referred to the appropriate Sections and Committees for review. Those groups consider the effect such a law would have on the public and the profession and file a report as to whether to support, oppose, or take no position on the issues presented.

Of great significance to Municipal Court practitioners, at our last meeting, the NJSBA Board voted to oppose two pieces of legislation relevant to DWI. The first one would establish a *per se* violation for driving under the influence of drugs. It is important to recognize that driving while intoxicated (N.J.S.A. 39:4-50) prohibits driving under the influence of not only "intoxicating liquor" but a "narcotic, hallucinogenic or habit-producing drug" as well. However, as it presently stands, the *per se* violation applies only to liquor. The second future law would elevate the disorderly persons offense of driving under the influence with your child as a passenger in the vehicle to a crime,

if that child sustains any injury no matter how slight.

The anticipated *per se* drug legislation provides that the presence of **any** Scheduled CDS in **any** bodily fluid of a driver at **any** detectable level constitutes a violation—that's a gaggle of "anys." It contains an affirmative defense that it was taken as prescribed by a doctor. However, this defense is not available for a Schedule I drug. There is no accepted research that determines at what level a person is actually under the influence of a specific drug. Not only would that vary from person to person, it would vary from drug to drug. Considering that marijuana is a Schedule I drug and that its metabolites remain in the body for about 30 days, users of that drug—whether medically or recreationally—are permanently under the influence. If someone smoked grass about a month ago, that person would be in violation of the *per se* limit even though he hadn't been under the drug's influence for about a month. Such a person should just voluntarily surrender his license to drive if this bill is signed into law. Rather than do the hard work necessary to determine an appropriate level of such intoxicants to be considered under its influence—as was painstakingly done for ethanol—this hoped for legislation, unmindful of its consequences, takes the lazy path of a hip shot with a blunderbuss.

As though all of that were not bad enough, that same metabolite detection would, according to this ill-conceived legislative fiat, make that person guilty of the possessory criminal offense: Possession of a Controlled Dangerous Substance. It is as though a photograph of drugs on your coffee table would be sufficient to convict you of their possession, subject to the affirmative defense that you had been traveling on a valid passport, a defense available only if your name is not on the "no-fly" list. Huh?

The other attempted bit of legislation would criminalize a parent driving while intoxicated with his or her minor child as a passenger in the vehicle, if that child suffers **any** bodily injury. Bodily injury is a term of art. It is defined by the Criminal Code to include, among other things, pain. It is already a Disorderly Persons Offense for such a parent to have such a passenger, and it is already criminal for a drunk driver to cause bodily injury. What this new law would add to the arsenal presently available to prosecutors is difficult to discern.

Lawmakers should be mindful of the Chinese proverb, "Don't ever use a hatchet to remove the fly from your friend's forehead." Try a flyswatter!

Send comments to:
arnold@fishmanandfishmanlaw.com

WELCOME NEW MEMBERS

December 2012

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School: Rutgers Camden
61 Volon Street
Merchantville, NJ 8109



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

Big Brother IRS is Watching You and Your Credit Cards

The IRS has recently beefed up its program of seeking out those taxpayers underreporting income who also receive a significant amount of receipts from credit cards. The IRS Form 1099-K is an information return that reports payment from credit card and other third party network reportable transactions. This 1099 is used if the taxpayer has accepted credit card payments or received payments through a third party network that exceeded \$20,000 in gross annual reportable transactions and the aggregate number of those transactions exceeded 200 for the calendar year.

If you receive an IRS letter or notice, the inference is that gross receipts may have been underreported. The letter or notice will explain the reasons for the correspondence and provide instructions. Generally, the IRS will send a notice if it believes you owe additional tax or are due a larger refund, or if there is a question about your tax return.

It is important to respond to any notice or letter received although all Form 1099-K activities by the IRS allow taxpayers and practitioners like us at Abo and Company to offer explanations and corrections if a notice is received or an audit is begun related to this compliance effort.

Again, the Form 1099-K notice is generally issued under the belief that you may have underreported your gross receipts. This is based on your tax return and Form(s) 1099-K that show an unusually high portion of receipts from card payments and other Form 1099-K reportable transactions. They couldn't be clearer in stating their mission: *the IRS uses the information reported from third parties to ensure individuals and businesses meet their tax obligations. The IRS is integrating the new information supplied on the Form 1099-K into a variety of areas, including its compliance efforts, to ensure fairness and address non-compliance.*

As is usually the case, the IRS provides instructions for Form 1099-K and we suggest business owners review this new form to familiarize themselves with the format.

We envision many traps for the unwary. For example, the new requirements require the banks and other credit card companies to report gross receipts. However, merchants and professional service firms like us or the

law firms, medical/dental practices, etc. we represent, often have chargebacks, issue refunds, or have debit card transactions where the client or customer receives cash back. Under the proposed regulations, banks and other payment transaction services will be reporting only gross monthly and annual payments. Fees, chargebacks, refunds and other such items may not be netted against these gross amounts for 1099 reporting purposes. Accordingly, businesses and professional service firms should review their accounting procedures to keep track of these items separately. In other words, if you are accustomed to recording only a net deposit from a merchant account, it may be wise to separate those net amounts into gross receipts and the associated fees and refunds. That way your internal financial reports can be more easily reconciled to this new Form 1099-K.

In order to enforce compliance, the IRS requires the credit card processor to withhold 28% of all credit card sales of any merchant with discrepancies until all information is updated and accurate. When the merchant fixes all discrepancies, the 28% withholding should be returned. However, this may not occur until year's end. This could certainly cause financial stress for the business. To prevent this backup withholding, businesses should ensure that they provide their card payment services provider with the correct name, address, and ID# for the business. Once again, it will be up to the business owner to keep track of these items separately to be reconciled accurately with the IRS in order to avoid fees and penalties.

The Big Brother concern Abo and Company alluded to in our title? How about the likelihood that credit card transactions could become subject to backup withholding or garnishment if an enterprise becomes delinquent on their federal and/or state tax payments? Under the initial proposed regulations, the IRS made it clear that backup withholding would occur on gross card payments. You can imagine how the unsuspecting business owner could be caught off guard with such surprise garnishments, particularly if they are already strapped for cash.

Even the IRS has given guidance to help in addressing the inquiry which sounds like a direct excerpt from our own playbook:

- Read the notice thoroughly and complete any worksheets.
- Gather your tax records including the 1099-Ks that you received and determine if you agree with the notice about the underreporting of gross receipts.
- If you have questions, use the contact information provided on the notice.
- If appropriate, consult your tax professional for assistance.

We generally advise clients to retain these 1099s for their records and even use them to assist us in completing their tax returns. You should note that the information reported on the 1099-K should already be reflected in your income tax return as part of your total gross receipts, which are a combination of both payment card receipts and other forms of payment like cash and checks. Still we, as your tax preparers, will often run adding machine tapes of all 1099s received to ensure the tax return makes sense (it wouldn't be the first time we've found 1099s do not match a client's returns due to incorrect/excessive reporting from payors, calendar year reporting on 1099s when monies may not have even been received until a subsequent period, incorrect social security or federal ID # used in reporting, etc.)

In case you were wondering about the State taxing authorities, our understanding is that many of the states (i.e. yep, New Jersey and New York for sure) require payment processors to provide copies of Form 1099-Ks issued to their residents. Regardless, states generally have the ability to obtain data from the IRS.

Speaking of 1099s, we recently mailed to our business and law firm clients our annual memo reminding them of recent changes and of the requirements to issue 1099s for all 2012 payments to unincorporated individuals and businesses (i.e. partnership or LLC). While this generally does not apply to payments made to corporations, such is NOT the case for payments made to attorneys or law firms, regardless of whether a corporation. 1099s have to be issued if the business (or another law firm) pays legal fees more than \$600 during the calendar year.



YOUNG LAWYER CORNER

A 2013 Resolution

By Michael J. Dennin

2013 is here. We look back to a tiring year. 2012 brought things rarely if ever seen in my lifetime. We went through a presidential race, the fiscal cliff, hurricanes, war and the events in Connecticut. As difficult as it was, we have to learn and move forward. It was an exhaustive year, and sometimes it is difficult to stop and give thanks for all that we have around us. We must be thankful all the time. This is especially so considering the countless people who lost everything. Keeping faith and perspective is crucial.

2012 was certainly positive in many respects. We brought a baby girl, Lucinda, into the world and the Bar Association provided an opportunity for me to become more heavily involved in the Young Lawyer Committee. Being able to become involved is important for young lawyers. However, it is

difficult for many due to work and personal matters. Time is valuable and, especially early on, you are timid due to the learning curve. There is a delicate balance and we understand that any help and involvement is appreciated. This year we can restart and I would love to see more participation.

The holiday season was a success. Marci Jordan again took the lead in organizing the toy drive that provided gifts to 100 families. The coat drive and the children's party at the Coastline were huge successes. The party was packed with children and everyone told Santa their wishes and received a picture and gifts. We thank Brenda Eutsler, Jenifer Fowler, Linda Eynon and Rachael Brekke for organizing such a beautiful holiday event. The Christmas party at Tavistock was a blast as well. The Bar Association and staff as a

whole did a tremendous job this past year and we cannot thank them enough. This includes Larry Pelletier, Kathy DelPrato, Denise Whybark, and of course the Association's photographer, Bud Cardone. The Association thanks everyone for being involved, coming to seminars and events and being proud members.

Perhaps a resolution this year is to give thanks consciously and constantly. We are fortunate in our positions. Our profession is lifelong. It is time consuming and stressful. However, we chose to practice law. Having gratitude for what is given to us and earned moves us forward. Let us commit to appreciating what we have more than ever this New Year and commit to showing this through being engaged with the Bar in at least a small capacity.



YOUNG LAWYER CORNER

OUT AND ABOUT

Holiday Cocktail Party



Steve Neuner, Alex Ross & Larry Bafundo



Don Cofsky & Judge Holden



Mike Mullen, Allen Etish & Jim Mullen



Ellis Medoway, Fred Levin & Bill DeSantis



Michelle Coreia & Judge Baxter



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- 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*"
- Abo's Hitlist to Consider in the Buy-Sell Valuation and Formula
- Memo on C-Corporation vs. LLC or S-Corporation
- 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:

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Going the Extra Mile to Help Those in Need

Adopt-A-Family Donors Shared the Spirit of the Season—AGAIN!

The holiday spirit was alive and well in Camden County if the basement of St. Joseph's Pro-Cathedral School in Camden was any indication. On Wednesday, December 20th members of the Bar, their family members, and student volunteers descended upon the school to bring the joy and happiness of the season to needy Camden families for the 21st Annual Adopt-a-Family project.

Though the recipient families will never know the donors responsible for brightening their holidays with gifts and food baskets, we do, and are

proud to offer our thanks and appreciation to those listed below who generously participated in this tremendous act of charity.

Thanks also to those volunteers who assisted in unloading and loading vehicles and to those who delivered gifts and food directly to the homes of those families who did not have transportation available.

Special Kudos and thanks to project co-chairs Marci Hill Jordan and Michael Ward for their tireless efforts to ensure another success!

ADOPT-A-FAMILY DONORS

2012 Thank You List

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Duane Morris	Cranmer and Floyd Families	Chambers of Judge Donio and Judge Rodriguez
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Holiday Party Collage

Celebrating The Season In Style!

The Association's Holiday Cocktail Party on December 17th at Tavistock was another festive evening filled with good company, good food and good spirits as members of the bench and bar and their guests turned out for the Association's annual Holiday Cocktail Party Extravaganza!



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Judge Fox & Mike Rakoski



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Ken Andres & Matt Portella



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By Hon. Richard S. Hyland (ret.)

Back in the Day

Cherry Hill recently passed an ordinance barring smoking from public parks, buildings and other public spaces. This is all to the good says this ex-smoker. Back in the day

nearly everyone smoked, nearly all the time, and nearly everywhere, including: hospitals, airplanes, trains (smoking cars), movies, offices, depositions, chambers, restaurants except for courtrooms and houses of worship.

In a 1962 movie, 007 James Bond made sure to light up while having his iconic dry martini. In 1964 the Surgeon-General issued a report that it was injurious to health, but few were fazed. However, the casualties started to mount up.

Arthur Godfrey was the "King of Media" in his day, having both radio and TV programs where he pushed Chesterfield cigarettes. On the air he would take a deep drag and after exhaling would exclaim: "Man is that satisfying!" It couldn't have been so when he was dying of cancer. Both Arthur and Chesterfield are no longer with us.

A much greater loss was Nat "King" Cole who had such a velvet voice and impeccable enunciation of the lyrics ("Chestnuts roasting...etc"). The recitation of the words by present day singers are so muddled for me that the only word I can usually understand is the omnipresent "baby." I could see him at Cherry Hill's Latin Casino on a weeknight and get a good seat without "greasing the palm" of the Maitre'd. For about 10 bucks I could see a leggy chorus line, a fine 10 piece orchestra and stars like Sammy Davis, Peggy Lee and still smoke too!

On the legal front, around 1964 H. Hurlburt Tomlin filed an unsuccessful wrongful death action against tobacco companies represented by our office and Bill (later judge) Bischoff's office. This was a surprise since "Herb" was known only as a defense attorney. As was their policy in all such cases, the companies spared no expense and flew Bill and me to Orlando first class (my first time) for a deposition.

There was another surprise in later years when my dear friend Ray (later judge) Drozdowski went to the other side too. Ray was very liberal and had made a name for himself as a plaintiffs' attorney at Brown and Connery. However, the defense latched on to him and he earned a national reputation defending tobacco companies.

Much has changed since I started in high school to become cool and sophisticated and endured the coughing, choking, dizziness, and nausea from the first several attempts. Nicotine is a poison and the body, of course, rebels against the intrusion until a tolerance is built up like to other addictive substances (heroin). Lucky Strike was my first brand and in 1953 I switched to Kent with the "micronite" filter which was supposed to filter out all the bad stuff but didn't. Occasionally, in the dark I would light up the filter end by mistake and suck in the noxious fumes which could make you gag. Cigarettes can now cost up to \$8 a pack and all you needed then were a few quarters to stick in cigarette machines which have now vanished from sight.

I smoked through college, law school, the bar exam, and into the U.S. Army where the welcome command was: "Smoke em, if you got em." The unfortunate side effect of that was you had to "police" the barrack grounds and "field-strip" the cigarette butts that other guys had smoked. This was not a healthy thing to do, especially since the Army did not issue personal hand sanitizers.

I had promised my father I would stop when I reached 40 as he had done, but I had several failed attempts beforehand. There were no nicotine patches then or present day Chantix which has such a litany of injurious side effects on TV that it must be safer to continue smoking. Fortunately, Judge Rudy Rossetti recommended that I try "SmokeEnders" which had helped him, so I did. It was an eight week course which gradually reduced nicotine intake and focused on "triggers" such as coffee, alcohol, food and the telephone. For instance, my telephone wouldn't work unless I first lit up.

I was fascinated by the program since it worked for me, and after some training began to teach it. I gave several classes in the

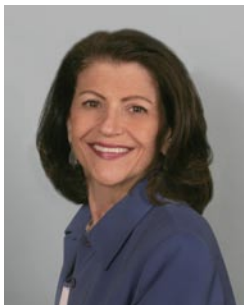
area and among those attending was Judge Leon Wingate. He sat in Camden in the Criminal Division and was known for his tough sentences. When a new prisoner came into the County Jail, the inmates would try to scare him by repeatedly chanting: "You're gonna get the Gate" (as in Wingate).

He was a heavy smoker who was frustrated by his habit and was amazed when he was able to quit. When I saw him after his retirement, the first thing he would say was "You saved my life," and I would respond by saying I was only the messenger for the program. I know he was sincere because his minister son asked me to do the eulogy for him at our annual memorial service and I was honored to do so.

I welcome feedback so please send any comments to rhylandatlaw@aol.com



Judge Natal, Joe Weinberg & Joe McCormick



PRESIDENT'S PERSPECTIVE

by Brenda Lee Eutsler

When Tragedy Strikes, They are the First to Respond

There can be no greater tragedy for a parent than the loss of a child and when that child is among 20 other children from the same town who die in the same disaster, the tragedy is unimaginable. The rampage in Newtown, Connecticut changed the lives of parents, siblings, grandparents, teachers, friends and neighbors forever and reignited the discourse over gun control. It also changed the lives of police officers, firefighters and emergency medical personnel who helped end the rampage and rescue the survivors. The press told of firefighters being haunted by the trauma and police struggling with not having been able to save lives.

When tragedy strikes, first responders place themselves in harm's way to protect and save lives. Many first responders are volunteers. We saw their heroic efforts in the aftermath of Hurricane Sandy when first responders rescued people and their pets from flooded homes and took them to shelters where other first responders cared for them. Time and time again we see these men and women bring calm to chaos. They brush off being called "heroes," simply stating, "it is my job."

On December 25, 2012, Lindenwold police officers and Camden County emergency dispatchers truly were heroes to a Lindenwold family whose home had been robbed on Christmas Eve while

they were out visiting with family. The burglar had taken all of the family's Christmas presents, leaving the parents with great sadness because their children would have nothing from Santa on Christmas morning. Writing up a report of the theft was not enough for the responding officers. They recruited their fellow officers and overnight-shift dispatchers to locate toys for the family's children, twin 4-year olds and a 2-year old. Before sunrise on Christmas Day, Santa's helpers delivered wrapped toys for the children and gift cards for the parents. A true miracle of Christmas!

My brother, Greg, was on the Lindenwold police force for over 25 years until his recent retirement. I am sure many of you have family members and friends who are or were first responders. Among our members, there are several first responders. Most, if not all of us, have been aided by a first responder at some time in our lives. As an expression of our appreciation to these noble men and women, the CCBA, through its Probate & Trust Committee, will again co-sponsor, with the Estates & Trusts Society at Rutgers Law School – Camden, a Wills for Heroes Program at the law school on Saturday, April 13th. The Wills for Heroes Foundation

Continued on Page 19



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WINE & FOOD

By Jim Hamilton

As we move further away from the holiday season, our vision of cupid changes from a reindeer pulling a sled to a winged god wielding potent arrows. Christmas cookies are gone, replaced by some with Valentine's chocolates. February is a month known for sweet things: sweethearts, sweet greeting card sentiments and fragrant bouquets. Perhaps this is a good time to add sweet wines to the conversation. Yes, many people recoil at the thought of such wines, and for a variety of reasons. Some have views distorted by memories of cloying dessert wines sampled years ago. Others consider such wines unsophisticated, an image that anyone cultivating a wine palate wants to sidestep whenever possible. Of course, there are those who have given off-dry wines what they think is a fair test and simply find them not to their liking. To the latter group I suggest persistence, since the appreciation of some wines can take time. There simply are too many levels of residual sugar and, very importantly, degrees of balancing acidity to dismiss the category completely. To the others I say that some of the most famous, prestigious wines are "sweet," and not all are frightfully expensive, so put a "sticky" or two in your queue to try and, hopefully, enjoy at the right time and place.

Perhaps two of the most well-known, and well-regarded, dessert wines are Sauternes and Port. Since Sauternes is perhaps more versatile (yes, you can drink it with the right dinner, e.g. some chicken and pork dishes), let's start our discussion with those wines. Sauternes is a part of the larger wine region of southwest France known as Bordeaux. Within the broader Sauternes appellation the sub-region of Barsac is found. Since some Barsac producers proudly distinguish their wines from Sauternes (they do tend to be less plump and more linear), I shall duly note the distinction, but for ease of reference talk in more regional terms. Sauternes are usually fashioned from a combination of 2 or three grape varieties: Semillon, Sauvignon Blanc and (in very small amounts when used) Muscadelle. Most estates' blends are dominated by Semillon.

While fame is a relative term, the winery enjoying the most renown today is, far above all others, Chateau d'Yquem. Its former owners retained Chateau de Fargues, which should only help grow its reputation. In Barsac, Chateau Climens is working hard to emerge from the formidable shadow cast by Yquem.

As with most top quality Bordeaux these days, the purchase prices for these wines have escalated beyond the reach, or value judgment, of most wine drinkers. However, there are producers offering a combination of price and quality that, while not inexpensive, may merit your consideration. At the annual Union des Grands Crus de Bordeaux event in NYC, I am privileged each year to taste many Bordeaux wines, often poured by the estate owners. Among the 2008 Sauternes tasted last year worth acquiring if the price is right are Chateaux Suduiraut, Sigalas-Rabaud, Guiraud, Lafaurie-Peyraguey (a personal favorite each vintage), Doisy-Daëne, Doisy-Vedrines, Coutet, La Tour Blanche and de Rayne-Vigneau. Climens predictably was exceptional, but its growing acclaim makes it more costly than those I mention above. The invariably excellent Chateaux Rieussec and Raymond-Lafon were not poured, nor were the less expensive wines, Chateaux Bastor-Lamontagne, Sigalas Rabaud, D'Arche or de Malle or Clos Haut Peyraguey. As with their red wine brethren, we are seeing more second wines from Sauternes producers, that is wine made from grapes that typically did not make the cut for the first wine. These could provide a less costly way to enter the world of Sauternes.

As is the case with red Bordeaux, if one looks outside the region's so called classified growth wines, to satellite appellations or regions enjoying lesser regard, there are dessert wine values to be found. Among



Bordeaux appellations to consider are Loupiac and Ste.-Croix-du-Mont. Further afield, there are nice "Sauternes-like" wines made in Monbazillac, Cadillac and Jurançon. While Monbazillac and Cadillac employ the same grape varieties as Sauternes, Jurançon uses Petit Manseng and/or Gros Manseng grapes.

Two other grape varieties that lend themselves to late harvesting with the resulting sugar level needed to retain some in the final wine are Muscat and Chenin Blanc. Among French regions to look to for off-dry, lightly fortified Muscat-based wines are Beaumes-de-Venise in the Rhone region, St.-Jean-de-Minervois and Frontignan in the Languedoc and Rivesaltes in the Roussillon. A hallmark of Muscat wines is the floral nose typically exhibited.

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FROM THE BARRISTER ARCHIVES

The following article was first published in *The New Jersey Lawyer* Fall 1980 issue, and in a 1984 issue of *The Barrister*, when the author was Association President. It is being reprinted here as the information it contains remains relevant today. — Editor

Haneman's Commandments for Judicial Conduct

Frank M. Lario, Jr.



Frank M. Lario, Jr., is a partner in the law firm of Lario and Nardi in Haddonfield. He serves as municipal judge for the boroughs of Audubon Park, Bellmawr and

Magnolia. A member of the New Jersey State Bar Association since 1962, he was law secretary to Associate Justice Vincent S. Haneman during that year.

By Hon. Frank M. Lario, Jr. (ret)

Justice Vincent S. Haneman was born in Brooklyn, New York in 1902. He was reared in East Orange, New Jersey under the care of a mother and the guidance of a father whom he greatly loved and respected. His father was both a doctor of medicine and dentistry.

Throughout his lifetime, Justice Haneman would recall many didactic experiences with his father that helped to formulate the disciplines with which he molded his life as a lawyer, administrator, legislator and judge.

Justice Haneman received his law degree from Syracuse University in 1923. A year later he moved to Brigantine, New Jersey where he was appointed city solicitor. In 1934 he was elected mayor of Brigantine. While serving as mayor, he was elected to the General Assembly where he served for seven years. In 1940 he was chosen as counsel for the New Jersey Racing Commission and, four years later, at age 42, he was appointed judge for the court of common pleas. Three years later he became vice chancellor of the former court of chancery and, in 1948, pursuant to the newly adopted state constitution, he was appointed judge of the superior court, chancery division, presiding over the vicinages of Burlington, Camden and Gloucester counties. In 1958 he was elevated to the appellate division of the New Jersey superior court. In 1960 he was appointed to the New Jersey Supreme Court where he served as an associate justice until his retirement in 1971. He died on January 10, 1978.

The Jurist and the Man

Justice Haneman was a loved and respected jurist and man. He was an imposing figure both in and out of the courtroom. Standing 6'3" tall, he had a deep, booming voice that would admonish an irascible attorney to refrain from obfuscating the issues of a case; yet his appreciation of people and their sensitivities gave him the ability to calm instantly a nervous young attorney who was in court for the first time. He had an ability to cut quickly to the issues of a case and to decide a controversy with acuity and simplicity. His genuine fondness of people and his awareness of the concerns of his fellow judges, attorneys and friends, who were legion, made him an easily adaptable confidant and advisor. His refreshing sense of humor and his perceptiveness made him an engaging person to be with and a meeting with him a memorable event. He was a toastmaster in demand.

While serving as his law secretary, I came to know Justice Haneman as a kind, considerate and intellectually honest man. His code of ethics, generated from childhood, guided his lifestyle. In Justice Haneman's chambers, among his volumes of published opinions, he kept his

personal judicial code of ethics which he had penned in 1953, and which he referred to as the 19 Commandments for Judicial Conduct. These commandments not only serve as a document of his own beliefs and practices, but they can be followed as a guide for all judges of the highest court to the lowest.

19 Commandments for Judicial Conduct

A Judge Should Remember:

1. That lawyers are officers of the court, entitled to courteous treatment as such, and that he was a lawyer before he was a judge;
2. That he is not a superior being for whose benefit lawyers and litigants are in court, but that he is a public servant who is present in court for the benefit of lawyers and litigants;
3. To be at all times dignified in court and insist that proceedings be conducted with proper decorum and with respect for the court;
4. That when he is in court, he loses his individuality and is merely a cog in the judicial machinery;
5. That when he is in court, wit and sarcasm directed at lawyers or litigants are uncalled for. It does not add to the dignity or prestige of his position to be witty or sarcastic but merely demonstrates inexcusable, ungentlemanly advantage taken of his position, at the expense of one who cannot strike back. Such conduct tends not only to bring him into ill repute, but reflects detrimentally upon the judicial system as well;
6. That when he received his judicial appointment, there were lawyers just as able as he who would have been equally qualified for the position had they had his good fortune, and that there are lawyers who do and will practice before him who have knowledge and ability at least equal to his;
7. To cultivate the art of listening and not unnecessarily interrupt counsel. His purpose is to understand counsel's theory and argument and not to impress the courtroom with his own erudition and knowledge;
8. Not to interfere with the examination of witnesses; if possible to avoid it. He is and must be non-partisan. He should only sparingly interject himself into an examination where he is the trier of the facts, and then normally only where he is fearful of a miscarriage of justice. Counsel are generally entitled to try causes as they see fit;
9. That justice should always be his ultimate goal and litigants should not fail to obtain justice because of unskillful or inept counsel. A lawyer newly admitted to the Bar deserves more consideration and aid than an older practitioner. He must see that clients of such counsel do not pay the penalty for his inexperience;
10. To distrust first impressions;
11. That in writing opinions, he should be as brief, succinct and simple in his expressions as possible. He should not ask himself how many questions he can decide, but rather how few he must decide. It is easy, by becoming verbose or prolix, to lay a foundation for bad law;

Continued on Page 21

LAW PRACTICE MARKETING



By Kimberly Alford Rice

It's a New Year and a Great Time to Set Practice Goals (Part 1 of 3)

As you reflect upon the past year's business development results, you may recognize something needs to change to align your efforts with better results. You've spent time having lunches with key contacts; attending networking events; and even following up (most of the time) but are unclear how these activities may have fallen short in translating into new clients and more work.

Like we often advise our clients, there is no magic bullet to increasing the client roster in that no one activity will accomplish in and of itself the results you seek. That said, there is no higher impact business development initiative than to be face to face with qualified targeted prospects. When you have the great fortune to be there, do not squander the opportunity by being unprepared or lacking the "know how" to close the business.

Anyone who aspires to be an effective rainmaker and marketer must refine his/her closing skills. Many lawyers are adept with getting their feet in the door. Some are even quite successful in developing new leads consistently. But completing the cycle by converting contacts into signed contracts takes an approach that only few have mastered but all can learn and implement.

Understanding that closing is a process and not an event means that you must always work to generate the next contact and keep the relationship growing in order to move the process forward.

Below are a few solid closing strategies which you may integrate into this year's business development endeavors:

Planning is Important

Prior to engaging in high-impact discussions with potential clients, one business development strategy which is often overlooked is taking the time to identify your prospects' needs so that you are prepared when you meet them face to face.

Here are a few key questions to answer before a prospect meeting:

- What "need triggers" does the prospect have for your services?
- What services does your prospect consider important and essential?

- Who are their competitors and what is their competitive position?

We often work through the answers to these questions with our clients to support more favorable results. Having a prospect list is great; substantiating prospects' potential with a customized game plan places clients' in a much stronger position for success.

Begin with the End in Mind

While some folks assume that closing happens at the end of the sales process, the truth is that closing starts with the very first contact or meeting and continues with every subsequent communication.

There are a few important skills to master along the closing path:

- **Be efficient:** Focus on providing value at every stage of the closing process rather than pushing too hard for the sale.
- **Be confident:** Enter the closing process with a positive mindset which is clear to your prospect.
- **Demonstrate your "client-centric" focus:** Speak in benefits, not features, and address prospect concerns all along the way.
- **Differentiate yourself from competitors:** Share with prospects how you have achieved results and focus on the strategic steps you took to get there.

Don't forget the importance of understanding the prospect's decision-making process. Before an initial meeting is concluded, knowing the answers to the questions below will be a good way to keep the dialogue open and move the process forward:

- who else may be involved in the decision-making process
- decision-making timing
- additional information needed to reach a favorable decision

Start Connecting

The formal presentation is the pinnacle of business development—the time when you are face to face with prospects. This is the very time everyone involved must be at the top of his game. If you've been buckling when the pressure is on, you may be relieved to learn that there are actions to step up your game.

To start connecting, **you must build a rapport with your prospects.**

The following are steps critical to making a connection:

- **Leverage preparation as an asset.** Don't hesitate to refer to your notes during the meeting—this is a sure sign that you've done your homework.
- **Use your pre-meeting research** to demonstrate what you have learned about your prospects, their practices, and challenges they may be facing.
- **Outline with your prospect a clear, succinct list of their needs and/or challenges.**
- **Be clear about your strengths and service benefits** when you are engaged in selling. Ensure that your message is strong and presented confidently that you're the best one to handle the work.

Effective marketing ultimately ends with developing solid closing skills. Building a rapport with your prospects will help you choose the right tools to close more business.

In our next installment, we will outline steps for efficient prospect presentations and keys to overcoming objections.



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Fraudulent Earmarking & Duty to Inquire in Construction “Lien Fund” Context

L&W Supply Corp. v. Joe Desilva (App. Div. 12/4/2012)

By William H. Toblosky

Background: Lumber Yard sells drywall on credit to Carpentry subcontractor for job at Maple Street. Lumber Yard does the same for CS for a job at Walnut Avenue. The General Contractor of the Maple Street property makes a payment to CS from funds from the Maple Avenue owner. Lumber Yard is within time to file a Construction Lien Law (CLL) lien for the Maple St. project, but not for the Walnut Ave. job.

LY generally applies payments to a customer's oldest account. The Walnut Ave. account is older than the Maple St. account. Walnut Ave and Maple St are owned by different parties.

GC has been in bankruptcy for 3 years.

The parties are not colluding with each other to pyramid payments. They are all just looking out for # 1.

Alternative 1 (Not Earmarked): CS does not provide any instruction as to the application of the payments.

Alternative 2 (Funds Earmarked): CS provides written “earmarking” instructions, providing that payment is to be applied against the Walnut Ave. job.

Inquiry Notice: Despite the written payment application instruction from CS, the LY has reason to believe, or inquiry notice, that the funds paid were actually sourced from the Walnut Ave. Owner, which is in fact the case.

The Issue for Counsel: Your client, LY, wants to know if it may apply the payment

against the Walnut Ave. job under either scenario? This maximizes the balance remaining on Maple Ave., which is still in time for a CLL lien from supplier LY. On the other hand, this fails to apply the owner's payments at Walnut St. against the lien balance.

Background: Construction runs on credit. Subcontractors and Suppliers provide labor and materials, incorporated into the Owner's land. Subs and suppliers expect payment from the GC, who in turn expects payment from the Owner. The food chain reasonably expects that these payments will be applied to the proper job, and that a GC, for example, won't renege on sending payments down the line and instead “pyramid” an Owner's payments into financing obligations on an entirely separate site.

At common law, contractors and suppliers did not have a right to a pre-judgment lien against the owner or the land. If they were sub-contractors or material suppliers not in contractual privity against the owner, they had no right at all to a lien against the land.

Due to perceived impairment, various forms of mechanics' lien statutes were enacted. As rights in derogation of the common law, these are to be construed strictly. New Jersey's current Construction Lien Law was enacted in 1993, amended in 2010, and may be found at N.J.S.A. 2A:44-1 et seq.

The purposes of the CLL are first and primarily, to provide a mechanism by which

contractors and suppliers can protect their right to payment by assertion of a statutory lien against the property itself. The secondary purpose is to protect honest owners from imposition of double payment, payment to the general contractor and then payment on the same balance to a subcontractor in order to discharge a lien. In order to protect innocent owners, the CLL codifies rules for the concept of the “lien fund,” the maximum amount unpaid and lienable. The CLL provides two formulas for calculation of the “lien fund;” under either formula a deduction must be made for payments previously made against the obligation owing the contractor which is the basis of the lien. This makes sense because if Owner pays General \$100,000 earmarked for payment to subcontractor, then fairness dictates that the subcontractor should receive this amount, and that it not be lienable despite payment.

The CLL does not, however, provide substantial guidance in determining how payments from a GC to a sub are to be applied: Which owner is to receive the benefit of the credit against the lien fund? We know it *should* be the owner that actually paid, but in the absence of joint checks or sufficient documentation and notice to the subs, how is the law to ensure this outcome? What works?

Craft v Stevenson Lumber Yard, Inc. (N.J. 1984)¹: Within a year of the CLL's effective date, our Supreme Court squared up to the question presented in Alternative

Continued on Page 19

VERDICTS OF THE COURT

Superior Court of New Jersey

VERDICT: Damage Verdict: \$20,000 Against Defendant (12/7/12)

Case Type: Book Account
Judge: Stephen Holden, J.S.C.
Plaintiff's Atty: Mark Molz, Esq.
Defendant's Atty: Sanford Schmidt, Esq.
L-196-12 Jury

VERDICT: Settled (12/4/12)

Case Type: Auto Negligence
Judge: George S. Leone, J.S.C.
Plaintiff's Atty: Daniel Zonies, Esq.
Defendant's Atty: Everett Simpson, Esq.
L-6005-10 Jury

VERDICT: No Cause (12/10/12)

Case Type: Auto
Judge: Robert Kelley, J.S.C.
Plaintiff's Atty: Keith Genditis, Esq.
Defendant's Atty: Tanja Riotto-Seybold, Esq.
L-4867-09

VERDICT: No Cause (12/11/12)

Case Type: Auto Negligence
Judge: John A. Fratto, J.S.C.
Plaintiff's Atty: Donald Caruthers, III, Esq.
Defendant's Atty: Diane Magram, Esq.
L-792-11 Jury

VERDICT: Settled (12/12/12)

Case Type: Contract
Judge: George S. Leone, J.S.C.
Plaintiff's Atty: David Joyandeh, Esq.
Defendant's Atty: Joan Bell, et al.
L-1635-09 Bench

WINE & FOOD

Continued from Page 14

The French region where Chenin Blanc reigns supreme is the Loire Valley. Most people are familiar with Vouvray wines, which may be dry ("sec"), slightly off-dry ("demi-sec") or sweet ("moelleux"). Some good producers whose wines you may find in our area include Pinon, Huet, Foreau, Domaine des Aubuisieres and Bourillon d'Orleans. The broad Coteaux du Layon appellation is a source of what can be fairly priced, high quality dessert wines. Within this region we find the sub-regional areas of Quarts de Chaume and Bonnezeaux, which command dearer prices. Producers worth considering from this region include Domaine des Baumard (a personal favorite), Chateau Pierre-Bise, Jo Pithon, Phillipe Delevaux, Chateaux de la Roulerie, Domaine de la Bergerie and Chateau de Fesles.

Other white grape dessert wine prospects include the Spanish wines produced from Malaga by the highly regarded importer, Jorge Ordonez and Hungarian dessert wines made from the Furmint grape (including, but not limited to, Tokaji).

Where Sauternes and its kin and Loire Valley stickies each pair well with desserts such as creme brulee, white cake, stone fruit pies and the like, they are not as compatible with chocolate desserts. For those, we might consider Port; Banyuls and Maury wines from southern France; or late harvest Spanish wines. Space does not allow us to delve deeply into any of these wines, so I shall keep suggestions brief. The most famous Ports (fortified wines from Portugal) are those "declared" in particular vintages. These can be both pricey and in need of aging. An alternative is late bottled vintage Port (or "LBVs"). Look to established Port houses (i.e. producers) such as Graham's, Taylor Fladgate, Fonseca, Smith-Woodhouse, Dow's, Quinta do Noval and Niepoort, to name a few. Banyuls, made from the Grenache grape, will be harder to find, but look for Chapoutier, Coume del Mas, Tour Vielle and Les Crois de Paulilles. A reasonably well-distributed Maury producer is Domaine de Mas Amiel. Some late harvest Spanish wines to search for include Costers del Siurana's Dolc de l'Obac, Bodegas Olivares Dulce and Sherry wines made from the Pedro Ximenez (or PX) grape. Be forewarned, however, that PX wines can be so thick they can be (and are) employed as an ice cream topping. Some well represented Sherry producers include Alvear, Lustau and Gonzalez Byass.

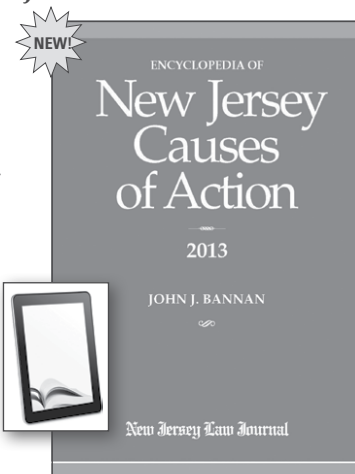
So, as John Lennon might have said—give sweets a chance.

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Fraudulent Earmarking & Duty to Inquire in Construction "Lien Fund" Context

L&W Supply Corp. v. Joe Desilva (App. Div. 12/4/2012)

Continued from Page 17

1 above. The check is received by Supplier with no instructions earmarking payment, or designating its intended application. At common law the 'Application of Payments' rule would generally have permitted, absent an indication of fraud or collusion, payees to apply such payments as they saw fit. Craft held, however, that if there were some reasonable basis to believe that the monies originated with the Maple St. owner (paid through the same GC as handled the Walnut Ave. property), that the funds must be applied to the Maple Ave. project, even if this is a less-aged debt, and even if this application is contrary to the interests of the supplier. See, Rest. (2d) of Contracts, §§258, 259, 260 (1981).

Craft does not, however, indicate what evidence, other than a frank admission by the GC, would create this inquiry notice. How is the disputed factual issue to be resolved? Must the supplier interplead the funds in court? Must the payee lien both properties and find out later which of the owners is entitled to a credit? Is he to demand production of records

by the owners and GC in order to resolve the problem? As a practical matter, what is the subcontractor to do (other than to run and deposit the funds in its bank account before the check bounces)?

L&W Supply Corp. v. Joe Desilva (App. Div., 12/4/12): L&W Supply takes the question to the next step (Alternative 2): Must earmarked funds be credited against the designated account even in the presence of inquiry notice that the application of funds may be false, may in fact be pyramiding of accounts? American jurisdictions are split on the issue. L&W held that "if something is amiss in the material purchaser's allocation of payments to different accounts, then Craft requires that the supplier inquire further and verify the source of the payment funds." L&W therefore imposes an affirmative duty on the payee to try to find out where the money came from. The opinion suffers from the same deficiencies as Craft, but more so. If the GC earmarks the payments, what

evidence should put the payee on inquiry notice that the GC is a liar? The GC has already stated in writing that the funds came from the Maple Ave. owner. When is this not "reliable" evidence? What more evidence does the payee need? To go back to the GC and ask if they were telling the truth? And if the owner says no, the money came from Walnut Ave., which version of the truth is the payee required to believe?

Does the payee then contact the owner, possibly defaming the GC as a fraud? The owners may take weeks or months to come up with ledgers? Does the payee file "precautionary" liens, sworn to under oath, while the 90 day clock is ticking? L&W is correct in its interpretation of the aspirations of Craft. However, does this process play out in the real world? That is the unanswered question.

¹ 179 N.J. 56.

² A-2960-10T2, 2012 N.J. Super. LEXIS 189 (approved for publication 12/04/2012).

PRESIDENT'S PERSPECTIVE

When Tragedy Strikes, They are the First to Respond

Continued from Page 13

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Justice Wallace served the Superior Court through the Civil Division handling all types of matters. He was admired and respected by both sides of the aisle. The *New York Times* described him as "a sound jurist and a political moderate." Mr. Wallace is counsel to the firm of Brown & Connery, LLP. Justice Wallace has received many awards including the William J. Brennan Citation, the Lawyer of the Year Award from the New Jersey Commission on Professionalism in the Law and the Judge John Gerry Award from the Camden County Bar Association.

Mr. Wallace is a Trustee of the Board of Legal Services of New Jersey and a Board Member of Kennedy University Hospital. He is a member of the University of Delaware Wall of Fame and a member of its Board of Trustees. He has coached youth baseball and football teams for decades.

Justice Wallace served in the United States Army from 1968-1970 earning the rank of captain. Mr. Wallace received his Bachelors Degree from the University of Delaware in 1964 and received his law degree from Harvard Law School in 1967.

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John E. Renner is pleased to announce his certification by the National Board of Trial Advocacy after meeting all of the requirements for Board Certification as a Criminal Trial Attorney. The National Board of Trial Advocacy Division of the National Board of Legal Specialty Certification (NBLSC) was the first ABA accredited attorney board certifying agency in the world. Certificate holders undergo a thorough screening of their credentials, including documentation of their experience, judicial and peer references and a qualifying examination. Mr. Renner is also pleased to announce his recent election to the position of Vice-Chair to the New Jersey State Bar Association Certified Attorneys Section.

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FROM THE BARRISTER ARCHIVES

Haneman's Commandments for Judicial Conduct

Continued from Page 15

12. To lay his opinions aside for a reasonable time after they are written. When they are cool, he may find that they do not state what he intended, or poorly express his intended conclusions;
13. To be punctual and require punctuality;
14. To decide matters at the earliest possible date after presentation has been concluded. This will aid him in reaching a conclusion while the facts and the law are fresh in his mind. It is well to remember that "justice delayed is often justice denied."
15. To follow the dictates of his conscience and let no outside influence affect him. It takes more moral courage to decide a case consistent with the law but against public opinion than it does to decide a case doubtful on the law but favorable to public opinion or pressure;
16. To be kind and considerate of witnesses, but to be firm with and mete out punishment to those who violate their oaths;
17. That he has terrible responsibility involving the life, liberty, property and happiness of litigants, and that his first responsibility is always that they obtain justice without fear or favor;
18. To conduct himself outside of the courtroom with propriety, to be humble rather than overbearing. It is not necessary that he live in an ivory tower, but he should be pleasant, friendly and approachable. Those who have been his friends of long standing are still his friends, but do not deserve any preferential treatment therefore. He should enjoy life outside the courtroom as before his appointment, with certain circumspection;
19. That he was appointed and is paid to attend to judicial business and not avoid the rigors of a general practice. All personal undertakings must be subject to his judicial work, and if the time required to discharge his duties intrudes upon what would normally be considered his private life, the latter must be sacrificed.

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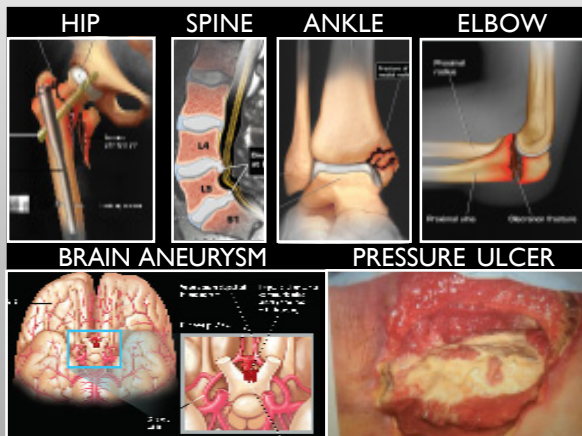
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