



Nominating Committee Announces Officer and Trustee Slate

The Camden County Bar Association Nominating Committee has nominated the following candidates for terms beginning June 1, 2010:

<u>President</u> Linda W. Eynon	<u>Member, Board of Trustees</u> (Term ending 2011) Louis G. Guzzo
<u>President-elect</u> Louis R. Lessig	<u>Member, Board of Trustees</u> (Terms ending 2013) Charles C. Bratton, II
<u>First Vice President</u> Brenda Lee Eutsler	Carol A. Cannerelli
<u>Second Vice President</u> Gary W. Boguski	Adam E. Gersh
<u>Treasurer</u> Casey Price	Steven J. Polansky
<u>Secretary</u> Jenifer G. Fowler	William Tobolsky
	<u>Young Lawyer Trustee</u> Michael V. Madden

Questions about the nominating process should be directed to Bar headquarters at 856.482.0620.

Linda W. Eynon to be Installed as 84th Bar President



Friends and colleagues from the bench and bar will gather at Tavistock Country Club on Saturday, May 22nd for the Foundation's annual gala Installation of Association and Foundation Officers & Trustees Dinner Dance to witness Linda W. Eynon become the 84th President of the venerable Camden County Bar Association. Eynon will receive the oath of office from her father, Judge David G. Eynon (retired). The evening will feature delectable cuisine and dancing to the exciting sounds of *After Dark*.

Eynon, Legal Counsel for Horizon NJ Health in West Trenton succeeds Richard A. DeMichele, Jr., a Partner in the firm of DeMichele & DeMichele, P.C. in Haddon Heights, and will serve a one year term beginning on June 1. Current Bar Foundation President, Carolyn Kornas Karbasian, a Partner with Chierici, Chierici & Smith, P.C. in Moorestown, will turn over the reins of the Camden County Bar Foundation, the Association's charity partner, to past CCBA President Joseph A. McCormick, Jr., a Shareholder and Partner in the firm of Weinberg and McCormick in Haddonfield.

"I am both honored and excited to be serving as president of New Jersey's finest Bar Association. I look forward to a wonderful, but busy year," said Eynon, "working with my fellow Officers, Trustees and Association members to tackle the challenges that lie ahead in these unsettled economic and changing times, to make this a memorable and successful year. I also congratulate and thank President Rick DeMichele for his excellent leadership during this economically

Continued on page 10

Don't Delay, Renew Today!

Dues notices for the 2010-11 membership year should have arrived in your mail and are payable by June 1. Paying promptly will ensure that your Association continues to serve you and the community with its many important programs and services. Please note that this year's dues structure remains the same as last year. In fact, CCBA dues have remained unchanged since the late 1990s!

CCBA members receive numerous benefits, which more than justify the cost of dues, including a wide array of affordable and informative seminars held every year. Now that the New Jersey Supreme Court has implemented Mandatory Continuing Legal Education, our application to become an Approved CLE Provider is pending and we

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Annual Children's Picnic June 5 Volunteers needed for important community event

The Camden County Bar Foundation's Annual Summer Picnic for disadvantaged children will again be held at **Challenge Grove Park at Old Borton's Mill and Caldwell Roads in Cherry Hill**.

This annual rite of spring provides a day of carnival games, pony rides, softball and basketball contests, face-painting, barbeque fare and great fun in the sun for hundreds of disadvantaged kids in Camden County.

Some are coming back. Many are coming for the first time. But every child is guaranteed a day full of happy memories on Saturday, June 5th from 11 a.m. – 1:30 p.m., RAIN or SHINE.

Members of the Public Benefits and Young Lawyer committees will be on hand to help run the event; however, additional volunteers are needed and always welcome. To participate or for more information, please call or email Kathy at Bar headquarters – 856.482.0620, kmc@camdencountybar.org.

Financial support for the Picnic is provided in part by Bar members who include the Foundation check-off when paying their dues, and proceeds from events throughout the year.

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The Docket

Monday, May 3rd

Immigration/Naturalization Final Hearing
9:00 am
US Courthouse, Camden

Tuesday, May 4th

Young Lawyer Committee Meeting
Noon
Bar Headquarters

Municipal Court Committee Meeting
4:00 – 5:00 pm

Haddonfield Municipal Court, Haddonfield

Tuesday, May 11th

Board of Trustees
Executive Committee Meeting
5:00 pm
Bar Headquarters

Wednesday, May 12th

Medicine for Lawyers: The Anatomy & Treatment of Shoulder Injuries Seminar
4:00 – 6:15 pm
The Mansion, Voorhees

Thursday, May 13th

Employment Law Update 2010 Seminar
4:00 – 6:15 pm
The Mansion, Voorhees

Wednesday, May 19th

Board of Trustees Meeting
4:00 pm
Bar Headquarters

Saturday, May 22nd

Installation Dinner Dance
5:30 – 11:00 pm
Tavistock Country Club

Tuesday, May 25th

Law Practice Management Presentation
Hitting Reset: Practical Answers to Your Most Pressing IT Questions
4:00 pm
Bar Headquarters

Wednesday, May 26th

Lawyer/Realtor Night Seminar
4:00 – 6:15 pm
The Mansion, Voorhees

Friday, May 28th

Social Security Committee Meeting
Noon
Bar Headquarters

Tentative Agenda for May 19 Trustees Meeting

A tentative agenda for this month's regular Board of Trustees meeting follows. The meeting will begin at 4 p.m., 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 April Board Meeting
- III. Treasurer's Report
- IV. President's Report
- V. Committee Reports
- VI. Executive Director's Report
- VII. NJSBA Update
- VIII. New Business (if any)
- IX. Old Business
- X. Adjourn

Don't Delay, Renew Today!

Continued from page 1

expect to receive approval soon. This means that you can take advantage of the 30% member tuition savings and earn your New Jersey CLE credits by attending our many quality, conveniently located seminars that also offer PA CLE credits, without leaving Camden County. This past year alone, the CCBA presented 45 educational programs offering a combined total of 68 credits, most of which will also qualify for New Jersey.

Additional benefits include our monthly publication, *The Barrister*; committees that offer opportunities to network with peers; numerous professional and social activities designed to enhance your law practice; discounts on many legal products and services; group insurance plans; 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. Your membership supports these goals and benefits the entire community.

The Barrister

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Camden County Bar Association

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May CLE Seminars & Programs At-A-Glance

Seminars offer PA CLE credits and may also comply with the NJ Rule requiring all members to have 24 CLE credits over the next 2 years. All seminars will be held at the Mansion in Voorhees unless otherwise noted below. Refer to the inserts for the reservation flier.

Medicine for Lawyers: The Anatomy & Treatment of Shoulder Injuries

Wednesday, May 12, 4-6:15 p.m.

Dr. Craig Rosen, a Board Certified Orthopedic Surgeon, will address medical and causation issues associated with Shoulder Injuries. You will have the opportunity to ask Dr. Rosen questions about the medical and causation issues you have in your **workers' compensation and/or personal injury cases**. This seminar will help you understand the anatomy of the shoulder and the common traumatic and occupational shoulder injuries including: Soft-tissue injuries such as rotator cuff tears and labral tears, fractures and dislocations.

- 1) Rotator Cuff tears – These are a common source of shoulder pain, and become more frequent with age. Dr. Rosen will help you understand how to interpret the medical reports to prove that your client's rotator cuff tear was caused by trauma vs. a tear caused by degeneration.
- 2) Fractures – Common shoulder fractures involve the clavicle (collar bone), the proximal humerus (top of the upper arm) and the scapula (shoulder blade). The scapula is protected by the chest and is not easily fractured. Fractures of the scapula are usually caused by a high speed motor vehicle crash or other high velocity occurrence.

- 3) Dislocations – This occurs when the bones on opposite sides of a joint do not line up. This can occur in 3 different joints in the shoulder.

Should your client consider surgical or non-surgical options for their shoulder injury? What will happen if a rotator cuff tear is not surgically repaired, and why there are instances of re-tears after surgery? Learn about the surgical vs. non-surgical options and what the benefits and limitations are for each option.

This seminar will help you upgrade your medical knowledge and is geared towards personal injury and workers' compensation practitioners.

Employment Law Update 2010

Thursday, May 13, 4-6:25 p.m.

This seminar is a "can't-miss" for all employment law attorneys and other practitioners wishing to learn more about the field. There have been major developments over the past year in the area of employment litigation, particularly in the area of discovery.

Experienced attorneys in the field will address ongoing practice concerns regarding client management, motion practice, and trial preparation. This will be an invaluable seminar for all employment law attorneys.

Hitting Reset: Practical Answers to Your Most Pressing IT Questions (Non-CLE)

Tuesday, May 25, 4 p.m., Bar Headquarters

Effectively addressing your office technology issues can often be time intensive and expensive. Attend this Law Practice Management program and learn:

- How to back up your data easily and properly

- Ways to get and stay connected with your clients using simple contact management programs
- The ins and outs of networking a small law office
- When you should upgrade your PC
- Effective document recovery program options

Presenter Jeff Platt is founder and president of Graphical Interface, the leader in IT consulting. Jeff started his business in 1989 when most folks did not own computers. Jeff and his team support a wide variety of business, professional and residential clients in the tri-state area with different types of software and hardware needs.

Residential Real Estate: Stuff Lawyers & Realtors Should Know

Wednesday, May 26, 4-6:15 p.m.

For the last several years, CCBA Member Chuck Resnick has put together seminars on residential real estate. These seminars are open to lawyers and realtors. They are usually very well attended. They are followed by a cocktail hour which is an excellent networking opportunity.

This year's seminar includes presentations by experienced practitioners and previous presenters covering the law on real estate commissions, when due, how paid and the new Rebate Law; an Annual Real Estate Law Update; an overview of home improvement practices; and a detailed analysis of the procedure to obtain a Certificate of Occupancy for occupied properties.

These seminars always generate lively discussions triggered by vigorous audience participation. This is a must attend program.

2010 Camden County Professional Lawyer of the Year Nominations

Nominations for Camden County's Professional Lawyer of the Year Award for 2010 are now being accepted.

The Professional Lawyer of the Year Awards are given jointly by New Jersey Bar Associations and the New Jersey Commission on Professionalism in the Law to recognize deserving individuals and focus positive attention on the good works done by lawyers.

The criteria for determining a Professional Lawyer of the Year remain the same – a lawyer who is committed to the ideals of professionalism; well recognized in the legal community for character and competence; respected by all; and one who is looked upon as a model of professional behavior.

The awards will be presented at the annual awards luncheon on Wednesday, October 6, at the Hyatt Hotel in New Brunswick.

Use the nomination form included in this month's inserts to nominate a colleague you believe fits the criteria and is deserving of the award.

NOMINATIONS ARE DUE TO BAR HEADQUARTERS BY 5 PM, FRIDAY JUNE 25.

Gerry Award Nominations Close May 28 Deadline Nears

The Camden County Bar Association established the Judge John F. Gerry Award to acknowledge the continuing outstanding contributions of a member of the Bar of the State of New Jersey, or a member of the State or Federal Judiciary in New Jersey, to the administration of justice in the State of New Jersey, who exemplifies the spirit and humanitarianism of the individual in whose honor this award has been named.

Members of the bar and the public are invited to nominate individuals to receive this award. Nominations should be made in writing and sent to: Laurence B. Pelletier, Executive Director, Camden County Bar Association, 1040 N. Kings Highway, Suite 201, Cherry Hill, NJ 08034, no later than May 28, 2010. Nominations may also be emailed to Mr. Pelletier at: lbp@camdencountybar.org.

NJSBA Trustee Update

By Arnold Fishman



As of this writing, both Temple (my undergraduate *alma mater*) and Villanova (our perennial “big 5” rival) have been sent home from the big dance, and the balance of the field is headed to the “Sweet Sixteen.” By the time you read this, March Madness will be over, but May Madness will be fast approaching. The NJSBA’s 111th Annual Meeting and Convention is scheduled for Wednesday, May 19 through Friday, May 21, 2010, at the Borgata Hotel in Atlantic City.

In addition to the plenary business sessions, the meetings of the many sections, and the Exhibit Hall, there are the loads of receptions, gatherings and ticketed events. The discounts for law clerks, and non-members are of value, but the opportunity to network and enjoy the collegiality of the bench and bar is priceless. In these tough economic times and now that Mandatory Continuing Legal Education is upon us, this is the least expensive and easiest way to keep your license safe and secure. You can earn a full year’s worth of credits in three days at no additional cost. I counted fourteen different educational tracks so, no matter what your practice looks like, there is something to sharpen your skills, enhance your professionalism and heighten your pitfall-avoiding ethics awareness.

Last year almost 150,000 pages of materials were distributed at 66 seminars and workshops with over 200 lawyers, judges and justices serving as speakers. This year should be even bigger with attendance, including the judiciary, way up. For those interested, Jeff Gold and I will be presenters in the Municipal Court track. The Borgata is a first-class, must-see hotel and its restaurants are world-renown. Atlantic City is once again, “The playground of the world.” This is the perfect occasion to prove the old adage about mixing business with pleasure to have been wrong.

This time of year always presents a challenge for me. It marks my annual struggle to stuff myself into my old tuxedo. This year there are two formal dinner dances separated by only one day. The installation of Richard Steen of Princeton as NJSBA President is on Thursday night and the

May Madness

crowning of our own Linda Eynon as CCBA President at Tavistock on Saturday. If I spill something, I won’t be able to get it cleaned. When I broke the news to my wife she asked if the same people would be at both affairs — presumably so she, like me, could wear the

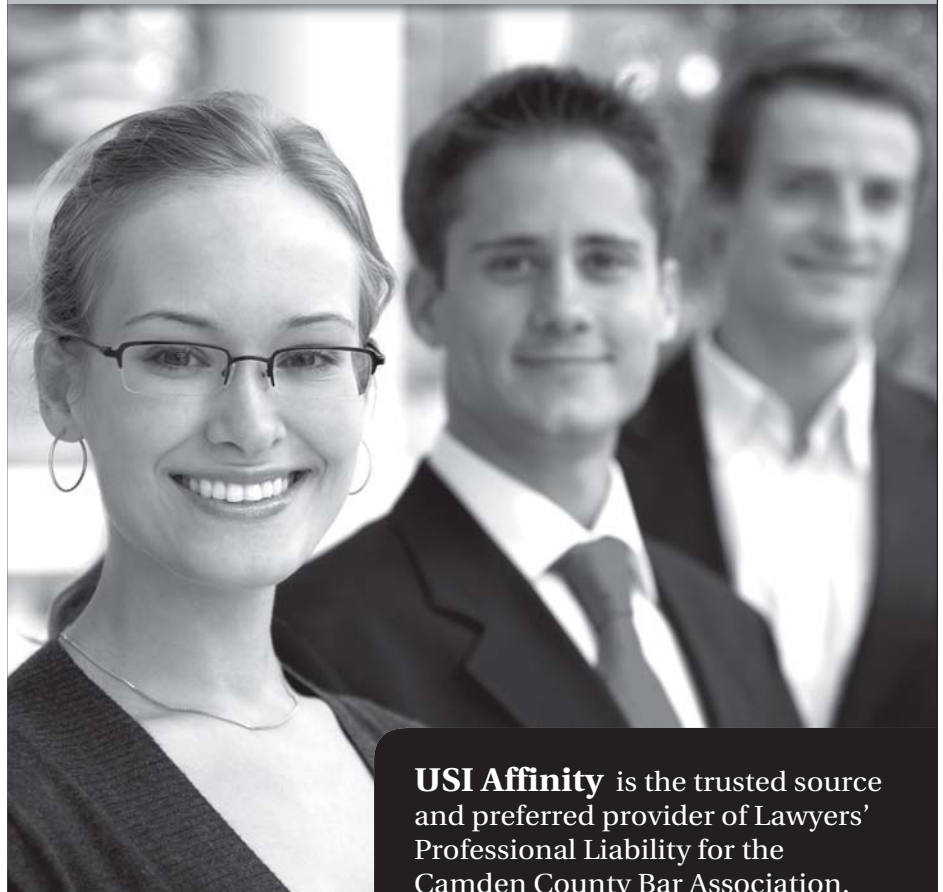
same thing. I lied and said no. I’m counting on you to make a liar out of me.

For more information logon to camdencountybar.org or call 856.482.0620; or NJSBA.com or call 732.249.5000.

Continued on next page

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NJSBA Trustee Update

May Madness

Continued from previous page

The following is a summary of actions taken at the March 5, 2010 meeting of the New Jersey State Bar Association Board of Trustees at the New Jersey Law Center in New Brunswick. This summary does not constitute official minutes.

Supreme Court

The State Bar Association's Executive Committee had a meeting with the New Jersey Supreme Court, Director Glenn Grant, and several members of the Administrative Office of the Court staff. They offered insight on a number of subjects:

Budget - The Judiciary anticipates it will be a grim picture, but the Court does not yet have a clear picture of the fiscal year 2011 figures.

Paralegal Certification - The issue is expected to come to the Court's attention soon.

Municipal Court Certification - The matter is also expected to be before the Court in late Spring. It is currently being reviewed by a Supreme Court committee.

Back-up court recording/CourtSmart - Installation of a new digital back-up recording system is nearly complete in the state's family courtrooms, judiciary officials said. Now, work is underway to put the equipment into civil courts and grand jury facilities, with the goal of completing the project this fall. In the state's criminal courtrooms, rollout of the system, called CourtSmart, will take roughly one year, said New Jersey Chief Justice Stuart Rabner. Mute switches and bi-lingual

signage are in all courtrooms where the equipment is operating. Further, "the Court is discussing ways to ensure careful control over back-up recordings of court records that may have been lost," he said.

Mid-Year Meeting

The governing body of the New Jersey State Bar Association recently reaffirmed its commitment to the Mid-Year Meeting, and set Dublin as its destination for the 2011 event.

This year's event will be in Scottsdale, Ariz., from Nov. 2 through 7.

The vote to select Dublin came after a discussion on the merits of the meeting. Many said the meeting was a valuable place to meet judges and other attorneys outside of the regular course of business. They said they not only learned at the education courses offered at the meetings, but also picked up cases as a result of the relationships nurtured at the meeting. However, some urged efforts to make the meeting more accessible to young lawyers and those in small firms.

Honoring Pressler

The board also approved a resolution honoring former state Appellate Division Presiding Judge Sylvia Pressler, who wrote the rules for the court system and wrote hundreds of opinions, including one that opened the doors for girls to play Little League and allowed gay couples to adopt. Pressler died Feb. 15 in Sparta. She was 75. The resolution honors Pressler's distinguished service as a lawyer and a judge.

"In her tenure as judge, Sylvia B. Pressler has enhanced the national reputation enjoyed by the New Jersey courts through her thoughtful leadership and unquestionable integrity... (She) not only excelled at judicial administration, but also in enriching the state's jurisprudence with opinions in many areas," the resolution states.

It will be presented to her family and sent to the *New Jersey Law Journal*.

Lewis v. Harris

The board continued its amicus participation in the landmark case on same-sex marriage to submit briefs to the Supreme Court in conjunction with Lambda Legal's motion to enforce litigants' right. The premise behind the motion is that the Civil Union law has been a failed experiment in providing equality.

Diversity Committee

An informational presentation was made comparing the past 10 years of data reflecting the race, gender and ethnicity of law school graduates and *juris doctorate* enrollment and the composition of the NJSBA's Board of Trustees and Executive Committee. One conclusion offered was women and people of color have been under-represented on the board.

Upcoming events

- Member reception 6:30 p.m. March 25
- Shredding Party w/CLE program, "The Paperless Office," April 24
- State Bar Night in Hudson County, April 1



Please be advised that effective April 19, 2010, the Camden Civil Division will be listing trial calendars by team rather than by individual judge. This will allow us to be more flexible in achieving trial date certainty on cases that are ready for trial. The judges will retain their current docket numbers for all motions and other proceedings, but trials will be listed by team every Monday, and either judge or any available judge on another team may try the case.

Teams are as follows:

Team 1	Team 2	Team 3
Ronald J. Freeman, J.S.C.	Louis R. Meloni, J.S.C.	F.J. Fernandez-Vina, P.J. Cv.
Michael J. Kassel, J.S.C.	Robert G. Millenky, J.S.C.	Frederick J. Schuck, J.S.C.

Camden/Burlington Joint Bar Picnic Slated for June 18

Final event of the Bar year

Now in its 4th year, the Camden/Burlington Joint Bar Picnic has become a highlight of the Bar year, and the annual end of the year event to attend. Join friends and colleagues from the Bench & Bar in Camden and Burlington Counties for what is certain to be another great day in the great outdoors.

Featuring all of your favorite picnic fare, the annual "Battle of the Bars" softball game, and poolside cocktails, this is a can't miss event! In addition to great picnic fare, open beer & wine bar and the ever-popular softball game, golfers will be able to enjoy a morning of golf to work up an appetite.

Hosted by CCBA, the picnic is scheduled for 1-7 p.m., at The Flying W in Medford. Tickets are just \$50 for members and \$65 for non members.

Don't miss the opportunity to join South Jersey colleagues for a great day of fun in the sun! Refer to the Picnic Flier included in this month's inserts to reserve your place today! (And bring a friend.)



Staying on Top of Attorney Trust Accounting

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



The property and recordkeeping requirements of an attorney's trust account are of critical importance. As such, a few years back our firm developed a checklist for use by some of the law firms we represented and, believing it would be of benefit, we even made it available to other legal colleagues by so requesting from our website.

We've found the checklist of most value when it was circulated around the law firm and completed anonymously by lawyers, paralegals, secretaries, bookkeepers and others involved in this vital function. The variances noted have generally been quite surprising (albeit most often inadvertent). Also, by so doing, internal controls and procedures are usually able to be strengthened.

While it's easily available to attorneys, as a constant reminder and for easy reference,

at the end of our checklist we include the minimum recordkeeping requirements in New Jersey under Court Rule 1:21-6. We also believe this should be carefully read and periodically reviewed to ensure compliance.

As with any business or professional services operation, so many of our lawyer clients and colleagues utilize computers to supplement or even supplant their manual bookkeeping records. The detailed recordkeeping rule at R.1:21-6(d) specifically authorizes use of computer records "... provided they otherwise comply with the rules and provided further that printed copies and computer files in industry-standard formats can be made on demand." Since any such computer programs should employ the very same attributes/controls evident in a manual system, reference in the attached checklist should be fairly interchangeable between either a manual or automated system.

Again, we believe that this very important aspect of a law practice should receive the proper attention it merits. The extra effort involved in properly monitoring trust activity is typically dwarfed by the potential exposure

to third party scrutiny (i.e. the Disciplinary Review Board, Office of Attorney Ethics or even Supreme Court), client embarrassment, bank charges, and poor internal controls to name a few.

Firms would be well advised to confer with their accountants to possibly assist in setting up a system of testing their firm's compliance with sound and required procedures.

Too lengthy to include in *The Barrister* since Mr. Pelletier limits me to 500 words (not an easy task for those who know me), copies of our Trust Accounting Checklist are available by merely calling or emailing me or so requesting on our website at www.aboandcompany.com.

Martin H. Abo, CPA/ABV/CVA/CFF is a principal 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 Voorhees, NJ and Morrisville, PA, Marty can be reached at marty@aboandcompany.com or by calling 856-489-5559.

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We are proud to be a *Partner in Progress* of the Camden County Bar Association. As part of this program, we offer a free hour consultation in any tax/valuation/accounting/forensic/business planning arena where our insight, our expertise will be of help professionally or personally.

Let us know if you:

- Need our technical experience and professional insight for projects on accounting, tax, auditing, 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 our "122 Review Items To Consider for Buy-Sell Agreements" or "Abo's Hitlist to Consider in the Buy-sell Valuation or Formula" which ICLE and the NYC Bar used in crafting their seminars on Buy-Sell Agreements;
- Would like our handout "Selected Collection Techniques & Tips" presented to National Employment Lawyers Association-NJ Meeting;
- Would like our handout from ICLE's live, on-line program entitled "Tax Aspects of Personal Injury Awards";
- Would like any of the following articles and handouts available from our firm:
 - Attorney Trust Accounting Checklist and Questionnaire
 - Financial and Estate Planner – Inventory of Personal Assets
 - IRS Audit Guide For Lawsuit Awards
 - Special Report by Abo and Company on Dispute Resolution
 - Maximizing Travel, Entertainment and Business Meal Deductions in Your Practice
 - Special Report by Abo and Company on Valuation Issues
 - 50 Deficiencies Noted in Business Plans
 - The Intestate Will (or "Your Will as Drafted by the State of New Jersey")
 - Annual Fiscal Checkup

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

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THE USUAL SUSPECTS

"The difference between New Jersey and yogurt is that yogurt has an active, living culture."

- *The Usual Suspect with a tip of the hat to "Unknown"*

"I have a new philosophy. I am only going to dread one day at a time."

- Charles Schulz

"Only the mediocre are always at their best."

- Jean Giraudoux (1882-1944)

"The difference between genius and stupidity is that genius has its limits."

- Unknown

"I believe that professional wrestling is clean and everything else in the world is fixed."

- *The Usual Suspect with apologies to Frank DeFord*



by M. W. Pinsky

Modern Times

Dateline: Westmont. Are you depressed, bunky? Do you have the healthcare blues? Are you worse off than you were last year at this time? Don't despair. Just:

1. Grab your coat;
2. Get your hat;
3. Leave your worries on your doorstep;
4. Just direct your feet to the sunny side of the street.

Mea Culpa, Mea Culpa

Dateline: Westmont. In the March edition of *The Barrister* intending to recognize the engagement of the beautiful and talented Liz Doyle, I mistakenly awarded her fiancé to a different Liz. Sorry for the mistake, Ms. Doyle, and may you be extra, extra happy!

In the same flawed column, I also inexplicably attributed the retirement of Greg Smith to the spunky and gracious Sally Smith who is anything but retired. Paraphrasing the great Mark Twain, "reports of her retirement were greatly exaggerated." Sorry for the mix up, Sally, but all Gentiles look alike to me.

Rush to Judgment

Dateline: Miami. Speaking about New Jersey Governor Chris Christie, far-right radio talk show host Rush Limbaugh was recently quoted as saying on the air "I love this man." The *Old Suspect* is confused and

troubled. No matter how I read that phrase, it is very disconcerting.

Speedy Recovery

Dateline: Washington. President Barack Obama is expected to make a full recovery from the hyper extended knee sustained while kicking the State of Israel and its Prime Minister Benjamin Netanyahu under the bus. The Prime Minister recently made a State visit to the United States where he was "disseminated" by the President and the Secretary of State. No State dinner, no photo op, and no joint press conference. After a less than cordial meeting far out of the public eye, the President left the Prime Minister and proceeded to attend a gala White House dinner. Netanyahu was, of course, not asked to attend and, in fact, wasn't even served chips and dips.

So obviously and publicly rude was the treatment of the Prime Minister that 300 members of the House of Representatives of the United States felt it necessary to sign a letter to the President reminding him that Israel was our only reliable ally in the Middle East and that when it comes to the issue of security there is "no room" between the United States and Israel. There is, however, a great deal of room between the Obama Administration and Israel as the President pursues his efforts to improve relations with everyone else in the Middle East and North Africa.

Agriculture

Dateline: Kaboomistan (a.k.a. Afghanistan).

The New York Times reports that American troops are under orders in certain provinces of Kaboomistan not to destroy or interfere with the poppy crops (opium) in order not to destabilize the local economy. It is heartwarming to know that American troops are now protecting the world's biggest producer of opium. No wonder the Old Suspect finds paranoia to be a perfectly defensible position. As for Afghan President Hamid Karzai, with whom the President recently had a nice visit, one simply cannot trust a man that wears a cape and a variety of silly hats.

Big Bang Theory

Dateline: Insaneistan (a.k.a. Iran). Under the leadership of a pint-size psychotic and a supreme religious fanatic, Iran marches relentlessly towards the production of nuclear weapons. Meanwhile, back at the United Nations, absolutely nothing is being done to impede Iran's progress. The United States has been completely unsuccessful in rallying the world to impose severe sanctions which might stop the rogue nation from pursuing its nuclear ambitions. Both Russia and China have made it crystal clear that they will veto any attempt to impose harsh measures. The European Union, while quick to condemn Israel, continues to supply Iran with everything they need in return for oil and influence.

Continued on page 16

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What I Wish I Knew When I Was a Young Lawyer



By Adam Gersh

Young Lawyer Corner

As regular readers of this column know, this year I have featured a series of articles by experienced lawyers writing on the theme of "what I wish I knew when I was a young lawyer." As I am now at the end of my term as the Camden County Bar Association's Young Lawyer Trustee, and at the official end of my time as a young lawyer, it is only fitting that I share what I wish I knew when I was a young lawyer.

When I was a young lawyer, I wish I knew that there is a time to stop thinking about being a lawyer. I did not know this in May, 2004. Instead, after graduating in December, 2003, I was so preoccupied with waiting for my bar exam results and getting acclimated to the practice of law that I missed once-in-a-lifetime experiences.

Most important, my first son was born on May 9, 2004. Without thinking, I was back to work two days later. I will regret that choice forever. I cannot remember what I was working on, and, frankly, I am sure the clients and partners for whom I was working do not remember either. I mistakenly felt that I owed it to myself, my career, and the firm that had just hired me to be in the office. I did not. Instead, as a first-time father, I owed it to my son, my wife, and myself to be home, where my heart was.

I must be a slow learner because, days later, I missed another once-in-a-lifetime experience: my law school graduation (the graduating class of December, 2003 walked in May, 2004). Initially, I did not plan to attend because I thought I would be home with my new baby. When, instead, I was at work, I still did not drive the six minutes down the road to watch my classmates graduate and take part in the festivities. I stayed at work, watched some of my coworkers leave to attend the graduation, and drafted a brief that could have waited until later that night or even the next day.

Two months on the job and I let my allegiance to my professional development

lead me astray. It has happened since then, albeit in less important ways, and it will happen again. However, I am doing my best to recognize those moments when I just have to forget about being a lawyer. For example, I took off a week when my next two sons were born. Even though I spent much of that time off with my oldest son, it still does not make up for my mistake. There are just some things in life that happen only once. I hope the next time one of those things happens I will remember what I did not do as a young lawyer and make the better choice.

As this bar year draws to a close, I would like to thank all the members of the Young

Lawyer Committee for making this year such a success. Through their hard work, the Young Lawyer Committee has grown, helped the community, and provided great resources to young lawyers throughout Camden County. The Young Lawyer Committee is truly a group effort and I am grateful to have worked with such a strong group of dedicated professionals. I know that Michael V. Madden, the next Young Lawyer Trustee, will lead the Young Lawyer Committee to even greater successes in the coming year. I hope you will join us and support Michael and the Young Lawyer Committee.

Egg-citing Day for Homeless Kids

Young Lawyer Easter Party Spreads Easter Joy

Pizza, balloons, Lorenzo the Magician and Easter Baskets filled with goodies were the order of the day for 30 homeless kids at Camden's Anna Sample House as the Young Lawyer Committee held its annual Easter Party.

Chaired by Myles Seidenfrau from Duane Morris in Cherry Hill, Young Lawyer volunteers turned out on a beautiful March Saturday to ensure a good time for all.



What's a party without balloons?



Mmm, pizza!



Let's play!



For me?



Party volunteers (Front row l-r) Bill Cook, Michael V. Madden, Colin Price (Standing l-r) Dana Jones, Myles Seidenfrau, Adam Gersh & Casey Price

Linda W. Eynon to be Installed as 84th Bar President

Continued from page 1

challenging year” she added.

The oaths of office will also be administered by Justice John Wallace to the new officers and trustees of the Association and Foundation. Among those assuming new duties will be Louis R. Lessig, President-elect; Brenda Lee Eutsler, First Vice President; Gary W. Boguski, Second Vice President; Casey Price, Treasurer; and Jenifer G. Fowler, Secretary.

New and reappointed Association trustees include: Charles C. Bratton, II, Carol A. Cannerelli, Adam E. Gersh, Louis G. Guzzo, Steven J. Polansky and William Tobolsky. Michael V. Madden will serve as Young Lawyer Trustee.

Eynon brings an impressive resume to her presidency. As Legal Counsel for Horizon NJ Health, a subsidiary of Horizon Blue Cross Blue Shield of New Jersey, she serves as primary counsel for this managed care organization, which serves the publicly insured through Medicaid/FamilyCare in New Jersey.

Prior to joining Horizon NJ Health, Eynon, also a Registered Nurse, was a manager in the Health Care Regulatory and Dispute Consulting Practice for Deloitte & Touch LLP in Philadelphia and New York and served in the legal department of West Jersey Health System (Virtua Health) in Camden, where she held the positions of Interim Corporate Counsel and Assistant Corporate Counsel.

A graduate of the University of Delaware where she earned her Bachelor of Science in Nursing, she completed her J.D. at Rutgers University School of Law, Camden in 1990. Eynon is admitted to practice in New Jersey, Pennsylvania and the United States Supreme Court.

Congratulations, Linda! We look forward to another great Bar year.

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— The CCBA offers FREE advertising on its website for members who are looking to fill a position or who are looking for a position. Go to www.camdencountybar.org to see what positions are available, or to see who is looking for a position. Email your posting to lbp@camdencountybar.org or fax it to 856.482.0637.

— The CCBA has a number of benefits to save you money and make the practice of law easier. With exclusive CCBA discounts from our Partners in Progress to savings on clothing at Jos. A. Bank and Brooks Brothers to Hertz rental cars, we can save you money. Check out our website for ALL of the benefits that add value to your CCBA membership.

— The CCBA can provide a place for depositions, mediations and small meetings. Our Bar Headquarters conference rooms are conveniently located, reasonably priced (\$75 for members/\$150 for non-members), with plenty of free parking, seating for 25-30, and refreshments for an additional charge.

Let us help with your meeting space needs. Contact Kathy for availability at 856.482.0620 or email your request to kmc@camdencountybar.org.

Diary this Date!

Autumn Scramble

October
4th



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South Jersey Legal Services Announces Officers for 2010

The Board of Trustees of South Jersey Legal Services, Inc. (SJLS) has announced that at a meeting of the Board held on March 16, the following board members were elected to serve as officers for 2010:

Gary W. Boguski, President; Richard D. Alten, First Vice President; Ellen B. Kearns, Second Vice President; David H. Dugan, III, Treasurer; and Marcia Soast, Secretary.

Eynon & Lessig Participate in ABA Bar Leadership Institute



(l-r) ABA President Carolyn B. Lamm, CCBA President-Elect Linda W. Eynon, CCBA First Vice President Louis R. Lessig, and ABA President-Elect Steven N. Zack.

the opportunity to confer with ABA officials, bar leader colleagues, executive staff and other experts on the operation of such associations.

Eynon and Lessig joined ABA President Carolyn B. Lamm of Washington, D.C. and ABA President-Elect Steven N. Zack of Miami, FL in sessions on bar governance, finance, communications, and planning for a presidential term.

Various ABA entities briefed the participants on resources available from the ABA for local, state, national, and specialty bar associations and foundations.

The BLI is sponsored by the ABA Standing Committee on Bar Activities and Services and the ABA Division for Bar Services as part of the Association's long-standing goal of fostering partnerships with state and local bars and related organizations. Cooperating ABA staff entities included the Division for Media Relations and Communication Services.

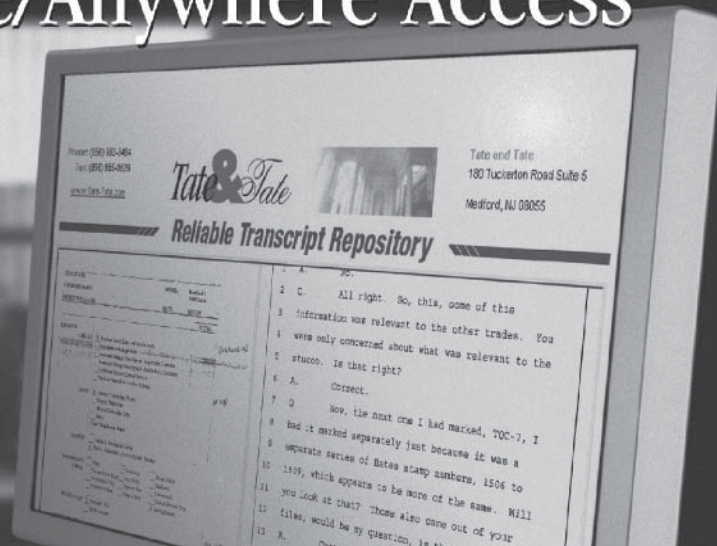
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Joining some 300 other emerging leaders of lawyer organizations from across the country at the American Bar Association's Bar Leadership Institute (BLI), March 11-12 were CCBA President-elect Linda W. Eynon and First Vice President Louis R. Lessig.

The annual BLI in Chicago offers incoming leaders of local and state bars, special focus lawyer organizations and bar foundations

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Welcome New Members

April 2010

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Harry Chung

Rutgers School of Law - Camden
117 Kilburn Drive
Cherry Hill, NJ 08003
856-673-1774

VERDICTS IN THE COURT

Superior Court of New Jersey

VERDICT: Liability Verdict:
100% Defendant (2/22/10)
Judge: Mary E. Colalillo, J.S.C.
Plaintiff's Atty: Ann Pearl, Esq.
Defendant's Atty: David Snyder, Esq.
CP-53-07 Bench

VERDICT: Liability Verdict: \$125,000
to Plaintiff (2/23/10)
Judge: Robert G. Millenky, J.S.C.
Plaintiff's Atty: Jordon Irwin, Esq.
Defendant's Atty: Rachel Haninczak, Esq.
L-655-08 Jury

VERDICT: No Cause (2/26/10)
Judge: Robert G. Millenky, J.S.C.
Plaintiff's Atty: Patrick Grimes, Esq.
Defendant's Atty: Robert Kaplan, Esq.
L-154-08 Jury

VERDICT: Damage Verdict:
\$6,000 to Plaintiff (3/3/10)
Judge: Michael J. Kassel, J.S.C.
Plaintiff's Atty: Timothy McNamara, Esq.
Defendant's Atty: Lawrence Berger, Esq.
L-4616-07 Jury

VERDICT: No Cause (3/4/10)
Judge: Robert G. Millenky, J.S.C.
Plaintiff's Atty: Fredric Boc, Esq.
Defendant's Atty: Lawrence Berger, Esq.
L-5150-07 Jury

VERDICT: Damage Verdict: \$66,937.43
to Plaintiff (3/4/10)
Judge: Michael J. Kassel, J.S.C.
Plaintiff's Atty: Anthony Dimento, Esq.
Defendant's Atty: Joseph Dinoto, Esq.
L-4613-08
& L4839-08 Bench

VERDICT: No Cause (3/9/10)
Judge: Louis R. Meloni, J.S.C.
Plaintiff's Atty: Alexander Ross, Esq.
Defendant's Atty: Laurie Tilghman, Esq.
L-2538-07 Jury

VERDICT: Settled (3/10/10)
Judge: Ronald J. Freeman, J.S.C.
Plaintiff's Atty: Clifford Van Syoc, Esq.
Defendant's Atty: Jay Blumberg, Esq.
L-8686-05 Jury

VERDICT: No Cause (3/12/10)
Judge: Frederick J. Schuck, J.S.C.
Plaintiff's Atty: Alan Reuter, Esq.
Defendant's Attys: Scott Schweiger, Esq. &
Bruce Sobel, Esq.
L-9072-05 Jury

VERDICT: No Cause (3/15/10)
Judge: Robert G. Millenky, J.S.C.
Plaintiff's Atty: David Hetznecker, Esq.
Defendant's Atty: Laurie Tilghman, Esq.
L-6247-07 Jury

VERDICT: Liability Verdict:
100% Defendant;
Damage Verdict: \$300,000
to Plaintiff (3/16/10)
Judge: Michael J. Kassel, J.S.C.
Plaintiff's Atty: Jayne Piarulli, Esq.
Defendant's Atty: Mary Kay Wysocki, Esq.
L-1703-07 Jury

VERDICT: Directed Verdict for
Defendant (3/16/10)
Judge: Ronald J. Freeman, J.S.C.
Plaintiff's Atty: Linda Coffee, Esq.
Defendant's Attys: Mr. Milstein, Esq. &
Mr. Landgraf, Esq.
L-2688-08 Jury

VERDICT: Settled \$900,000 (3/24/10)
Judge: Faustino J. Fernandez-Vina,
P.J. Cv.
Plaintiff's Atty: Mitchell Makowicz, Esq.
Defendant's Atty: Dominic DeLaurentis, Esq.
L-8663-05 Jury

VERDICT: No Cause (3/24/10)
Judge: Robert G. Millenky, J.S.C.
Plaintiff's Atty: Michael Acosta, Esq.
Defendant's Atty: Aimee Belgard, Esq.
L-8040-06 Jury

VERDICT: Damage Verdict: \$25,000 to
Plaintiff (3/24/10)
Judge: Frederick J. Schuck, J.S.C.
Plaintiff's Atty: John Pumphrey, Esq.
Defendant's Atty: Jacquelin McDonald, Esq.
L-2657-08 Jury

VERDICT: No Cause (3/25/10)
Judge: Louis R. Meloni, J.S.C.
Plaintiff's Atty: Charles Fisher, Esq.
Defendant's Atty: Craig Gottilla, Esq.
L-5624-06 Jury

VERDICT: Liability Verdict:
100% Defendant (3/26/10)
Judge: Mary E. Colalillo, J.S.C.
Plaintiff's Atty: Michael A. Bonamassa, Esq.
Defendant's Atty: Joseph A. Levin, Esq.
C-16-08 Bench



PRESIDENT'S PERSPECTIVE

by Richard A. DeMichele, Jr.

The Last Time Around

One of the great joys of being Bar President is that for twelve months you get to know that you have the confidence and support of your peers to lead an Association that supports its profession. I am truly honored to have been able to lead our Bar Association for the past eleven months. I have always realized that with the installation of Linda Eynon my brief term would end, however, when I write my final Barrister column as President it really sinks in that the end of this very wonderful ride is very, very near.

I would be remiss if I did not use some of my "Barrister Space" to thank some very important people who made this possible for me. First, I want to thank my family, which for the most part is my firm, thanks mom, dad, Greg, Sharon, with a special thank you to Amanda and Libby who, despite their young age, were always understanding when their dad was not around because he was tending to bar activities.

I would also like to thank the staff in my office, Jenna, Peg and Caroline. Without

their willingness to juggle work and bar responsibilities, I would never have made my Association deadlines or made half of my required meetings. The Officers and Trustees were all wonderfully supportive of our efforts and I believe the support is evident by all that we have been able to accomplish. Lastly, I want to thank the Bar Association staff, Larry, Denise and Kathy who were always able to keep everything organized even down to the "last minute details."

This year was a fun year but also a challenging year. I leave with a great sense of pride knowing that we met or exceeded the challenges that were put in front of us. We effectively dealt with a significant financial deficit since the beginning of the year. I'm happy to announce that it appears that we have successfully overcome the financial deficit and are in a positive financial position this year and going forward. I hope that this will enable us to reinvest some funds in our Association.

We also successfully met the challenge of MCLE. Our Association will be a preferred provider to deliver high quality MCLE in a cost efficient manner. Our members will be

able to get high quality CLE's without having to travel out of county.

We also successfully adjusted some of our events and programming to help us keep costs down while still fostering involvement in the Bar Association and promoting a collegial atmosphere amongst our members.

Together, we also were able to provide assistance in programming for our lawyers that were in transition. The committee held several meetings to provide helpful resources and information for those members who were seeking either to find employment or change employment. Despite the rough economic climate, many of our members did not need the program. That's the good thing! But we did have the program for those who truly needed it the most.

This is just so long and not goodbye. I look forward to working with Linda Eynon and next year's Executive Committee and Board of Trustees in the ever important role of Immediate Past President. I hope you will all join me as I transition into that role during Linda's installation dinner dance on May 22nd. I know it will be a great time and I hope to see everyone there.

Justice Complex

Lawyer's Diary

By Jill M. Tribulas

(The following article is fictional and for entertainment purposes only.)

Friday, October 15th

Dear Diary: It's been a while since my last entry and I've missed you. Not much has changed yet everything is different. I inadvertently and unknowingly transported my son's Nerf Air Gun to court with me today. If I wasn't pinned to the floor with a guard's knee braced on the back of my neck, I might have been impressed with the speed and efficiency of how they handled the situation. I was in the holding cell for over three hours and I needed to use the loo in the worst way, but I just couldn't bring myself to use the open-air facilities. Now I know why it's called the "holding" cell.

Tuesday, November 28th

Dear Diary: I had that recurring dream again; the one about the firing squad. This time all of my clients were blind-folded and lined up against the wall. I screamed as hard as I could, "Stop! No!" But all that came out was a breathy squeak. I watched helplessly

as they were all mowed down in a hail of bullets. I turned to face their executioner only to see myself holding a semi-automatic weapon and wearing a maniacal grin. When I woke up I felt oddly relieved and I could have sworn I was giggling. (Note: Make appointment with psychiatrist.)

Thursday, November 30th

Dear Diary: Hallelujah! Several clients who owed back fees all paid this week and that pesky special civil case finally settled. Oh, happy day! What should we do with this unexpected windfall? We can go to Disney a little earlier than planned or pawn the kids off on my sister and take that romantic cruise. Perhaps we'll finally get the front deck we've been talking about forever or maybe even build the greenhouse I've always wanted. This is awesome! Ahhhh.....the possibilities.

Friday, December 1st

Dear Diary: I just got off the phone with my accountant. It's not good. He found a costly error in last year's taxes. Disregard yesterday's entry. There will be no romantic cruise or flourishing greenhouse. The deck will have to wait as will the trip to Disney. The only "mickys" in my life will be the ones prescribed by my doctor. (Notes: talk to MD about increasing current dosage; find new accountant.)

Monday, April 27th

Dear Diary: I met with my psychiatrist today. She doesn't think the medication is working. She's concerned about the facial twitching and spontaneous outbursts I've been having in court. This upset me so much and before I could stop myself, a litany of obscenities burst forth from my lips and the tell-tale traces of foam started to form around the edges of my mouth. I'm pretty sure she was dialing 911 as I raced from her office screaming, "I'll get you my pretty. And your little dog too!" It was not one of my finer moments.

Wednesday, June 26th

Dear Diary: I know it's been a couple of months and I would have written sooner had the institution allowed writing instruments. They have issues with pointy objects there. I feel much calmer since the procedure and the hair where the incision was made is growing back nicely. I am no longer troubled by my recurring dream and I am making great progress re-learning how to tie my shoes. I guess there is some validity to the benefits of electric shock therapy after all. Good news though, I'm told I can resume practicing law tomorrow. It will be good when things finally get back to normal.

WINE & FOOD

By Jim Hamilton

After a winter that shattered weather records and more than a few tree limbs, with precipitation coming in driven snow and sheets of rain, the advent of spring has brought both literal and figurative sunshine to many of us who have developed a new empathy for residents of Buffalo and envy for those owning snow blowers.

During the grapefruit league season just passed, as ball players and fans alike readied themselves for the games that count, major league wine distributors held their own annual rite of spring, their portfolio tastings. As readers know from past columns, one of the finest rosters among wine distributors in our region is that assembled by Michael Skurnik Wines. Attending their tastings is always a treat, and an opportunity to search out value priced wines to bring to your attention – with the caveat that it often will take an adventurous retailer to stray too far off the beaten path where many of the less expensive wines are found. Gambling on wines that are unfamiliar to most customers is a risk many stores cannot take given the need to move inventory, particularly during this economic downturn. However, with the hope that some retailers may have tasted some of these wines and been inspired to buy them, allow me to present a few for your consideration.

Rosé wines have enjoyed recent success in our market, and “think pink” promotions and quality winemaking efforts have caused more wine shops to stock these wines, often as warm weather alternatives for red wine drinkers. One of the keys to the expansion of rosé wines being offered and sold has been educating consumers that not all pink wines are white Zinfandel-like, but can be serious, dry wines.

Two of the more than dozen rosé wines being shown at the Skurnik tasting that you may find and enjoy trying have a winemaker in common, Charles Bieler. His French rosé, **2009 Bieler Père et Fils Coteaux d’Aix en Provence**, is a quintessential Provençal rosé, a delicate wine with overtones of strawberries and a touch of underbrush. At the other end of the rosé spectrum, **2009 Charles & Charles Rosé** is a bold wine crafted from the Syrah grape. It exhibits some real Syrah characteristics, including some sanguine gamey notes and a core of minerals. The wine is made in Washington State, where Frenchman Charles Bieler teams up with wild haired American Charles Smith (owner of Magnificent Wine Co., K Vintners and Charles Smith Wines) to create value priced wines.

In addition to increased availability of rosé wines, area stores seem to be offering a few more white wines from France’s hallowed Bordeaux region, which are typically blends of Sauvignon Blanc and Semillon grapes. This interest may continue to mount as the 2007 Bordeaux wines come to market. In a region not shy about hyperbole, even the most enthusiastic advocates are not trumpeting 2007 as the next “vintage of the century.” While the red Bordeaux from this vintage may not drop critics’ jaws, I tasted perhaps seventy-five of them at a New York event, and I found many fine



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PPG-53279 (1/10)

Continued on next page

MARKETING MATTERS

Unlock the Secrets to Social Networking

A Tutorial On How to Grow Your Practice by Leveraging These Powerful Tools (Part 1 of 2)

By Kimberly Alford Rice



With social networking all the rage these days, I am frequently struck by how few attorneys really understand and know how to effectively use it to propel their practices to a whole new level. Having said that, however, I do not advocate jumping on the social networking bandwagon for the sake of getting caught up in the latest fad or trend. Studies show us that these powerful tools are revolutionizing how lawyers promote their practices, create referral relationships, strengthen existing relationships, and ultimately retain new clients. This stuff REALLY works!

What is it, exactly?

Let's first take a look at the fundamental premise of social networking. Face-to-face networking for professional purposes has long been a cornerstone of business development activities for most lawyers where they gravitate organically to others with whom they share common interests. It is an effective and powerful way to build

professional relationships, actively foster contacts and disseminate information.

It is not surprising, then, in our world of increasing reliance upon technology that these networks have rapidly migrated to the online world.

Although online social networking has existed in many different forms for years now, it has only been in the last few years that these tools have captivated broad attention in the legal services world. In its most simple definition, social networking is a set of online tools by which lawyers may build a wide-reaching reputation as an expert in chosen areas of law, promote their services through online discussion and chat groups, webinars, podcasts, and blogs, develop a super large network without any borders, and conduct relationship-building activities via one-on-one communications. Your online network can be as broad or as narrow as you want it to be. The tools are available with a click of a mouse or a simple keystroke. And, in most cases, there is no charge.

An Overview

The three primary components in social networking are reputation and relationship

building, a circle of influence, and viral marketing. Despite some of the differences, most social networks, and here I mean LinkedIn, Facebook, and Twitter, are based on some of the same concepts.

First, each new user/member must have an online profile that serves as the individual's identity. The profile often contains information about a person's professional experience, education, interests and affiliations, as well as information about the individual's specific skills and resources.

Secondly, each user has Connections with whom they develop a network, a following, or a friend, depending on the exact medium. It is here that powerful relationships and alliances can be formed and leveraged to build and grow a law practice. Let's be clear: it is not only the connections that you accrue which are so valuable but, as importantly, the connections which you develop as a result of the connections your connections have. Make sense?

Think of your online network as a wheel to which there are many spokes. You are at the center of the wheel and your connections are

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Wine & Food

Continued from previous page

efforts. Overall, however, the stars of the vintage are the dry and sweet white wines. The problem confronting sellers and consumers alike will be that well-regarded white Bordeaux wines typically are expensive. So you may want to set your sights slightly east to the Bergerac wine region where the prices are dramatically less. One producer to check out is Chateau Laurerie, which makes very nice red, rosé and white wines. **2009 Chateau Laurerie Bergerac Blanc** offers real Sauvignon Blanc characteristics, with grapefruit and gooseberries gripping the palate, but with sufficient round and ripe qualities, and an herbal restraint that enable the wine to pair with many foods.

A Chilean winery begun in 1996 that offers a nice range of inexpensive wines is Vina Tres Palacios. The "Reserva" series of wines may exploit the term, since these are entry level wines, but the quality of the four varietals I tasted was uniformly good. The **2009 Tres Palacios Chardonnay Reserva** offers chalky, lime fruit in a clean, soft and medium frame. It is a nice alternative to those Chardonnays that gussy themselves up with cheap oaky sensations. The **2008 Cabernet Sauvignon Reserva** has red currant and cherry fruit with sufficient body to keep the wine interesting. All the offerings portray the essence of the grape varieties used, without pretending to be more complex than their provenance allows them to be.

2007 Santa Lucia Castel del Monte Melograno is a wine from the coast of Puglia in southern Italy made from the Uva di Troia

grape. This region tends to be dominated by large cooperatives, but Santa Lucia is a small, family operation. The wine exhibits very dark and ripe fruit, befitting the hot climate, but has other characteristics that give it balance. There are some ripe, dusty tannins, cocoa, earth and licorice notes all lending elements of interest and complexity.

Crossing from Italy's heel to boot and then across the strait to Sicily, the Serramarrocco winery makes a lovely white wine from the Grillo grape. **2008 Serramarrocco Grillo del Barone** reveals a fairly muscular body weight from a grape known more for its crisp and lithe qualities. It is a rather fleshy wine displaying a mélange of fruit sensations such as soft lemon, white raisin and tart apple. While warm regions can produce grapes that lack acidity, the high elevation of the vineyards from which this wine was produced serves to moderate the heat and its sometimes deleterious effect on grapes.

Finally, let me close with a wine that was well received at the annual Camden County Bar Foundation wine tasting held in March at The Mansion. **2008 Bourillon-Dorleans Vouvray Sec Coulee d'Argent** is Loire Valley wine from an underappreciated producer. The grape of Vouvray is Chenin Blanc, and in this case the vineyard accessed is comprised mostly of old (i.e. 50 years) vines. The wine has a lactic quality often found in Chenin Blanc, with creamy and honied fruit flavors reminiscent of green apples and quince. As the "sec" designation tells us, this is a dry wine, with an intensity that old vines can produce.

The Usual Suspects

Continued from page 8

President Obama and his Administration cling to a strategy of repeating over and over again that our open hand is stretched out to Iran and good things will follow if they but grasp it in friendship. How are we doing so far?

Bench Watch

Dateline: Camden. Congratulations to the Honorable Stephen Holden who was recently awarded tenure which is even better job security than a union contract. His Honor has served in the Family Division, the Criminal Division, and is now subbing as Drug Court Judge. We understand that Judge Holden will be assigned to the Civil Division come September or sooner. It is rumored that Judge Holden, the judicial poster boy for rotation, is being groomed for an eventual appointment as Chancellor of a forthcoming Camden County Court of the Admiralty. As a condition precedent to his appointment, Judge Holden, a self-styled boatman, must learn to untie his stern lines before pulling away from a dock. Engines last longer that way.

The beautiful and astute Honorable Michele Fox and the distinguished Honorable Edward McBride have both recently been assigned to the Criminal Division where they are already seeing action. On a personal note, I wish both of these jurists success in their new posts and am happy to have an opportunity to appear before at least two Judges who are not yet at least mildly annoyed at the Old Suspect.

The Honorable and ever popular Thomas Brown, P.J.Cr., bears many burdens as Presiding Judge of the Criminal Division, including, in addition to his onerous administrative duties, carrying a full trial schedule. Commencing soon, Judge Brown will serve as Drug Court Judge and Presiding Judge leaving him more time to deal with the insatiable demands of the AOC and others. Good news for all because since being pressed into service as Presiding, Judge Brown is no longer the happy, carefree youth he once was. "Heavy weighs the crown."

A confidential source imbedded deep within the bowels of the criminal justice system in Camden County has informed me that Criminal Division Judges are now required to submit daily reports accounting for their progress and accomplishments.

Mail Bag

Dateline: Westmont. Our longtime reader whose nom de plume is "Racy" queries if I can make the column sexier. No can do, Racy. I am a bit of a prude and believe that sex is a private matter that should be kept between the three people involved.

Critics

Dateline: Westmont. One would think that all lawyers would support the First Amendment. This is not necessarily true in Camden County. The Old Suspect was recently advised that several local attorneys contacted The Barrister and complained that my column was too "political," "biased," etc.... Apparently, they wanted me censored, gagged, stifled, etc.... These worthies must be Democrats because I never heard a peep while slamming George W. Bush and his Administration at every opportunity.

The Old Suspect could be fired, but yellow journalism and muckraking live while I still hold my quill. Fortunately, my editor believes in the First Amendment, evolution and flying saucers.

Scramble

Dateline: Trenton. Camden County now has four judicial vacancies consisting of two Democratic and two Republican slots. And we're off to the judicial races. Visionaries in New Jersey thought they were taking politics out of judicial selection when they opted for the appointment process as opposed to the election process. In truth, the process is as political as it gets except the public is completely excluded. Instead, the movers and shakers from each party decide, based upon a secret formula, who earned these high honors and then horse trade with their opposite numbers. These selections then have to be approved by other movers and shakers and, eventually, the Governor himself. Only then does the infamous triple check begin and the inquiry by the appropriate judicial selection committee. Judicial hopefuls, directly or indirectly, lobby hard for the slots in some cases and in other situations are apparently plucked out of the blue. At times, this is done to meet the latest cannons of political correctness.

Is this better or worse than the election process that takes place in States such as Pennsylvania? Of course, the precursor question is for whom; the candidate, the politicians, or the public? It is indeed a complicated question. In fact, a conundrum. So, in the words of Eliza Doolittle's father, "I puts it to you and I leaves it to you."

At present, the two front runners for the Republican slots are the highly respected Assistant United States Attorney George Leone and another serving Assistant United States Attorney of high repute who I decline to name in order to avoid putting a hoodoo on him.

In the other camp, the Democratic appointments are still up for grabs and numerous hopefuls are frantically pushing buttons and pulling strings or at least trying to. Once again, political correctness could play a hand in this dogfight.

A Pentant For Pensions

Dateline: Trenton. Did you know that people who do not even work for State, local or county government are, in certain instances, allowed to participate in the State pension program at your expense? I didn't until recently and I'm shocked and appalled. I'm not surprised because no method of raping the public that takes place in New Jersey ever surprises me anymore.

It seems that certain lobbyists (of all people) who work for certain non-profit entities (although they profit) are permitted aboard the gravy train. It seems that these lobbyists several decades ago convinced the New Jersey Legislature (beloved watchdogs of the public purse) to legislatively approve this little piece of public corruption. My advice is remain calm, don't panic; and walk, run or drive to the nearest exit from this State. In case you didn't notice it, this ain't Oz.

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LEGAL LINE TO CRIMINAL COURT LAW

When Does a Changed Mind Require a Changed Result?

By Howard C. Gilfert, Assistant Camden County Prosecutor

Agreeing to plead guilty to an indictable charge and, in many cases, accept a custodial sentence is an immensely important decision. A criminal defendant is required to choose between the proverbial rock and a hard place. On one hand he can accept the plea offer counsel has negotiated, waive his trial rights and voluntarily serve the agreed upon sentence. On the other hand he can take his chances with the jury and hope for an acquittal, all the while knowing a conviction will result in a more severe sentence.

In order to ensure that criminal defendants understand exactly what rights they are giving up by pleading guilty, the AOC continually tweaks our plea forms. The standard form is now 4 pages long and contains twenty-five questions—some with as many as eight sub-parts—to be completed by the defendant with the assistance of counsel. Additional forms required for a plea to charges involving guns, stolen cars, Megan's Law, Adult Diagnostic and Treatment Center evaluations or the No Early Release Act can result in a sheaf of plea papers in excess of ten pages.

The court may only accept the guilty plea if it is satisfied, after questioning the defendant under oath or affirmation on the record, that the plea is knowing and voluntary; that it is not the result of threats or undisclosed promises or inducements; that there is a factual basis for the plea; and that the defendant understands the nature of the charges and the consequences of the guilty plea. *R. 3:9-2*.

Notwithstanding all of these protections against uninformed or involuntary guilty pleas, criminal defendants sometimes change their minds after entering the guilty plea and decide that "Option B" (take the case to trial) would have been the wiser course of action. They therefore seek to withdraw from the guilty plea.

Our courts have applied one standard to a motion to vacate a guilty plea that is filed before sentencing and a different standard to such a motion when it is filed after the defendant has been sentenced. Motions filed prior to sentencing may be granted "in the interests of justice." *R. 3:9-3(e)*. Post-sentencing motions should be granted only to "correct a manifest injustice." *R. 3:21-1*.

In either instance, the defendant bears the burden to make a showing that there is some plausible basis to set aside the guilty plea and good faith in raising a defense on the merits. *State v. Huntley*, 129 *N.J. Super.* 13, 17 (App. Div. 1974). Mere change of heart is not a basis to vacate a guilty plea. *Id.* at 18. The decision whether to grant the defendant's motion rests in the discretion of the trial court. *State v. Simon*, 161 *N.J.* 416 (1999); *State v. Herman*, 47 *N.J.* 73 (1966).

Our Supreme Court recently provided guidance to the trial courts when exercising this discretion in *State v. Slater*, 198 *N.J.* 145 (2009). *Slater* sets forth four factors for trial courts to consider and balance when ruling on a motion to withdraw a guilty plea: "(1) whether the defendant has asserted a colorable claim of innocence; (2) the nature and strength of the defendant's reasons for withdrawal; (3) the existence of a plea bargain; and (4) whether withdrawal would result in unfair prejudice to the State or unfair advantage to the accused." 198 *N.J.* at 157-58.

Regarding factor one, the colorable claim of innocence, the defendant must put forth more than a bare claim he is not guilty. Specific facts must be presented. Where possible, the defendant must identify specific facts in the record supporting his assertion of innocence. *Id.* at 158-59.

The Court discussed factor two, the "nature and strength of defendant's reasons for withdrawal," by citing examples from prior case law. Among the examples the Court cited are where the trial court and prosecutor misinformed the defendant about important facts material to the defendant's decision to plead guilty; where the defendant was not informed about direct penal consequences of his plea; and where a valid defense to the charge exists which was "forgotten or missed" when the defendant entered his plea. 198 *N.J.* at 159-60.

The third factor, the existence of a plea bargain, will exist in nearly every instance since open pleas of guilty are rare. The presence of a plea bargain places a heavier burden on the defendant to vacate his plea, but it is not to be given great weight in balancing the various factors. *Id.* at 160-61.

The fourth *Slater* factor, unfair prejudice to the State or unfair advantage to the defendant, includes such events as the loss or faded memory of a key witness and the loss or deterioration of physical evidence. The State's expenditure of significant time and effort preparing the case for trial before the plea was accepted is an additional consideration. A plea entered after trial has begun should rarely be vacated. *Id.* at 161.

Where the defendant has failed to offer proof in support of the first three *Slater* factors, the State is not required to demonstrate prejudice or unfair advantage. *Id.* at 162.

Practitioners must be aware that the extensive procedures for

Continued on page 19

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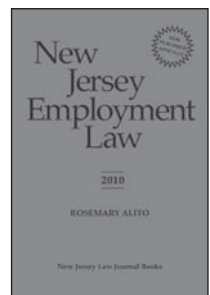
2010 New Jersey Employment Law

by Rosemary Alito

The New Jersey Law Journal is pleased to announce the December 31, 2009 release of a new edition of *New Jersey Employment Law*, by Rosemary Alito. Now issued as an annual paperback, *2010 New Jersey Employment Law* has been completely rewritten, revised and updated. This new annual paperback gives readers current information in the easiest possible format. No more complicated stand-alone updates! Cross referenced and heavily indexed, Alito's book continues to be the authority in this area of practice.

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MARKETING MATTERS**Unlock the Secrets to Social Networking***Continued from page 15*

the spokes. The more direct connections you acquire (this is sometimes referred to as first degree connections, in the case of LinkedIn), the more people to whom you will develop second and third degree connections. It's the multiplier effect hard at work. Why does this matter? Strategically, if you connect with people with whom you may do business either as a client, referral source, key influencer, industry expert, etc., the probability is high that these people have similar connections thereby expanding your network with qualified prospects. This is key to leveraging your position in social networking.

Third, to develop a strong reputation and credibility, each user has the opportunity to feature recommendations on his/her profile. What does this mean? Essentially, you can request that someone with whom you have a professional relationship provide an endorsement, if you will, which may speak to your level of expertise, integrity, work ethic, or some other positive professional attributes. Recommendations have many faces dependant upon the nature of your relationship with the "recommender," i.e., a colleague, a client, or a referral source, for example.

Recommendations are an important and useful way to develop some "street cred" from third parties and can go a long way to help establish and build your online reputation. It is, though, just one piece of the puzzle.

Fourth, as one of the most professional networking sites on the Web, LinkedIn features online Groups which can be a tremendously powerful tool by which to expand your network, establish yourself as an expert in a chosen field, and to lend a strong and frequent voice to your online presence. There are literally hundreds, if not thousands, of groups

ranging from professional, alumni, non-profit, networking and so many others wherein a user may join like-minded users in discussions, pose questions for the group, and otherwise share a common interest. It is a power networking tool for interacting with people of the same business/professional interest, such as for referrals.

Fifth, Status Changes (on LinkedIn) and Wall Updates (on Facebook), if used strategically, can keep you connected with your growing network, aid in promoting your practice and business development activities, and provide to you a dynamic platform for using your online voice.

Last, uploading a photo of yourself makes a user's profile come alive and seem more real. It also helps to put a face to a name of fellow users as you build a network. For privacy purposes, however, some folks elect to upload a photo of someone or something other than themselves. It's a personal choice and ultimately should complement a social networking strategy.

These are the basic common elements of the most popular social media networks which should give you a sense of some of the reputation and relationship-building opportunities available online.

In the second part of this article series, we will explore how to develop a social networking strategy which helps you build a strong online presence and grow your practice by leveraging these powerful tools.

About the Author: *Kimberly Alford Rice is Principal of KLA Marketing Associates (www.klamarketing.net), a business development advisory firm focusing on legal services. As a law marketing authority, Kimberly helps law firms and lawyers develop practical business development and marketing strategies which lead directly to new clients and increased revenues. Additionally, Kimberly provides career management services to lawyers in transition. She may be reached at 609.458.0415 or via email at kimberly@klamarketing.net.*

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LEGAL LINE TO CRIMINAL COURT LAW

When Does a Changed Mind Require a Changed Result?

Continued from page 17

entering a guilty plea that are designed to ensure the plea is knowing and voluntary, and that only guilty defendants plead guilty, present significant dilemmas when a client seeks to withdraw from the guilty plea. The client will have engaged in a colloquy with the court at the time of the plea, under oath, during which the client provided a factual statement of his guilt. He will have given assurances to the court under oath that he understood the charges and the consequences of his guilty plea and that the plea was not the result of threats or undisclosed promises or inducements. The client will have completed the lengthy plea forms with the assistance of counsel that informed the defendant of the rights he was waiving, the nature of the charges against him and the terms of the plea agreement. The client will often have been queried about the forms by the court during the plea colloquy to ensure the client understood the forms and answered the questions truthfully.

If the client were to move to withdraw from the guilty plea and testify at a hearing contrary to his statements under oath during the plea colloquy, the defendant would open the door to a perjury charge.

Moreover, where two contradictory statements are given under oath, the State is not required to prove which one is the false statement for purposes of a False Swearing charge under *N.J.S. 2C:28-2c*.

Depending on the client's asserted basis for seeking to withdraw from the guilty plea, counsel will become a potential witness—often adverse to the client's claim, but not inconceivably in support of the claim in some instances. A few examples are where the client claims that counsel did not inform him of some penal consequence of the plea, that the defendant did not understand the rights he was waiving by pleading guilty or that counsel improperly pressured him to plead guilty or to fabricate the factual statement. In such instances, counsel must be cognizant that new counsel will almost certainly be required if a formal motion to withdraw from the guilty plea is pursued. The attorney-client privilege with original counsel must be waived if original counsel is to testify or otherwise disclose privileged communications relevant to the former client's motion. See *N.J.R.E. 504*; *R.P.C. 1.6(b)*; *R.P.C. 1.7(a)(2)*; *R.P.C. 1.16(b)*; *R.P.C. 3.3a(2), (4)*; *R.P.C. 3.7*.



Becker Meisel announced the addition of Family Law and Intellectual Property law to its growing stable of practice groups. Both departments will be based in Cherry Hill, New Jersey. The Family Law department will be headed by widely recognized attorney **Richard C. Klein**. He will be joined in the family law department by attorneys **Drew A. Molotsky** and **Kimberly A. Packman**. The IP practice group will be led by **Timothy J. Szuhaj, Esq.**

Archer & Greiner, P.C. is pleased to announce that **Peter L. Frattarelli**, a Partner with the firm, has been appointed to a one-year term as Solicitor for the Board of Commissioners of the Deptford Township, N.J., Fire District.

Attorney **Patricia Giordano** of the Philadelphia personal injury law firm Feldman Shepherd Wohlgelemer Tanner Weinstock & Dodig participated in the Rutgers School of Law-Camden's first-ever speed networking event on February 18, 2010. The event took place in the Rutgers Camden Campus Center. It provided law students with the opportunity to meet with a variety of attorneys and to learn about career opportunities. Following the one-hour speed networking session, there was a reception during which student participants conversed informally with the legal professionals.

Archer & Greiner, P.C. firm President **Gary J. Lesneski** and Chairman **James H. Carll** are pleased to announce that Attorney **Marc A. Rollo** has been elected to the Board of Directors of the firm.

Archer & Greiner, P.C. is pleased to announce that Attorney **Mark J. Sever** has been selected to serve on the South Jersey Board of Directors of Junior Achievement of New Jersey Inc. (JANJ), a non-profit organization dedicated to educating and inspiring young people for success in finances, business and economics.

Spector, Gadon and Rosen, P.C., with offices in Moorestown and Philadelphia, is pleased to announce that **Donald N. Elsas, Esq.** has been appointed as chair of the Family Law Department. Mr. Elsas continues to represent individuals in all aspects of family law, including pre nuptial agreements, divorce, and domestic violence matters.

Gone or going solo? Changed firms or positions? Received an award or made a professional presentation? If so, share your news with the rest of the Association members. Email your news to kmc@camdencountybar.org to get listed in the monthly Barrister "Legal Briefs" section. We also appreciate updates so we can keep our membership files current.

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LEGAL LINE TO MUNICIPAL COURT LAW

Refusals...Refusals

By Fredric L. Bor

Am I the only one or has other counsel noted the proliferation of refusal prosecutions in our Municipal Courts? Any conclusions why would only be anecdotal, although certainly interesting. Notwithstanding, it appears as if very few cases go to Trial to challenge a refusal to submit to a breath test. In light of some recent cases, it is more vital than ever to recognize, understand and present various defenses to a prosecution for a refusal. While this article will not specifically address same, counsel would be well advised to understand that case law supports several important defenses to a refusal prosecution. It is critical to understand the importance of the legal issues pertaining to Paragraph 36; short samples, language barriers, confusion or physical incapacity. Although there are others, these defenses should be within the knowledge base of legal counsel defending DWI cases. This is why fact gathering at the initial interview is so critical to a defense and, particularly, when there is a refusal charged.

With regard to standard of proof, *State vs. Cummings*, in 2005, changed all the historical rules, statutes and case law in New Jersey. Previously, the burden of proof in a Refusal prosecution was a preponderance of the evidence, which related to the administrative methodology by the Motor Vehicle Commission, originally charged with the enforcement of the Implied Consent Statute. In the early 1980's, jurisdiction over refusal offenses was transferred to the Municipal Court, however, in all its wisdom, the law retained the

civil burden of proof in Municipal Court. The New Jersey Supremes ruled in *State vs. Cummings*, that the burden of proof required in refusal cases was proof beyond a reasonable doubt. This is important for counsel who elect to try a refusal case, but also in connection with the calculation of prior offenses in connection with the matter of *State vs. Ciancaglini*.

In 1993 the Appellate Division ruled in *State vs. DiSomma* that a refusal conviction could not serve as a basis for enhanced offender status resulting from later convictions for DWI. A typical fact pattern pursuant to *DiSomma* would be Driver A has a DWI in 2001 and then a refusal conviction in 2004. In 2006, he is convicted of DWI. As a result of *DiSomma*, this defendant would not face third offender DWI sentencing. Judge Petrella, in *DiSomma* rested his decision, in part, upon the notion that a DWI conviction required guilt beyond a reasonable doubt. At that time, as indicated above, a refusal prosecution was essentially civil in character, requiring only a preponderance of the evidence as proof. Additionally, Judge Patrella used statutory construction to differentiate the two statutes in order to conclude that the DWI refusal statutes were not the same or interchangeable violations.

Now, almost 17 years later, *DiSomma* has been effectively overruled by *State vs. Ciancaglini*. The facts are that *Ciancaglini* was convicted of DWI in 1979; Refusal in 2006; and a DWI conviction in 2008, which was stayed pending the Appeal. Judge Ashrafi identified the primary issue as "can a defendant with a prior conviction for refusing to take a breathalyzer be sentenced as a second offender pursuant to N.J.S.A. 39:4-50(a)(2) following a subsequent driving under the influence conviction?" The Court in *DiSomma* said no, now Judge Ashrafi says yes. While the Court in *DiSomma* found that the DWI and Refusal Statutes were not the same, the Court in *Ciancaglini* concludes that the statutes, through amendment, now are essentially the same.

To add emphasis to the holding, Judge Ashrafi provided a rebuttal to the four reasons set forth in *DiSomma* for reaching the opposite conclusion: (1) in *DiSomma* the refusal violation was deemed to be civil in character, but now as a result of *State vs. Cummings*, proof beyond a reasonable doubt is consistent with the DWI Statute; (2) the statutory construction is more consistent now as a result of several amendments; (3) DWI and Refusal are within the same title

Continued on page 23

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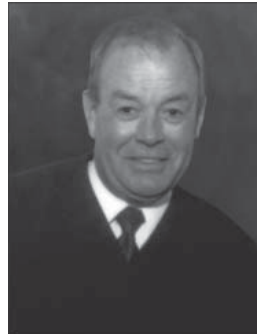
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Judge Sweeney received The Distinguished citizen of the Year Award from The Boy Scouts of America in 2008. He is also a member of the Board of Trustees for Virtua Health System.

He received his B.A. degree from LaSalle University in 1963 and law degree from Seton Hall University School of Law in 1966.

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Continued from page 21

and chapter of Title 39; and (4) a DWI Statute, penal in nature, must be strictly construed. So now, unless the Supremes address *Ciancaglino*, a prior conviction for refusing a breathalyzer test is a prior "violation" or "offense" for purposes of the DWI Statute. So let's circle back to the hypothetical above. Driver A has a DWI in 2001; a refusal in 2004; and a new DWI in 2006. If *Ciancaglino* is now the law of New Jersey, the latest DWI conviction will have to be considered a third offense for sentencing purposes.

However, there are some interesting variations upon the theme and conclusions of *Ciancaglino* above. I was successful in an argument recently where *Ciancaglino* would appear to have applied except that the intervening refusal was in 2003, prior to the *Cummings* decision. I successfully argued that the standard of proof in 2003 was preponderance only and that it should not count for sentencing purposes presently. The Court agreed. Another variation recently was a similar fact situation where the intervening refusal was a New York out of state refusal suspension. I brought to the Court's attention that in New York, as well as some other states, a refusal is still administrative in nature, which would carry only a civil standard of proof. Thus, I successfully argued that, as a prior refusal, it was not a "conviction," but an administrative determination. And, it should not count as a prior "conviction" for calculating third offender status. When confronted with a *DiSomma/Ciancaglino* situation, there is still room for some creativity and good lawyering but the net result may very well be the need to try more cases or seek PCR relief for prior offenses.

Fredric L. Bor is a member of the Municipal Court Committee of the Camden County Bar Association and was admitted to the New Jersey Bar in 1972. In addition to his law degree from Rutgers, Fred holds a Ph.D. in Philosophy and two Masters Degrees. He was a Municipal Court Judge from 1979 to 1984 in Gloucester Township, Berlin, Barrington, Woodbury Heights, Waterford, and Pine Hill. Currently, Fred is an Adjunct Professor of Political Science at Temple University.


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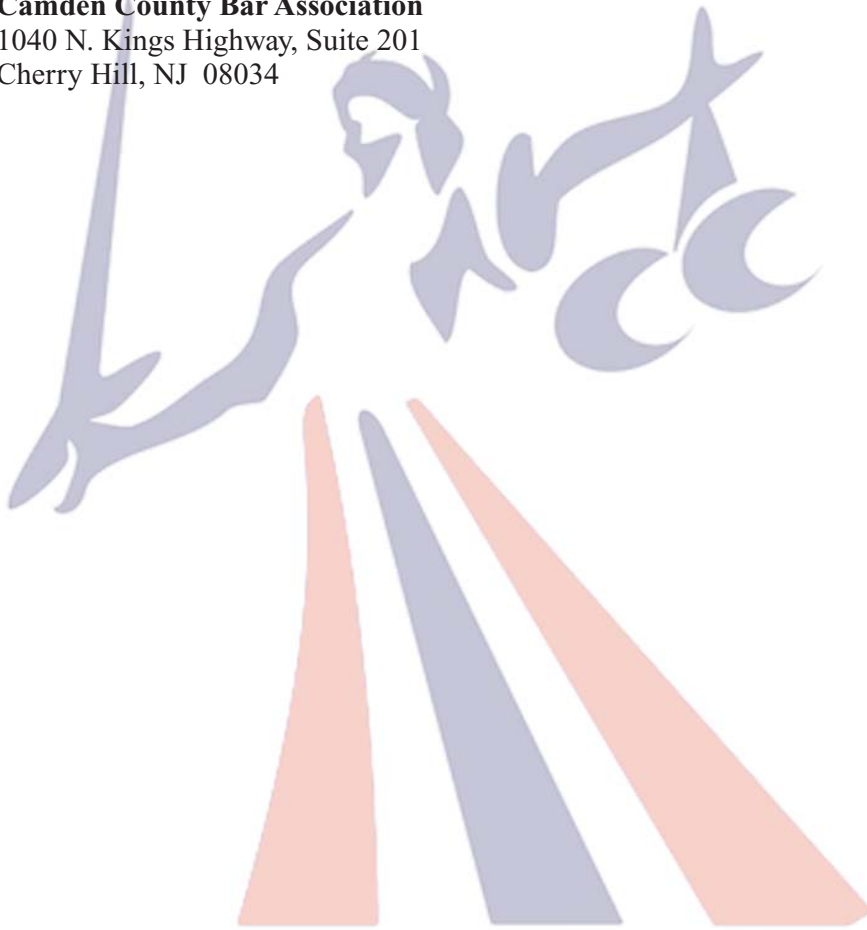
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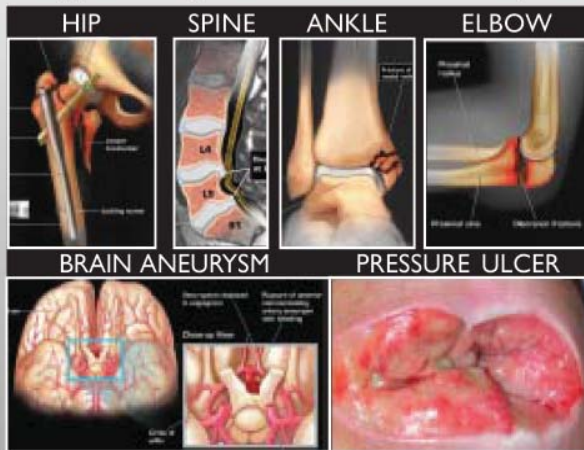


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