

Nominating Committee Announces Officer and Trustee Slate

The Camden County Bar Association Nominating Committee has nominated the following candidates for terms beginning May 31, 2013:

President	President-elect
Gary W. Boguski	Casey Price
First Vice President	Second Vice President
Jenifer G. Fowler	Louis R. Moffa, Jr.
Treasurer	Secretary
Eric G. Fikry	Ronald G. Lieberman
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<i>(Ending 2015 to complete term of Ronald G. Lieberman)</i>	
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Carol A. Cannerelli	Tommie Ann Gibney
Michael J. Dennin	John P. Kahn
Adam E. Gersh	
Young Lawyer Trustee	
Rachael Brekke	

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



Gary W. Boguski to be Installed as 87th Bar President

Friends and colleagues from the bench and bar will gather to party at Trump National Golf Club in Pine Hill on Friday, May 31st for the Foundation's annual gala Installation of Association and Foundation Officers & Trustees Dinner Dance to witness Gary W. Boguski become the 87th President of the Camden County Bar Association. Boguski will receive the oath of office from Judge Charles W. Dortch, Jr.

Boguski, a partner with the law firm of Taylor & Boguski, LLC, in Mount Laurel,

succeeds Brenda Lee Eutsler, of Asbell & Eutsler, P.A. in Cherry Hill, and will serve a one year term beginning on May 31st. Current Bar Foundation President, Linda W. Eynon, Legal Counsel for Horizon NJ Health in West Trenton, will turn over the reigns of the Camden County Bar Foundation, the Association's charity partner, to past CCBA President Louis R. Lessig, from Brown & Connery, LLP, in Westmont.

"I am truly honored and excited to be serving as president of New Jersey's finest Bar Association, and look forward to carrying on

Continued on Page 11

Don't Delay, Renew Today!

Dues notices for the 2013-14 membership year should be on your desk, and are payable by June 1. Paying promptly ensures that your Association continues to serve you and the community with its many important programs and services.

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

- A wide array of affordable, convenient and informative CLE seminars, all offering New Jersey and Pennsylvania CLE credits. As a CCBA member, you receive a 30% tuition discount, which makes each credit almost \$11 less per credit than ICLE seminars. Additionally, our seminars are conveniently located which saves you both valuable travel time and the high cost of gasoline!
- Discounted tuition and special offers on the many CLE programs available online through the *Camden County Online CLE Learning Center*.
- Our monthly publication, *The Barrister* provides updates on changes affecting you, your clients and practice, as well as substantive articles written by fellow Camden County practitioners, law practice management tips, and notices to the bar.

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Annual Children's Picnic June 8

Volunteers needed for important community event

The Camden County Bar Foundation's annual Summer Picnic for disadvantaged children has moved back home to Challenge Grove Park in Cherry Hill.

This annual rite of spring provides a day of games, pony rides, contests, 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 8th from 10 am – 1 pm, 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 Bar headquarters – 856.482.0620, info@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

Thursday, May 2nd

*Insights From In-House Counsel
Tips on Keeping Corporate Clients Happy
& Growing Your Business*

4 – 6:15 pm

Tavistock Country Club, Haddonfield

Tuesday, May 7th

Young Lawyer Committee Meeting

12:30 – 2 pm

Bar Headquarters, Cherry Hill

Wednesday, May 8th

Cyber Security

Keeping Data Safe & Fighting Back

When It Is Stolen

4 – 6:15 pm

Caffé Aldo Lamberti's, Route 70, Cherry Hill

Cocktails & Conversation,

Bench-Bar Cocktail Party

6 – 8 pm

Caffé Aldo Lamberti's, Route 70, Cherry Hill

Thursday, May 9th

*What the IRS Wants to Know About Attorneys
& The Way You Practice*

4 – 6:15 pm

Tavistock Country Club, Haddonfield

Tuesday, May 14th

Workers' Compensation Update

Case Law & The Medicare Smart Act

4 – 6:15 pm

Tavistock County Club, Haddonfield

Tentative agenda for May 22nd Trustees Meeting

A tentative agenda for this month's regular Board of Trustees meeting follows. The meeting will begin at 4 pm, at Catelli Duo in Voorhees Town Center. 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

Tuesday, May 21st

Probate & Trust Committee Luncheon

Noon

McCormick & Schmick, Cherry Hill

Wednesday, May 22nd

Real Estate Ethics – It's Not An Oxymoron

4 – 6:15 pm

Tavistock Country Club, Haddonfield

CCBA Board of Trustees Meeting

4 pm

Catelli Duo, Voorhees Town Center

Thursday, May 23rd

CCBA/BCBA Family Law Committees

Avoiding Legal Malpractice in Family Law

4 – 7:15 pm

Doubletree Suites,

Fellowship Road, Mt. Laurel

Thursday, May 30th

CLE on Tap! NJ Municipal Court

3 – 6:15 pm

McCormick & Schmick's

Garden State Park,

Haddonfield Road, Cherry Hill

Friday, May 31st

Installation Dinner Dance

Trump National Golf Club, Pine Hill, NJ

Don't Delay, Renew Today!

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- Committees that offer opportunities to network with peers while shaping the future of your Association and profession.
- Professional and social activities designed to enhance your law practice.
- An online Member-to-Member Referral service.
- Discounts on many legal products and services for you, your clients and your family members, and much more.

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

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

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

THE BARRISTER

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MEMBER ON THE SPOT



NAME: Matt Rooney

PRACTICE AFFILIATION: Associate Attorney at DeMichele & DeMichele, P.C. in Haddon Heights with a practice focusing on family law, criminal defense, and personal injury matters.

YEAR ADMITTED TO BAR: 2011

OTHER BAR ADMITTANCES: Washington, D.C.

PRIOR OCCUPATION: Judicial Law Clerk for the Hon. Nan S. Famular, J.S.C., Camden County Superior Court, Family Part

RESIDENCE: Oaklyn, New Jersey

HIGH SCHOOL: Paul VI High School

COLLEGE: The Catholic University of America

LAW SCHOOL: Rutgers School of Law – Camden

WHAT LED YOU TO A LEGAL CAREER: I've always been a major history/politics nerd with great respect for our country's constitutional system. Playing a small part in that tradition is a great honor.

BEST PERSONAL/PROFESSIONAL ATTRIBUTE: I'm fiercely loyal to my family, friends and clients, and I believe honesty (even when the truth isn't pleasant) goes hand-in-hand with true loyalty.

GREATEST FAULT: My inability to relax.

WHAT I DO TO RELAX: Not enough.

HOBBIES: Blogging, reading, writing, dining out, road trips

FAVORITE RESTAURANT: Locally? Il Fiore in Collingswood. Globally? A little hole-in-the-wall Italian restaurant in Rome right near where tradition holds Julius Caesar was murdered.

FAVORITE TELEVISION SHOW: *Game of Thrones*

FAVORITE MOVIE: *The Godfather*

FAVORITE AUTHOR/BOOK: *Animal Farm*

FAVORITE VACATION PLACES: Anywhere near water. Palm trees are a plus, and some species of historical sight-seeing opportunities seal the deal.

FAVORITE WEBSITE: SouthJerseyLawFirm.com

FAVORITE MUSEUM: The Vatican Museums

FAVORITE WEEKEND GETAWAY: The Jersey Shore

ENJOY MOST ABOUT PRACTICING LAW: As a small firm litigator handling primarily family law matters, my practice area is intensely human. Working closely with clients undergoing tremendous strain presents many challenges but it's also extremely rewarding when you can help a "real" person get their life back on track or scale a considerable hurdle on the path to achieving one of their goals.

MOST ADMIRER PERSON AND WHY: John Adams. Like the rest of the American Founding Fathers, he audaciously put his own life, family, career and property on the line for a long-shot idea. His controversial yet supremely-principled representation of the British Redcoats following the Boston Massacre is undoubtedly one of the best examples of honorable, effective, and downright awesome lawyering in American History.

WHEN AND WHERE HAPPIEST: At the beach, after work, on a Friday afternoon, any date between Memorial Day and Labor Day.

CHERISHED MEMORIES: I loved earning my undergraduate degree in Washington, D.C. You simply can't beat catching a Senate filibuster on your lunch break or reviewing final exam notes on the steps of the Lincoln Memorial. My college friends are also still my closest friends.

GREATEST FEAR: "...fear itself." I think FDR pretty much nailed that one.

ALTERNATE CAREER CHOICE: U.S. History Professor

GREATEST LESSON LEARNED FROM PRACTICE OF LAW: You're not serving your clients very well by telling them everything that they'd like to hear.

PERSON YOU'D MOST LIKE TO DINE WITH: Antonin Scalia and Ruth Bader Ginsburg. Apparently they're close friends who regularly hang out, and I have to think the dinner conversation would be fascinating.

PET PEEVE(S): Attorneys who think their clients pay them to produce endless paper, pick pointless battles and win pyrrhic victories. We all know a couple!

LIFE'S HIGHLIGHTS: At the end of a particularly trying case when emotional clients tell you how much they've appreciated your advice, assistance, and the feeling that you were in their corner when they felt like no one else was there.

GREATEST ACCOMPLISHMENT: Building one of the state's best read news and commentary websites, SaveJersey.com, which was recently recognized by *The Washington Post* as one of America's best state-based blogs.

#1 PROFESSIONAL GOAL: Having the continued opportunity to advocate on behalf of people who can't speak for themselves, both professionally and in other venues.

#1 PERSONAL GOAL: To visit all fifty U.S. states.

LIFE EXPERIENCE(S) WITH GREATEST IMPACT: I've played roles in various political campaigns nationally, statewide and locally. Politics must be second only to practicing law as the greatest crash course in human nature. The relationships and experiences are invaluable.

ADVICE TO YOUNG LAWYER: Spend less time preoccupied over the cosmetic concerns associated with this profession and more time ascertaining which areas of the law inspire some level of passion within you. That's a better measure (and guarantee) of future success than anything else.

HOPE TO BE DOING IN 10 YEARS: Doing what I am right now. Just more and better.

FAVORITE QUOTATION: "Little strokes fell mighty Oaks." – Benjamin Franklin

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TECHNOLOGY

Your Clients Have Already Gone Mobile. Have you?

By Greg Sutphin (GetLegal.com – Partner in Progress)

Based on the huge numbers of people that are online via their non-desktop devices, your law firm is missing opportunities if you do not have a mobile ready Website. In other words, you are losing clients if your Website is not mobile ready. Google reports (Source: Gartner) that 1) by 2013, more people are using their mobile phones than PCs to get online, 2) Mobile searches have grown 4X since 2010, and 3) there will be one mobile device for every person on earth by 2015. As of November 2012, 10.4 % of all Internet traffic is from a non-desktop device. *Source netmarketshare.com*. Up about 270% from 2011. As for my law firm clients, the range of visits on the Website from mobile devices is between 14% and 33%. Before going further, here is my disclaimer: it is hard to do justice to a discussion germane to perception of graphics in a written document—this is best seen live on a PC or mobile device screen. So get out your devices!

Based on research from Greenfield/Belser and the Brand Research Company, more than 75 % of potential clients locate and research lawyers online, and these clients are profoundly influenced by the quality of your website. Amazingly, it takes users only about 1/20 of a second to form an initial impression of your firm. Sooooo, what are your potential clients' first experiencing when they view your site on the many smart phones and tablets? Take a look **NOW** on your smart phone. If you want to take a look and analyze how your Web site renders on a device, go to the Interactive Advertising Bureau (IAB) to analyze your site at <http://www.iab.net/mobilecenter/tapintomobile/analyze>. If your firm has not already implemented a mobile/tablet strategy to adapt to your clients change of behavior online, it should at least be a priority for your 2013 agenda.

How to Go Mobile?

A great place to start your research is on a site that Google created called Go Mo at www.howtogomo.com. This site explains in simple, yet compelling terms, the case for mobile as well as options you can take to get there.

Are all mobile sites the same?

There are several types of mobile Websites. One type of mobile Web site can be called a "code redirect." Simply put, this means that when a browser from a mobile device goes to a Website, it is automatically redirected to the html coding for the mobile version of the site. These options are often seen in the free versions of mobile sites offered on the Internet. All that is needed is the domain name and companies automatically generate code to put within your site to make this happen. One of the limitations going this route with your mobile strategy is the lack of customization in which only template designs are given and lack of control of graphics. This would not be the best option for branding purposes, but at least it is a "free" option. The question that might be asked to determine if this is the best option for a firm is "Does this design represent us in a professional way and is it in line with our overall branding and marketing strategy."

Another type of mobile site is one created with a unique URL/domain name, i.e. www.yourfirm.mobi. Internet browsers on non-desktop devices know to render (show) this site on the device. This

"mobi" option allows for more customization, but it is also a separate site altogether and requires changes to be made in two places. Still, this option allows for more control for design and content.

More than the future of mobile, but the future of design.

A relatively new term in the mobile design realm is called "responsive Web design" or RWD. Wikipedia's definition of RWD is "an approach to web design in which a site is crafted to provide an optimal viewing experience—easy reading and navigation with a minimum of resizing, panning, and scrolling—across a wide range of devices." While sites built for mobile/tablet technology are built with different behaviors in mind of the user, a limitation that has been noticed is that there is less control of the content and the overall image and impression that a firm can convey to the end users on these devices.

Responsive Design takes two forms. Responsive Web Design (RWD) is creating specific designs to render appropriately considering the multitude of non-desktop devices. It is building sites that are adaptable to the media that is rendering them. Responsive Creative Design (RCD) seems to involve going to the next level altogether considering the creation of designs (ads, logos, etc.) that use design technology to render specific sizes and experiences to specific types of devices. To oversimplify, the design is "smart" in that it realizes the device and the goal of representation of the behavior of the end users on that device in order to render a better and targeted experience for the end user.

There are a lot of well qualified attorneys in this world. When it comes to overall client development, it's not all about you/the firm. It's about what your clients need and how they perceive you and your firm. It is expected that more people will be using mobile devices than PCs as early as 2013. Are you in the game?

Enter Responsive Design. Responsive design is an approach where the design and development responds to the screen size, platform and orientation of each user.

Responsive Web Design brings to the forefront a whole different way of thinking designed to deliver ...rather than tailoring design to a particular device or browser, RWD takes the overall end user experience to a different (and better) level that considers design as part of the overall end user experience. It is building sites that are adaptable to the media that is rendering them.

In the past few years, many law firms have established significant Foreign Corrupt Practices Act (FCPA) practices in response to increased government enforcement of the statute. To raise the profile of its own FCPA practice, *O'Melveny & Myers LLP* recently launched a resource app relating to this area of law.

The app primarily offers an electronic version of the firm's:

- An electronic version of the firm's FCPA Handbook;
- An electronic version of the firm's "In-House Counsel's Guide to Conducting Internal Investigations";
- Other resources (including relevant statutes, firm FCPA Client Alerts, a compilation of FCPA Enforcement Actions and DOJ Opinion Releases;
- A directory of the firm's FCPA practitioners.

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

Valuing Employee Damages

Damages in employee discrimination cases can be difficult to quantify and generally require the expertise of an experienced financial consultant. Often referred to as "compensatory" damages and consisting of either back pay, front pay or both, these damages usually are based on what would be required to return the employee claiming discrimination to the position he or she would have attained if the discrimination had not occurred.

Several factors are involved in making this determination. A financial expert engaged for such a matter must use sound professional judgment, while it's certainly beneficial to be familiar with employment law and the basic economic principles used in applying it.

Back Pay

You, as attorneys, typically request financial experts to calculate back pay from the date of the alleged wrongful termination to the date of the trial. We're advised that, depending on the type of discrimination, back pay may also be extended for a certain period before

the termination. It may incorporate several categories of income, such as wages, salary, fringe benefits, overtime pay, raises, cost-of-living adjustments, bonuses, shift differentials, health insurance, retirement contributions, stock options, etc.

To calculate the back pay amount, one may need to:

- Reconstruct the victim's employment history
- Determine the appropriate time period
- Identify all wage and fringe benefits to include in the calculation
- Determine whether the victim's mitigation obligations have been met
- List any amounts that should reduce the award, such as salary from other employment or interim earnings
- Subtract these amounts from the dollar amount
- Determine the prejudgment interest to be paid

Front Pay

Victims of discrimination may also suffer future, or front pay, damages. If such a victim is not able to obtain his or her rightful position as a result of the alleged discrimination, and that position paid a higher salary than the position now available to that individual, he or she may be entitled to compensation based on this discrepancy. Front pay usually consists of lost wages that a victim is reasonably certain to incur in the future, less any income from other employment. Attorneys and experts alike should generally try to refrain from estimates based largely on speculation and they may need to reduce any awards to present value.

Then What?

For determining the reporting and withholding requirements in settlements and judgments, it makes no difference whether the matter is concluded through an agreement of the parties or proceeds to final court adjudication.

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- 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"
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 - 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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NJSBA UPDATE

The Age of Enlightenment

By Arnold Fishman
www.FishmanAndFishmanLaw.com

Between the Golden Age of Greece and Rome and the Age of Enlightenment were almost a thousand years of the Dark Ages. For citizens of New Jersey accused of driving drunk, there is a light at the end of the tunnel, and, for the first time in a long time, it is not that of an onrushing train. In *State v. Tischio*, 107 NJ 504 (1987), our Supreme Court described an unholy and, I submit, unconstitutional alliance between the legislative and the judicial branches of government to rid the world of drunk drivers. It wrote:

The overall scheme of these laws reflects the dominant legislative purpose to eliminate intoxicated drivers from the roadways of this State. To this end, the Legislature, working in tandem with the courts, has consistently sought to streamline the implementation of these laws and to remove the obstacles impeding the efficient and successful prosecution of those who drink and drive.

The Court went on to hold that retrograde extrapolation — that your Blood Alcohol Concentration (BAC) was below the legal limit at the time you were driving, even though it was above that limit when you blew into the Breathalyzer — available in all other states, was no longer a defense in New Jersey. In so doing, the Court “legislated” the statute from drunken driving to drunken blowing. It then set about, in case after case, to deprive DWI defendants of defenses available to the most serious of criminals. One by one, it made clear that criminal code defenses were not to be allowed in DWI trials—Involuntary Intoxication *State v. Hammond*, 118 NJ 306 (1990), Entrapment *State v. Fogarty*, 128 NJ 59 (1992), Insanity *State v. Inglis* 304 NJ Super. 207 (Law Div. 1997). As I have written before, unlike prior Courts, this present Court is trying to get it right.

What about the other member of that tandem, our legislature? A few months ago, in this space, I argued for a process whereby a person saddled with a lengthy driver’s license suspension could have that privilege restored. I opined that it was not good for society to so burden its citizens so as to prevent them from being productive members of the community. While I doubt that the Senate Judiciary Committee reads this column, it has just acted as though it did. Upon a unanimous vote (with one abstention) it just released legislation that would convert the principal penalty for Driving While Intoxicated from suspension of one’s driver’s license to the installation of an ignition interlock device. For the uninitiated, an ignition interlock device is an instrument that is installed into a motor vehicle that monitors

the breath alcohol concentration of presumably the driver and prevents the engine from starting unless the concentration is below a predetermined level. That level is generally set at 0.05%. We now have the Court back on its constitutional footing of affording persons accused, even of DWI, a fair trial and the legislature acknowledging that those persons should be permitted to continue to work and not be relegated to the scrap heap. Has the Enlightenment arrived? It still needs to be passed and signed.

The proposed legislation would permit a first offender to continue to drive so long as that person had an ignition interlock device installed on his or her vehicle for three to six months for a person whose BAC was less than 0.10% and for seven months to a year for a BAC of 0.10% or higher. For a second offense, the interlock device would be for a period of between two and four years, and for a third, or subsequent conviction, the interlock would have to remain for 10 to 20 years. For a second or subsequent conviction, the person would be suspended for a period of only 10 days during which that person would apply for a restricted-use license. The MVC would issue a distinctively colored license along with a placard to be prominently displayed in the rear window of the vehicle. That restricted-use license would allow the person to drive the vehicle equipped with the ignition interlock device and displaying the placard between places and at times enumerated in a Court Order. That Order must be with the driver and produced upon request of a police officer. The restricted-use license would be mandatory for at least the first year of the required interlock use. A violation of any of these conditions would be a disorderly persons offense and would *inter alia* result in the suspension of the restricted-use license. The only people who would actually be suspended for any length of time are those without a motor vehicle in which to install the device. The bill also permits unlimited, day for day, substitution of inpatient treatment for incarceration.

The NJSBA is in the process of determining what its position should be with respect to this far-reaching revision of existing law. It has referred the matter to the Municipal Court Section for its consideration. There is great concern that eliminating the draconian suspensions of drivers licenses as a penalty for DWI will lead to a significant reduction of people who are willing to engage counsel to defend these charges and will result in the inability of attorneys to obtain the substantial fees that are presently being charged. Some have dubbed it the “DWI-Lawyer Unemployment Law.” However, we who over the years have been active in the Section have been trying to get a restricted license in New Jersey for decades. On that basis, we have endorsed the proposal. We have created a subcommittee to recommend amendments to address some of our concerns such as the doubling of the penalty periods for second and third or subsequent violations and the utter irrationality of ordering the installation of an instrument that detects only alcohol into a vehicle of a person convicted of driving under the influence of drugs. And what about cases of allowing and refusing?

Those same “the sky is falling” fears of financial ruin accompanied the creation of no fault divorce, the tort threshold for auto negligence, and the per se violation for DWI. None of them have proven to be founded. I am confident that we lawyers will always find ways to be useful to our clients. That is our job; it is what we do! Therefore, Chicken Little notwithstanding, I am personally gratified that our Courts and our legislature are entering the Age of Enlightenment with respect to this thorny issue, but I am especially proud of my fellow attorneys for putting the welfare of the people above our fears of a pecuniary shortfall.

Send comments to: Arnold@fishmanandfishmanlaw.com

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LEGAL TECHNOLOGY

Your Clients Have Already Gone Mobile. Have you?

Continued from Page 5

Richard Grime, partner and head of O'Melveny's Foreign Corrupt Practices Act Practice, said:

We understand the complexities our clients and colleagues face in achieving their business goals in the global marketplace, and thus, have created this mobile application as a fast, yet informative, way for them to remain current with the evolving statutes and provisions imposed by the FCPA and other anti-corruption laws.

Last February, Epstein Becker & Green launched its *Wage & Hour Guide for Employers* app for the iPhone and iPad, featuring up-to-date federal and state wage-and-hour regulations for employers. The firm previously produced a laminated hard copy of its wage-and-hour guidelines that was popular but unwieldy: When completely unfolded the California guide looked like one of those windshield sunscreens.

The day the app was released it racked up more than 400 downloads and has been averaging 30 to 40 downloads a day since. Response has been so good that the firm is thinking of creating half a dozen additional apps centered on other legal matters.

"It's been a fantastic marketing tool," says Michael S. Kun, cocreator of the app, who also cochairs Epstein's national wage-and-hour practice group. "I think it may help us get new business, and at the very least it sets us apart from other law firms."

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<http://www.howtogomo.com>
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WELCOME NEW MEMBERS

March 2013

Active (3)

Megan K. Feehan, Esq.
 Capehart & Scratchard, P.C.
 8000 Midlantic Drive, Ste. 300S
 Mt. Laurel, NJ 08054
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Martin G. Murphy, Jr., Esq.
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 16 North Centre Street
 Merchantville, NJ 08109
 P: 856-665-4141

Patrick F. Nugent, Esq.
 Saul Ewing, LLP
 Centre Square West
 1500 Market Street, 38th Floor
 Philadelphia, PA 19102-2186
 P: 215-972-7134

Public Sector (1)

Elizabeth L. Melamed, Esq.
 1208 Sagemore Drive
 Marlton, NJ 08053

Gerry Award Nominations Close May 24 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 24, 2013. Nominations may also be emailed to Mr. Pelletier at: lbp@camdencountybar.org.

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By William H. Tobolsky, Esq.

Sabbath and Festival Observance: EEOC on the Warpath

The EEOC brought two federal lawsuits in Bible Belt states claiming religious discrimination due to failure to provide employee time off for Sabbath and Religious Festivals. Last month (March 2013) they settled both quite favorably via Consent Decrees, and issued press releases emphasizing that the law does not permit forcing an employee to choose between her job and her religious obligations.

EEOC v. Senior Living Properties

Senior Living Properties, LLC, owns 35 senior assisted living facilities in Texas. Amanda Spalding, an employee of three-years standing, had been excused from any work on Sundays due to her Christian religious beliefs. Spalding was Dietary Services Manager at one of defendant's facilities. The defendant employer hired a new administrator, Peggy Scruggs, who refused to abide by this previous arrangement and required Spalding to be available to work on Sundays, even though her normal working hours were Monday to Friday. Scruggs, seemingly adopting the dual role of supervisor and religious authority, told Spalding that God would excuse her from her religious obligation to refrain from work on Sunday because Spalding was working in the healthcare field, and in particular in a 24/7 facility for helpless people. If Spalding didn't agree she was told: "there's the door." Shocked, Spalding walked out, escorted by Security.

Spalding filed a claim with the EEOC which filed suit on her behalf. 1:11-cv-192-C, U.S. District Court, N. D. Texas. The EEOC contended that "requiring an employee to choose between her faith and the job to which she is dedicated is not only ill-advised management, but illegal." The EEOC further contended that excusing Spalding from work on Sunday's was a reasonable accommodation given the number of available employees. The defendant asserted that the accommodation would cause undue hardship: meals were necessary 7 days a week for the elderly residents of the facility, not 6 days.

Senior Living settled the case for \$42,000 via the terms of a Consent Decree dated March 15, 2013 which required that the company: 1) amend its written antidiscrimination

policy to provide that the employer must provide reasonable accommodations to employees based upon their religious beliefs, including Sabbath restrictions; 2) conduct three years of annual training to employees concerning their protections against religious discrimination in the workplace and their right to reasonable accommodation; and 3) post this new antidiscrimination policy for five years at Senior living's corporate headquarters as well as at the particular facility in Sweetwater, Texas where Spalding was employed.

EEOC v Ozarks Electric Cooperative Corp.

Via a consent decree entered and approved March 25, 2013, Ozarks Electric, a major electric cooperative in Fayetteville, Ark. agreed to pay \$95,000 to a former employee and provide prospective relief to settle a religious discrimination lawsuit brought by the Equal Employment Opportunity Commission. EEOC vs. Ozarks Electric, U.S. District Court, W. D. Ark, 5:12-cv- 5014 (W.D. Ark).

Naomi Solis was both a capable employee and long-time faithful member of the Fayetteville East Congregation of Jehovah's Witnesses. One of the sincerely held tenets of her faith was that she must attend a Jehovah's Witness' convention each year. Solis requested a day off on Friday, June 4, 2010 to attend the Annual Convention. Ozark responded that if she did not report to work on June 4, that she need not report back to work on Monday, June 7. Solis attended the religious convention nonetheless, and lost her job.

Ozark contended that they offered a reasonable accommodation to Ms. Solis' religious convictions through a generous paid time-off system. Jehovah's Witnesses Annual Conventions are provided at many locations and at various times throughout the year. The educational material covered is the same. Congregants are assigned by their local Congregation to a particular convention. It is permissible to make schedule changes with the religious authorities, which might have allowed Solis to coordinate her time off with the convention. However, Solis believed that it would be disobedient of her to attempt to do so, even though it appears she had made

scheduling changes for the Convention in past years.

With cross-motions for summary judgment pending in Bible Belt jurisdiction, Ozark threw in the towel and entered a consent decree which provided not only for \$95,000 in back pay to Solis and a neutral employment reference, but also a requirement that Ozark create and enforce a written policy acceptable to the EEOC to prevent any further occurrences of religious discrimination. This policy must include an internal appeal system within the defendant corporation as well as posted signs, mandatory education for employees concerning religious discrimination and the remedies available to them, and the hiring of an expert in religious discrimination to teach the course as well as other relief.

Summary

This case, in conjunction with EEOC v Senior Living, decided last week in federal court in Texas, indicates that the EEOC is taking a hard line on Sabbath observances and other religious holidays and that employers should bend over backward to prevent employees from "having to choose between their religion and their work..." The employer defense of "undue hardship" for excused-religious holidays is being narrowly construed by the EEOC. Clearly the jurisdictions, Texas and Arkansas, were chosen by the EEOC to make its point.

IN MEMORIAM

The Association was saddened to learn of the passing of

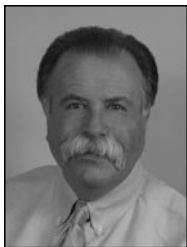
Ruth Ann Mandell

on April 9th at the age of 54.

Ruth Ann was an attorney in the Public Defender's Office in Camden, and a member of the Association since 1995.

We extend our sincere sympathies and condolences to her family, friends and colleagues.

She will be missed.



SPINNING MY WHEELS

...and the Italian Goodness is Baked Right In

By Andrew Kushner

Once again I am let down by my age. Although many of the iconic cars of my youth have gone, others persist in various retro forms. The Mustang still looks like a Mustang (at least until next year); the Camaro sort of looks like its late 60s predecessor and Chargers and Challengers remain *sans* manual transmissions but with added power when compared to their ancestors. What then was I to make of the resurrection of the Dodge iconic name "Dart," last affixed to a car in 1976 when it was soon replaced by the incredibly forgettable Dodge Aspen just a few years before the First Great Chrysler Debacle? The Dart started life in 1960 as a full size car then contrary to most cars of that decade, was shrunk to what was then deemed "compact" until its ultimate demise. We boomers recall Dodge Darts not so much as examples of the muscle car era (although there were V8 options) but rather for the tried and true "slant six" engine.

Chrysler has decided that the name "Dart" still has enough vestigial recognition but is sufficiently removed in time to be used again in a completely different manner. The 2013 Dart is the first true product of the shotgun wedding of Chrysler and Fiat and both companies are betting that its reception will bode well for the future. Based upon my short time in the Dart I think that the future is assured. Fiat, owner of the Alfa Romeo brand for over 30 years, decided to use its new to the US *Giulietta* platform as the basis for the new Dodge Dart. The Dart would not be mistaken for a *Giulietta* if placed side by side and the interiors are somewhat different as well. Likewise, there have been some inevitable changes in suspension and content; to satisfy what Chrysler must believe is expected by customers in its home market. This having been said, and when placed in the context of the car's class and price point, this is a quantum leap for Chrysler.

What makes the Dart a contender is, to my mind, that Fiat decided to use at least one of its MultiAir engine technologies and several Italian transmissions for the Dart. The MultiAir system allows the intake valves to be continuously variable to maximize both the power and fuel economy. This engine has powered many Fiats and its captive brands for over a decade but its first use in an American vehicle was in the Fiat 500. The second use is in the Dart. In this country motor heads traditionally look at the capacity of the engine for first impressions. Here the tiny 1.4L engine in the Dart, when turbocharged, produces 160bhp and 184 lb/ft of torque. While this will not allow you to burn rubber in all six gears (apologies to the Beach Boys), the power and especially the torque is enough for an entertaining ride. Add to this Fiat's own six speed smooth shifting manual and the recipe is starting to take shape.

The folks at Cherry Hill Dodge were very accommodating when I stopped in essentially unannounced on a Monday afternoon and met sales manger Antonio Stith. He located a turbo charged six speed manual example, although located in a remote storage lot with scores of other cars. I and my minder arrived at the storage lot to pick up the dark blue Dart for a truncated test drive. I cannot move on without at least a passing mention of my observation of Mr. Stith and his dealership. The physical plant appears state of the art but most intriguing is that the store was hopping! At first I thought that I had time-warped back to about 2005 with customers, lot guys, salesman

moving in and out and a lot full of cars that were doing the same thing. Antonio allowed that business had been brisk of late and I could see the evidence of that in my short visit.

This car is intended to compete with the likes of the Chevrolet Cruz, the Ford Focus and Toyota Corolla just to name a few. Competition in this segment is stiff and price alone will not determine which will get the sale when a buyer cross-shops these cars. Considering the price point (entry level of about \$16K) one cannot expect Mercedes level quality of materials. That is not to say that the interior of the Dart was found wanting. Not only is the interior several generations ahead of prior attempts at this price point (think Caliber), it is reasonably upscale to both the eye and the touch. Front room was generous and, while I did not spend any time in the rear seats, I can assume that they would be as cramped as any in this class for long trips.

I know that I am not a typical car buyer since, for me, color and even style take a back seat to the mechanical bits and, yes, even who is slapping their label on those bits. Was this car just going to be another appliance choice for getting from point A to point B or would there be an entertainment factor? I am pleased to report that the Dart, properly equipped, can serve as daily entertainment as well as transport. On start up the little 1.4 makes proper noises and the gear selector is smooth and reasonably short in shifts. Take up in the clutch was linear and required no practice to produce smooth engagement. As the car warmed up and my foot became heavier on the right pedal I could hear the engine rev up well over 4000 rpm without complaint or rude noises. In fact on my typical tour of congested Cherry Hill, the on ramp to Route 295 was tightly taken, no doubt to the annoyance of my minder, (I did an anticipatory apology) and on entry to the highway I wound out third, fourth and fifth gears before settling into sixth at an extra legal 85 mph while the engine leveled out at about 2800 rpm. Not bad for an engine whose size would normally relegate it to a go kart. At speed the car was stable and reasonably quiet. If one kept the speed down to legal levels, it might even be deemed hush. Four or five miles up and back on a basically straight and level interstate does not a test drive make. Back on the more mundane local roads the Dart acquitted itself well and I cannot see where a potential buyer would not liken to it immediately.

The EPA mileage for the car touts 40 mpg highway with some power-train combinations. Anecdotal reports on the internet from various test drives speak of mid-thirties but I believe that one should easily be prepared to give up a couple of miles per gallon in exchange for the fun factor. With a list price of just over \$20K as equipped, my test driven Dart ticked all the right boxes for a young driver's first car or even as a first family car. I continue to have to reset my expectations in this new decade. No longer can we equate a car's branding with an antiquated expectation. It is not so long ago, for instance, that Cadillac's customer base was literally dying along with the brand. While it took over a decade of marketing and product placement, Cadillac's reputation, especially among the younger generation, has returned to its iconic status not seen since the 1960s. Chrysler has the ability to reset customer's attitudes as well and the Dart is just one example of how this will happen.

Death with Dignity

By Leah DiMatteo
Rutgers Journal of Law & Public Policy
Rutgers University School of Law – Camden
Juris Doctor Candidate 2014

Can death ever be “dignified?” What exactly is a “natural” death? What is the appropriate role for healthcare providers in end-of-life decision-making? Does the proposed New Jersey Death With Dignity Act (“NJ DWDA” or “the Act”) condone suicide?

These are just a few of the tough questions raised on Wednesday evening, March 27, 2013 when nearly 70 people gathered at Rutgers Law-Camden for a forum on the proposed NJ DWDA. The Act, which would allow competent, terminally ill adults to obtain a life-ending prescription from their physician, is modeled after identical laws currently existing in Oregon and Washington.

The three panelists supporting the NJ DWDA included Assemblyman John Burzichelli (D), who introduced the bill (A3328) in September 2012; Rev. Joseph Primo, a former hospice Chaplain and Associate Executive Director for Good Grief, an organization that provides grief counseling to children and teens; and David Leven, Executive Director of Compassion & Choices New York, who has been working to improve palliative care legislation.

The three panelists opposing the Act were Dr. Joseph Fennelly, Chair of the Bioethics Committee of the Medical Society of New Jersey; Patrick Brannigan, Director of the New Jersey Catholic Conference and the public policy spokesman for the Bishops of New Jersey; and Kathleen Gialanella, a practicing attorney and a registered nurse who teaches doctoral and masters courses in health law, ethics, and policy.

The forum began with a brief introduction by Moderator, William Isele, Esquire, of counsel with Archer & Greiner in Princeton and the former New Jersey Ombudsman for the Institutionalized Elderly. Mr. Isele discussed the landmark “right-to-die” cases of Karen Ann Quinlan, Nancy Beth Cruzan, and Terri Schiavo. These were three young women, each in a persistent vegetative state, whose loved ones struggled to determine whether they would have wanted to remain on life support. Mr. Isele emphasized that “none of these women could have taken advantage of” the proposed NJ DWDA because they were incapacitated and thus, unable to make decisions for themselves.

Those in favor of the Act framed the issue as one of personal control and autonomy. Assemblyman Burzichelli and David Leven agreed that the terminally ill should have a right to self-determination. Rev. Primo drew from

Continued on Page 19

Gary W. Boguski to be Installed as 87th Bar President

Continued from Page 1

our rich tradition of service to the legal community and the public” said Boguski. “I also thank and congratulate President Brenda Eutsler for her excellent and strong leadership during this economically challenging year” he added.

Oaths of office will also be administered to the new officers and trustees of the Association and Foundation. Among those assuming new duties will be Casey Price, President-elect; Jenifer G. Fowler, First Vice President; Louis R. Moffa, Jr., Second Vice President; Eric G. Fikry, Treasurer; and Ronald G. Lieberman, Secretary.

New and reappointed Association trustees include: Carol A. Cannerelli, William F. Cook, Michael J. Dennin, Adam E. Gersh, Tommie Ann Gibney, John P. Kahn and Rachael Brekke, who will serve as Young Lawyer Trustee.

Originally a sole practitioner, Boguski has partnered for the last 30 years with Michael A. Taylor. He concentrates his practice in criminal defense and municipal court defense work throughout the State, but primarily in Camden and Burlington Counties. Additional practice areas include Workers’ Compensation, Personal Injury and Social Security Disability.

A graduate of Cherry Hill High School West, he was a member of the National Honor Society. He earned a Bachelor of Arts from Gettysburg College where he was a member of Phi Beta Kappa and graduated Magna Cum Laude. He went on to earn a Juris Doctorate from Georgetown University Law Center.

Since 1990, he has served as President of the Board of Trustees for South Jersey Legal Services, and has devoted considerable time to fundraising efforts for charitable organizations, including the Camden County Bar Foundation where he holds the position of vice president.

Mr. Boguski is admitted to practice in New Jersey, the United States Third Circuit and the United States Supreme Court.

Congratulations, Gary! We look forward to another great bar year.

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Seminars



Chris Bratton, partner at Rothamel Bratton in Haddonfield, **Andy Kushner**, Andrew B. Kushner, LLC in Gibbsboro and **Doug Madanick**, with Kulzer & DiPadova in Haddonfield presented **New Jersey Basic Estate Planning**, the second seminar of 2013 in the *CLE on Tap!* program for newly admitted lawyers.



Aimed at Business, Civil & Trial Law Practitioners, **A Roundtable with U.S. Attorney Paul J. Fishman**, presented in cooperation with the Federal Bar of New Jersey was recently held at Tavistock. Panel participants included (l-r): Moderator **Jeremy D. Frey**, Pepper Hamilton LLP; **Lisa J. Rodriguez**, Turjillo, Rodriguez & Richards, LLC; **Faith R. Greenfield**, Vice President-Legal, Campbell Soup Company and **U.S. Attorney Paul J. Fishman**.

Back in the Day



By Hon. Richard S. Hyland (ret.)

My brother Bill passed at 89 on March 2, in Moorestown. If you'll indulge me, I'll change my usual theme and write about some of his many accomplishments as a lawyer, public servant and musician. So much so, the Republican Governor Christie ordered that all state flags be lowered to half-staff to honor this lifelong Democrat for his substantial contributions to New Jersey during his career.

Bill had the ability to rise to the top in whatever circumstance he was placed, not the least being President of our Association from 1960-1961. After graduating from Camden High at 16, he attended the Wharton School at the University of Pennsylvania and was invited to join the Mask and Wig Club. Traditionally, this was the exclusive domain of the sons of Main Line families, but his musical talents enabled a kid from a row home in Camden City to perform in its musicals.

Wartime interrupted his Penn days when the Navy shipped him to Harvard, where he graduated and was commissioned as an Ensign. He was assigned to a destroyer escort which was later crippled by a Japanese bomb off of Iwo Jima. Its mission before then was as a floating base for Navy frogmen, whose job was to swim to landing beaches and blow up underwater obstacles. He was proud that these outfits later became the Navy Seals we know today.

He graduated from Penn Law School in 1949 as President of the class, and classmate and Burlington Superior Court Judge Paul Kramer told me the class elected him President in perpetuity. He was later elected to the school's Board of Overseers and served with other prominent graduates.

In 1953, he was elected to the General assembly (being high man on the ticket) and although a freshman, became the Minority Leader. In 1958, when the Democrats took control, he was elected Speaker at the age of 35 and was among the youngest, if not the youngest in history.

In 1959, Gov. Robert B. Meyner appointed him to his cabinet as President of the Board of Public Utilities Commissioners where he negotiated reductions in utility rates for consumers.

He subsequently returned to full time private practice, and we moved our offices from Camden to our own building in Cherry Hill. On several occasions, he was asked to sit on our Supreme Court, but declined.

In 1969, the Legislature established the State Commission of Investigation (SCI) to deal with the inroads organized crime had made in New Jersey. Gov. Richard J. Hughes called from vacation in Hawaii and implored him to become its first Chairman. He was reluctant to do

so, now having six children and an expanding practice, but his good friend Dick Hughes prevailed. He steered the Commission through uncharted waters with a firm hand and incarcerated prominent Mob figures. During this time, we had a standing joke that I had to start his car every morning.

In 1974, Gov. Brendan Byrne appointed him Attorney General to counter the public's perception about public officials after Watergate. "Bill Hyland filled the bill," Byrne said, because of his reputation for honesty and integrity. Most are familiar with his involvement in the Karen Quinlan case, but he also rooted out public corruption, including indictments of Democratic officials in Camden County. After leaving as Attorney General, he was invited by retired Judge Alec Waugh to join the prestigious firm of Riker Danzig Scherer and

Debevoise as a name partner.

Among the cases he handled was the legal aftermath of the Three Mile Island nuclear meltdown for the owner, Jersey CP&L.

Again, Gov Byrne called to ask him to become Chairman of the New Jersey Sports & Exhibition Authority (The Meadowlands) because of another crisis. Its first Chair was Sonny Werblin, the legendary impresario who, without notice, crossed the Hudson to join Madison Square Garden, the Meadowlands' rival for sports attractions, entertainment acts, etc. The Authority's bondholders and others were very upset, a steady hand was needed and "Bill Hyland fit the bill." The only compensation was access to the

Super Box at Giants Stadium. As a longtime Eagles fan, he was there for the Miracle of the Meadowlands—the Eagles' last second victory over the Giants—and delighted over the anguish of their fans.

He was an accomplished musician on the saxophone and most notably on the clarinet. He formed a close relationship with Benny Goodman (the "King of Swing"), who was his teenage idol when he was studying the clarinet. Goodman, who was known to be very exacting about the playing of other musicians, treated him as a musical equal. He became a co-executor of his estate, the custodian of his clarinets and gave the eulogy at his funeral. How many people become the best friend and confidant of their teenage idol?

He was my mentor, and during the years we practiced together we never had harsh words with each other. In addition to all of these accomplishments, he was a wonderful son, brother, husband and father. A devout Catholic, he was honored by the papacy as a Knight of St. Gregory for his "Service to The Church."

"Well done, thy good and faithful servant!"

Please forward any comments to me at rhylandatlaw@aol.com



Harvey Mitnick, Ted Adourian, William Hyland, Sr., Richard Hyland, William Hyland, Jr.



PRESIDENT'S PERSPECTIVE

by Brenda Lee Eutsler

And Now, the End is Near

On May 31, 2013, my term as your President will come to an end. As the adage goes, "time flies when you're having fun," and I have had a blast this year! I have met a vast array of interesting people, have gotten to know many more of our members, been afforded tremendous opportunities to learn and serve, coordinated with the federal and state courts on educational and service programs and worked with our dedicated officers, board members and staff who have been instrumental in our accomplishments this year.

The good works and deeds of our members are endless and, in my humble opinion, unmatched! Our members have organized, moderated and served as panelists on CLE seminars which rank among the best in quality. For the first time ever, members will bring the law into the middle schools on Law Day, May 1, 2013, through our Cyberbullying Webinar: "A Bully Has No Place to Hide." Members have volunteered their time and experience to provide free wills to first responders through the Wills for Heroes Program conducted at Rutgers Law School-Camden, and they have become mentors to the children of Camden through our new community service partnership with Project COPE.

The energy and enthusiasm of our young lawyers has been boundless under the leadership of Young Lawyer Committee Chair, Michael J. Dennin. Our young lawyers have held Halloween and Easter parties for homeless families in Camden and once again, raised thousands of dollars for the Larc School through their annual Lobster Bake. The YLC has also effectively reached out to law clerks and law students to promote the benefits of CCBA membership through educational programs and networking events.

CCBA's affiliation with Rutgers Law School-Camden remains strong through our alliances on diversity initiatives and our co-sponsorship

of a public forum on the proposed New Jersey Death With Dignity Act (see separate Barrister article on the forum) and the Wills for Heroes Program. Through their acts and deeds, our members mentor law students and young lawyers, the future leaders of our association, in the importance of community service.

Our affiliations with the Federal and Superior courts are also strong. Judges from the Superior Court of New Jersey, Camden Vicinage, served as panelists for the Professionalism Day seminar which focused on Professionalism and Civility, Fee Arbitration and Social Media and they have frequently served on panels for our CLE seminars. Judges from the U.S. Federal District Court served as panelists for a Constitution Day forum for the public titled "Protecting Your Rights to Privacy." In the past year, I have had the privilege of attending the swearing-in ceremonies of three new Superior Court judges in Camden County, the Hon. Steven J. Polansky, the Hon. Donald J. Stein and the Hon. Thomas J. Shusted, Jr. Hopefully, in the not too distant future, there will be further judicial appointments in Camden County.

Our Association's financial stability is always of key importance to our Board. CCBA, like many entities and individuals, faced serious financial woes a few years ago. However, through difficult, but necessary, budgetary measures during the years since and with the continued support of our members through membership dues and participation in our CLE programs and events, CCBA has bounced back and is financially sound. I am pleased to report that we were recently able to invest, conservatively, in CCBA's future.

As I face my final curtain, I can say unequivocally that our Association will be in excellent hands under the future leadership of President-Elect, Gary W. Boguski, a long-time friend. With the continued support of our board and members and the infusion of energy and enthusiasm from our young lawyers and the law students coming our way, CCBA's future is extremely bright!

From the depths of my heart, I thank you for affording me the opportunity to serve you as President. It has been a tremendous honor and privilege. I also extend abundant gratitude and appreciation to our Executive Director, Larry Pelletier, and to Denise Whybark and Kathy DelPrado for their assistance and guidance. They are truly the backbone of our Association.



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WINE & FOOD

By Jim Hamilton

Having taken a moment last month to discuss how best to open a bottle of wine not sealed with a screw cap or glass stopper, let us resume our quest to find wines meriting your consideration with the continuing *caveat* that some worthy wines may not find their way to the bin or shelf of your favorite wine shop.

I was privileged once again to attend the annual portfolio tasting presented by Polaner Selections, one of the top distributors of wines in our region. The problem with such grand scale events is that there are so many wines being poured, often by the winemaker and/or winery owner throughout a large and crowded room, that more wines of interest are missed than are tasted. While there is a “kid-in-a-candy-shop” mentality that can be difficult to restrain, I *try* to concentrate on value-priced wines that may be of interest to you. Here are but a few of them.

Muri-Gries is a fine producer from Italy's Alto Adige, a region most famous for the Pinot Grigio produced there. An uncommonly good wine from an often pedestrian grape is the **2012 Muri-Gries Müller-Thurgau**. The wine has a grassiness resembling a soft Sauvignon Blanc or high-toned Spanish Verdejo. The initial impression is carried onto the palate by a medium body that is firm and politely aggressive. This is a wine to be enjoyed with food such as salads and green vegetables that often will thwart compatible pairing. At the same time, there is sufficient restraint to avoid overwhelming nicely prepared fish or chicken dishes.

2011 Fillipi Castelcerino Soave Classico is a crisp, nutty and altogether perky white wine that offers chalky, mineral veins in a dried peach fruit profile. This is a fairly new wine to our market, and may not have gained much traction given the relatively limited demand for white wines from Italy's Veneto region, but it is a very nicely priced, unadorned wine that should prove to be versatile at the table.

If we travel a bit south in Italy to the region outside Naples, a producer fashioning wines I have lauded previously continues to impress with its current releases. While all were very good and fairly priced, let's single out the **2012 Ocone Giano Greco Taburno**. Greco is a so-called “heirloom variety,” one with a long history, but not necessarily enduring popularity. Along with a number of varietals in this region, Greco flirted with extinction. Here, the wine is a vibrant one offering a fairly linear white grape and honeydew melon fruit impression made more complex by an alliance with cardamom and other subtle spices.

Staying in Italy, but changing to red wine, the **2008 Malacari Rosso Conero** is made from the Montepuliano grape and offers a nicely expressive nose followed by a layer of flavor profiles that includes game, blood sausage and balsamic surrounding solid blackberry fruit. Then in the Emilia-Romagna region, the Sangiovese grape is used to good effect in **2011 Podere La Berta Sangiovese di Romagna**. The winery was bought in 2009 by the family that owns the famous Tuscan estate, Fattoria di Felsina, and they are intent on making this property in their native region stand out. This wine has nice red cherry

fruit that is quite bright in acidity, with the grip holding onto the wine through its persistent finish. The affordable price and ability to stand up to red sauce should make this a nice match for pizza or pasta.

Moving over to France,

2011 Jean-David Côtes du Rhône displays nice southern Rhône qualities, such as ripe, dark berried fruit with black pepper edges in a compact but fairly burly frame. The fruit is forward, and there is a supple, tannic grip that provides a counterpoint to the fruit flavors while escorting it to a nicely elongated finish. From the same region, and a highly regarded vintage, the **2010 Domaine de Piaugier Sablet Côtes du Rhône Villages** is another sturdily structured, Grenache-based wine that displays more of a tart, brambly profile. The fruit is brighter, more like mulberries and red cherries, but the same dusting of black pepper is evident, especially on the finish.

The popularity of Argentinean Malbecs has continued to grow here and elsewhere in our country, and **2011 Allamand Valle de Uco Malbec** is a good example why. There is a meaty and almost chewy quality to the penetrating black fruit that yields begrudgingly to an interesting profile of aged beef. It is neither as earthy as some Malbec wines can be, nor as expensive as those offered by better known producers.

Since Polaner Selections is well-represented in our region, I am hopeful that many of these wines will enter our marketplace. However, keep in mind that a retailer having a quality wine program will try to work with you to accommodate requests, so it never hurts to ask!



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LAW PRACTICE MARKETING

Does Your Headshot Tell the Real Story?

By Kimberly Alford Rice

"A picture is worth a thousand words." We have all heard this over and over again. The question I would ask is whether **your** headshot tells the story you want to tell.

As we work with our law firm clients on web development, social media, public relations, and other business development initiatives, inevitably the need arises for a current headshot. The push back clients have for not updating their 10+ year old headshot (before color prints became the standard) usually goes something like this: "I was so much thinner/younger/had more hair/taller, etc. back then."

Ultimately, it does not matter **what** you look like as long as it reflects what you look like **today**. To use and/or post a headshot which does not reflect your "current look" is to appear disingenuous or vain; neither a positive take away.

You may ask, what difference does it make whether you have a current (taken in the last 2-3 years) headshot or one taken a decade ago. Read on...

We are all visual creatures. Most people

think and remember primarily through visual cues. And, most people have very short attention spans. Giving people the right visual cues immediately is critical to getting their attention and gaining their trust.

People will likely notice your picture before they actively pay attention to what you have to say. First impressions matter (this is a one-shot deal) and they are almost always visual.

As our world (business world included) has evolved online and social media has mainstreamed into a powerful business development tool, it is no longer enough or productive to display an outdated headshot. You may be missing out on connections because of an inappropriate photo.

I'll explain.

If you are engaged in active targeted networking and getting in front of qualified prospects, people you have met at these events may be looking for you on social media channels such as LinkedIn (Facebook has quickly become another social media channel source through which professional connections are made).

While it is less common on professional networks, some people still use pictures of things or animals instead of themselves on their profiles. If someone does a search for Susan Smith that produces multiple results, some of which is a picture of some random cat or outdoor shot, they will have to guess which profile belongs to you. Do not miss out on connections because of fear or insecurity of your current headshot or just complacency.

To alleviate your anxiety and support your desire to portray an accurate professional image, you may want to retain the services of a professional photographer. In our experience, investing in a professional headshot is well worth the cost. Moreover, with all the technological strides which have been made via digital photography, the actual cost is miniscule when weighed against the benefit of portraying your true image.

An appropriate profile photo should achieve a balance between being eye-catching and appropriate for your professional position. In the world of first impressions, there is such

Continued on Page 21



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The Use of Trust Protectors in Special Needs Trusts for Personal Injury Victims

by Thomas D. Begley, Jr., CELA

Family members often want to be the trustee of their children's special needs trusts established to hold litigation proceeds. This almost inevitably ends in disaster, because the trustee must be familiar with SSI Rules, Medicaid Laws and Regulations, Tax Law, must have investment management expertise, must have only the interest of the disabled beneficiary at heart, have no conflict of interest, and must be able to navigate the disability system. A much better solution is a professional trustee. However, family members are often reluctant to give up control. They see a professional trustee as someone between them and their money, even though the money is the money of the injured child and not the other family members'.

The next request that family members often have is to be named as co-trustee.

Most professional trustees will not agree to serve as co-trustee with a family member, because family members do not understand the fiduciary responsibilities of the trustee and often simply seek to invade trust assets for themselves, rather than the trust beneficiary. The solution to the problem of naming a professional trustee but giving the family some comfort that the trust will be administered satisfactorily is to give family members the right to fire the trustee and replace with the trustee with another trustee if they are dissatisfied with the trustee's performance. The right of the Trust Protector to remove or replace the trustee can be conditioned on court approval or not, or if the family members appear to be reasonable, there is no need for court involvement. This can be accomplished by naming a family

member as a Trust Protector in the trust document. If a court is retaining supervision over the trust, the right to remove and replace must be conditioned upon court approval. Where the court is not retaining jurisdiction, consideration might be given to requiring court approval, if the Trust Protector does not appear to be reliable.

The trust should contain provisions appointing a Trust Protector. Frequently, the Trust Protector is a parent or parents of a minor or incapacitated person, or another family member. A successor Trust Protector can be named to take over, if the original Trust Protector fails or ceases to serve for any reason such as death or incapacity. The trust document appoints the original Trust Protector, and it is good practice to

Continued on next Page

VERDICTS OF THE COURT

Superior Court of New Jersey

VERDICT: No Cause (3/5/13)

Case Type: Medical Malpractice - Professional
Judge: Robert G. Millenky, J.S.C.
Plaintiff's Atty: Thomas Sacchetti, Esq.
Defendant's Atty: Charles Koernig, Esq.
L-5531-09 Jury

VERDICT: No Cause (3/5/13)

Case Type: Contract
Judge: John A. Fratto, J.S.C.
Plaintiff's Atty: Adam Telsey, Esq.
Defendant's Atty: Michael Ward, Esq.
L-794-11 Bench

VERDICT: Liability Verdict: Defendant 100% Liable;
Damage Verdict: \$3,000 Against Defendant,
Molded as per consent order (3/6/13)

Case Type: Auto Negligence
Judge: Anthony M. Pugliese, J.S.C.
Plaintiff's Atty: John Klamo, Esq.
Defendant's Atty: David Schmid, Esq.
L-3682-10 Jury (6)

VERDICT: No Cause (3/6/13)

Case Type: Auto Negligence
Judge: Louis R. Meloni, J.S.C.
Plaintiff's Atty: David J. Schnager, Esq.
Defendant's Atty: Kathleen Eustace, Esq.
L-5229-09 Jury

VERDICT: No Cause (3/6/13)

Case Type: Auto Negligence
Judge: Louis R. Meloni, J.S.C.
Plaintiff's Atty: Jeffrey Gaudko, Esq.
Defendant's Atty: Melissa Kaufman, Esq.
L-5405-09 Jury

VERDICT: Breach of Contract by Defendant; Damage
Verdict: \$2750 Against Defendant (3/7/13)

Case Type: Contract
Judge: Stephen M. Holden, J.S.C.
Plaintiff's Atty: Matthew McCrink, Esq.
Defendant's Atty: John Penberthy, Esq.
L-3392-10 Jury

VERDICT: No Cause (3/7/13)

Case Type: Auto Negligence
Judge: John A. Fratto, J.S.C.
Plaintiff's Atty: Patrick Grimes, Esq.
Defendant's Atty: Tanya Riotto-Seybold, Esq.
L-693-11 Jury

VERDICT: Case Settled During Trial (3/12/13)

Case Type: Auto
Judge: Deborah Silverman Katz, J.S.C.
Plaintiff's Atty: Richard Talbot, Esq.
Defendant's Atty: Joseph Richezza, Esq.
L-5650-10 Jury (8)

VERDICT: No Cause as to Punitive Damages; Damage
Verdict: \$20,000 Against Defendant (3/13/13)

Case Type: Tort
Judge: John T. Kelley, J.S.C.
Plaintiff's Atty: Richard Hannye, Esq.
Defendant's Atty: Robert Agre, Esq.
L-3862-11 Jury (7)

VERDICT: No Cause Damage Verdict: \$0 Against
Defendant (3/14/13)

Case Type: Auto Negligence
Judge: Stephen M. Holden, J.S.C.
Plaintiff's Atty: John Klamo, Esq.
Defendant's Atty: Patrick Reilly, Esq.
L-4337-13 Jury

VERDICT: Liability Verdict: 100% Against Defendant
based on Court's ruling at the end of
Defendant's case; Damage Verdict: \$0 Against
Defendant (3/19/13)

Case Type: Auto Negligence
Judge: Anthony M. Pugliese, J.S.C.
Plaintiff's Atty: David Kearlser, Esq.
Defendant's Atty: Thomas J. Murphy, Esq.
L-1942-11 Jury

VERDICT: Damage Verdict: \$950,000 Against Defendant
(3/20/13)

Case Type: Auto
Judge: John T. Kelley, J.S.C.
Plaintiff's Atty: Alfred Falcione, Esq.
Defendant's Atty: Patrick Reilly, Esq.
L-173-11 Jury (7)

VERDICT: Liability Verdict: 100% Against Defendant;
Damage Verdict: \$4354.38 Against Defendant
(3/26/13)

Case Type: Auto Negligence
Judge: John A. Fratto, J.S.C.
Plaintiff's Atty: Eric Berg, Esq.
Defendant's Atty: Rodd DeWitt, Esq.
L-6345-10 Jury

The Use of Trust Protectors in Special Needs Trusts for Personal Injury Victims

Continued from previous Page

name a successor Trust Protector as well. The document can give the Trust Protector or successor Trust Protector the power to appoint another Trust Protector to fill a vacancy, or can provide that a law firm, such as the Personal Injury firm or the Trusts and Estates firm drafting the document, be given the right to fill a vacancy in the office of Trust Protector. The Trust Protector should be given the right to resign and appoint a successor Trust Protector.

There is an issue as to whether or not the Trust Protector should be compensated for their services. Typically, the practice in my firm is not to compensate family members, but to provide some reasonable compensation for non-family members serving as Trust Protectors. Provision should be made in the trust document to provide reimbursement from the trust for reasonable expenses incurred by the Trust Protector in the exercise of his or her duties.

The duties of the Trust Protector include mediation of disputes between the trustee and the beneficiary. The Trust Protector

can establish procedures for handling such disputes. Another power of the Trust Protector includes the authority to remove any corporate trustee and to replace that corporate trustee with another corporate trustee having a minimum amount of assets under trust management. Because special needs trusts are often managed by non-profit organizations that sponsor pooled trusts, a fairly low asset limit is recommended. Twenty million dollars might be sufficient. The trust document should provide that any exercise of powers be in writing, and should address the issue as to whether or not removal and replacement of a trustee require prior court approval. From the perspective of the initial professional trustee, the provision giving a Trust Protector the right to remove and replace should not be objectionable. If the family is not satisfied with the performance of the trustee, the relationship quickly becomes toxic, and the trustee should want to end it as much as the beneficiary and beneficiary's family do. Professional trustees, however, will insist that the Trust Protector's right to

remove and replace be conditioned on prior court approval.

The final issue is whether the Trust Protector is a fiduciary having the same types of liability that any other fiduciary would have. Language should be drafted into the trust document absolving the Trust Protector from such liability, but whether or not such a provision would be enforceable is an open question.

The issue as to whether a Trust Protector or successor Trust Protector should be bonded must be addressed. Good practice dictates that no bond should be required, because this would be an unnecessary expense to be borne by the trust.

Finally, there should be a restriction in the trust document prohibiting the beneficiary of the trust from ever serving as Trust Protector or successor Trust Protector. The beneficiary of a special needs trust must have no control. The right to remove and replace the trustee could be viewed by the Social Security Administration or the State Medicaid Agency as too much control, thereby disqualifying the trust as a special needs trust.



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LEGAL BRIEFS

Capehart Scatchard Shareholder, **Armando V. Riccio**, was named Vice-Chair of the Firm's Labor and Employment Department and he was nominated for the 2013 Delaware Valley Human Resources Consultant of the Year Award. The award celebrates the Human Resources (HR) industry and recognizes those who exemplify outstanding achievement within the local Philadelphia community of approximately 5000 HR professionals. Mr. Riccio concentrates his practice in representing management in the public and private sectors in various employment matters such as discrimination, harassment, retaliation, and wrongful termination claims. He represents management before the EEOC, NLRB, Division on Civil Rights, PERC, and federal and state courts.

Andrew Sklar is pleased to announce the opening of his law office, Sklar Law, LLC, where he will continue to practice in the areas of bankruptcy, collections and landlord tenant. The office is located at 1200 Laurel Oak Road, Suite 102, Voorhees, NJ 08043. The office phone number is (856) 258-4050 and fax is (856) 258-6941. Email is andy@sklarlaw.com.

Scott M. Goldberg presented "Trial: Beyond the Basics" as part of the "Litigating the Uninsured & Underinsured Motorist Claim: Best Practices in UM/UIM from Both Sides of the Table" seminar sponsored by the National Business Institute. A founding partner of Petrillo & Goldberg, he focuses his practice on the Firm's litigation portion of its personal injury practice.

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

William H. Tobolsky was recently appointed to the Board of Directors for the Construction Financial Managers Association, South Jersey chapter. Tobolsky is a Trustee of the Camden County Bar Association, and is a delegate of that organization to the General Council of the New Jersey State Bar Association. He has also served as co-chair of the Construction Law Section Newsletter Committee of the New Jersey State Bar Association, and a subcommittee of the American Bar Association Committee on Business and Commercial Litigation.

Judge M. Allan Vogelson (Ret.)

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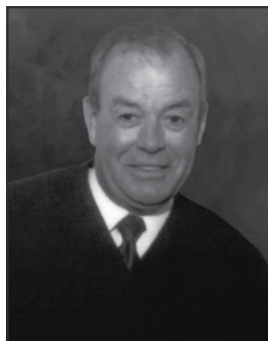


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During his sixteen (16) year tenure, he served as a Trial Judge, Assignment Judge and Presiding Judge in Burlington County. He has extensive trial experience in personal injury, medical malpractice, product liability, commercial litigation and insurance matters.

He is one of only a few individuals who has served in all three branches of state government, he was a state legislator in 1974, chief counsel to the governor in 1990 and then a trial judge, capping off his forty-three (43) years in the legal profession.

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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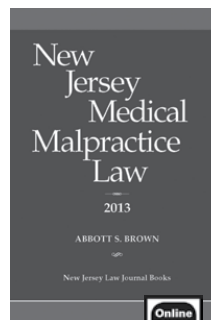
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YOUNG LAWYER CORNER

Blooming

By Michael J. Dennin
mdennin@ciecka.com



YOUNG LAWYER CORNER

Spring has finally sprung! We patiently waited through a chilly and unseasonable March and early April, to be greeted by some lovely weather. Every spring is different, from year to year. No month is the same, no day is the same. Our Phillies baseball team has taken the field, although looking more like the 2012 Phils versus the '08 squad. We had quite a nice run, and certainly hope that they will pick it up. In our legal profession, our legal field, we cannot win the World Series every year. Highly paid professional athletes often do not even obtain a glimpse at the Mecca of a World Title. To even make the playoffs is a feat. Perfection is nearly impossible. We should only strive to be as perfect as we can be within ourselves.

Every year is either not as good “legally” as the prior year, or is better. Because one year is better than the other, or worse than the other, we cannot measure ourselves against perfection in general. The only thing we can do is strive to be the best we can be as Attorneys and as individuals. Some years are down years, some are up. If one never had a down year, how would one know what an “up” year is? This goes for billable hours, victories and verdicts, settlements and acquittals, and all other marks we are measured against as lawyers. If we allow a “good” year to define us, then we are doomed to failure and to not living up to our own expectations. This is no way to practice law. However, due to the difficult legal economy, and the “dog eat dog” world, we cannot escape being defined. We must define ourselves by who we are as people. It starts there. It starts with optimism and hope. Many of us have loved ones, children, parents, brothers and sisters, good friends, colleagues, mentors, and the like. We are defined by how we act and how we think. We are not defined by numbers. There are “better” attorneys that came before us, and there will be “better” attorneys that come after. We will never be the “best” attorney. We will never win every game, or every World Series. Because we are human, we cannot dwell on failure. While none of us like failure, or like losing, it is part of the game. There are only 16 games in a football season and the Dolphins are the only undefeated team in the history of the NFL. Does that make every other team a failure? Surely, it does not.

We are happy when we win, when we achieve and obtain success, but we must learn from mistakes and failure. As attorneys, young and old, we learn from failure. When we win, we think there is nothing

better we could have done. Winning is not always good for us. Winning may be the best for our clients, and we must always give it 100%, but a loss is human. The way we react from a loss is the key. Do we roll over and retreat back to our shell? No. As counselors, we must know that we have, if we are fortunate enough, numerous other clients that rely upon us. Family relies upon us, as do friends. We are held, rightfully so, to a higher standard of conduct and professionalism. We cannot even contemplate taking our toys and going home. That is not in our make-up. Perspective is the key.

In keeping with a wider view, I would like to take the time to personally thank the Bar Association for providing me the opportunity to assist in navigating the Young Lawyer ship. Since I have not been around as long as some, it has been a great pleasure to serve at the direction of some wonderful human beings. Larry Pelletier, Denise Whybark and Kathy DelPrato keep things running smoothly. My fellow Board members are tremendous. Brenda Eutsler is quite possibly the most pleasant individual to work with and Linda Eynon has taken the Foundation to another level. Fellow Board members have welcomed me with open arms. To see the inner workings of and the incredible effort by the Board is astounding. So many attorneys work pro bono to make our Association the second largest in the State. From seminars to cocktail hours, from picnics to golf outings, from meetings to swearing-ins, we strive at nothing short of perfection. Thank you to my fellow Young Lawyers, to the Lobster Bake Committee, to everyone who came out to listen to me at meetings and participate, to everyone who came to charity and happy hour events, to all who organized CLE on tap (Bill Cook especially), to everyone for being involved and giving their time. I wish the best of luck to next year's YLC Chair. Your term will be different. Not better or worse, but it will be your own.

At the Association, we know everything is not perfect, but we all give 100%. Each year is different than the last. Every day cannot be a championship, but every day is a victory because we are alive and employed as counselors in a difficult profession. Each time we give legal advice we win. Every time we impart information to those who need it, we have done our job. Each day is different, but so long as we keep perspective, each day is a great one and better than the last.

Death with Dignity

Continued from Page 11

his personal experiences and argued that death is rarely “dignified,” but the proposed NJ DWDA would grant privacy and respect to those suffering from diminished quality of life.

Taking an opposing view, attorney Kathleen Gialanella and Dr. Joseph Fennelly argued that healthcare professionals have a duty to provide palliative care to their patients, not to furnish them with medication which would end their patients' lives. Each of the three opposing panelists asserted that the Act, if adopted, would effectively promote suicide and they expressed concerns over the kind of “message” that sends to the public.

After each panelist presented his/her position on the bill, the two

sides engaged in a debate which was informative and professional. The panelists then fielded questions and comments from the audience. When asked how the legislation would assist people who were unable to self-administer, such as persons who are paralyzed or who have lost the ability to swallow, Assemblyman Burzichelli responded that these were the kinds of cases that the law, as drafted, would not cover. He then welcomed and encouraged continuing dialogue over the proposed Act so situations and issues raised during the debate can be given thorough and thoughtful consideration as the legislative process unfolds.

More information on the NJ Death With Dignity Act Forum held on March 27, 2013 can be found at www.deathwithdignityforum.org.

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Valuing Employee Damages

Continued from Page 6

Either way, awards for damages for reportable employment cases will be treated as follows:

1. If applicable, withholding of employment taxes is required. Generally, both the plaintiff and the defendant will prefer to treat such taxable awards as attributable to non-wage claims. Otherwise the award will give rise to at least a 1.45% Medicare tax liability to both the employee and the employer. Such awards up to the FICA cap in the year received (\$113,700 in 2013) may incur an additional 6.2% tax. Starting this year, an extra 0.9% Medicare tax is due on salary and/or net self employment income above \$200,000 for an unmarried individual, \$250,000 for a married joint-filing couple, and \$125,000 for those who use married filing separate status.
2. Form W-2 or Form 1099-MISC, as applicable, should be issued to the claimant
3. Payments for post judgment interest are required to be reported on Form 1099-INT. A signed copy of form W-9 should be obtained from the claimant and if the claimant refuses to provide it, back-up withholding is required.
4. If a defendant fails to withhold taxes when required, the defendant may be liable for the tax, which should have been withheld, plus interest and penalties. At a minimum, defendants should consider the use of indemnification agreements, escrow agreements, holdbacks or similar arrangements if they agree not to withhold.

The Appellate Courts have generally been split on the issue of whether contingent attorney fees paid by a taxpayer are excludable from gross income. The IRS typically takes the position of requiring the full amount of an award or settlement to be included in gross income. The taxpayer is then generally entitled only to a miscellaneous itemized deduction for the contingent legal fee payment, the value of which is limited (often substantially) because of the 2% threshold on miscellaneous itemized deductions, the phase out of deductions for high income taxpayers and the non-deductibility of such fees for purposes of the alternative minimum tax (AMT). Contrast this to only including in income that portion of an award that is net of the contingent fee paid to the taxpayer's attorney. After the enactment of the *American Jobs Creation Act of 2004*, a new section created an above-the-line deduction for attorneys' fees and court costs **incurred in employment claims and claims under the federal False Claims Acts**. Because this new deduction is "above-the-line," qualifying attorneys' fees and court costs for these types of cases are no longer subject to the reductions in itemized deductions and can be claimed for AMT purposes.

The Internal Revenue Service issued a memorandum (PMTA 2009-35) entitled "*Income and Employment Tax Consequences and Proper Reporting of Employment Related Judgments and Settlements*." While it boldly states that "...this advice may not be cited as precedent," the memo does nicely lay out the income and employment tax consequences and required withholding for employment related judgments and settlements. Too lengthy to include in *The Barrister* since Mr. Pelletier limits me to 750 words (not an easy task for those who know me), copies of the 20 page IRS memo are available by merely emailing me at marty@aboandcompany.com or so requesting on our website at www.aboandcompany.com. While you're at it, you may as well request a copy of the 32 item information request list we generally use for such employment termination disputes. Yours for the asking.

LAW PRACTICE MARKETING

Does Your Headshot Tell the Real Story?

Continued from Page 15

a thing as negative attention. Pictures that are poor quality or too casual can cast you in a negative light which results in counter-productive marketing efforts. Avoid running this risk.

Ultimately, displaying and uploading a current, appropriate headshot accomplishes the following:

- Provides a visual of who you are physically...placing a face with a name and giving the viewer a sense of reference. So essential in today's visual world.
- Provides the viewer with a personalized feel for you. Regardless of whether you have graying hair (which can tell the story of hard and long-fought experience) or a scar down your neck (as a result of a childhood accident), everything about your physical features tells a **unique** story of you which becomes more alive when viewed.

A current professional headshot immediately communicates that you are a serious professional focused on building and growing your practice. A fresh and updated image gives you an advantage over the person that isn't ready to hit the ground running. Do not allow your personal discomfort to stand in the way of making that happen. Your marketing efforts will pick up steam and you will be glad you did.

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•
Lawyers



The CCBA Lawyer Referral Service (LRS) is a public service project that benefits both lawyers and the public. Each year the LRS makes more than 6,000 referrals for callers with legal problems who are able to afford a private attorney. All attorney members of the Association are eligible to participate in the LRS. They receive referrals based on the practice areas that they select. Attorneys agree to charge no more than \$30 for the first half-hour consultation. The attorney and the client determine fees for time beyond that first half-hour. If the referral produces a fee of more than \$500, the LRS receives 10 percent of any amount above \$500. In addition, attorneys are required to pay a nominal annual fee to participate in the LRS. This amount is in addition to any annual dues that you are required to pay.

Why should YOU join the LRS?

- ☐ We provide free marketing ☐ We screen the client, **YOU** get the referral ☐ We let you handle fee arrangements with the client ☐ We help you expand your client base & provide a public service.

Take advantage of all the LRS has to offer! Call Denise at 856.482.0620 to get started.

CLASSIFIEDS

To schedule your classified or display advertising call Kathy at 856.482.0620, email kdp@camdencountybar.org or fax copy to 856.482.0637

PER DIEM & REFERRALS

ATTENTION ATTORNEYS

Attorney with 18 years experience available for Motion work, legal research, depositions, and court appearances. Call Miles Lessem, Esq. at 856.354.1435

REFERRALS INVITED

Attorney with 25 years of Appellate experience invites referrals. Available for arbitrations & per-diem work. R. 1:40 Mediator. Richard C. Borton, Esq. www.bortonlaw.com 856.428.5825

HELP WANTED

PARTNER OPPORTUNITY

Versatile seven lawyer BC firm in search of its next partner. Are you ready to make the leap? Do you have a portable book of business that's looking for the comfort of a new home? If the answers are "Yes!" send us a letter extolling your virtues and we'll promptly schedule an interview. All submissions should be sent to PO Box 171, Moorestown, NJ 08057

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OFFICE SPACE

For SALE - REDUCED: to \$150,000. CHERRY HILL/HADDONFIELD AREA

1,100 sq. ft. One story professional building plus 1,000 sq. ft. finished basement with kitchenette. Excellent located, visibility and sign exposure. On-site parking. Situated on picturesque treed lot. Meticulously maintained. Conveniently located with easy access to Route I-295 and close proximity to Haddonfield. **SELLER WILL HOLD FINANCING...** Contact: Ben Sepielli @ Farrell & Knight Realty, Inc. 856-429-1770

SHARE USE HADDONFIELD & CHERRY HILL 4 LOCATIONS

Private offices (secretarial space available) situated in multi-tenant law buildings. Full shared use of facilities. Ample parking. Excellent opportunity for networking. On-site owner/property management. Set-up time available!!! Contact: Ben Sepielli @ Farrell & Knight Realty, Inc. 856-427-1770

2,000 to 8,200 Sq. Ft. - \$18.00 Sq Ft (including utilities)

NEW...CLASS "A" OFFICE SPACE HADDONFIELD
First floor office space situated in one of Haddonfield's most prestigious commercial buildings. Landlord will custom fit-out office space to suit tenant. Located: in the Downtown District just one block from PATCO Highspeed Line and SAXBYS Coffee new flagship Cafe on the corner of Chestnut St & Kings Hwy. Rare opportunity to lease new Class "A" Office Space in Center of Haddonfield. Contact: Ben Sepielli @ Farrell @ Knight Realty, Inc. 856-429-1770

PRIME OFFICE SPACE

Office space, Route 70 Cherry Hill, 800+ sq. ft., private offices, secretarial areas, electric heat and air conditioning included. On site parking. 856.424.7800.

HADDONFIELD

3 room suite. Professional looking, town center location. On site parking, utilities and light janitorial included. \$850 Call owner at 609.760.1476.

LEASED

CHERRY HILL OFFICE SUITE

Ideal location on Kresson Rd., close to Haddonfield and major highways. 672 square feet consisting of two private offices, secretarial and client waiting area, and supply closet. Conference room available. Partially furnished. Rental \$675.00 per month plus share of taxes and utilities. Lawyers building. Title Company on premises. Off street parking. Call 856.428.9111 and speak to Jim or Nancy.

VOORHEES - FOR SALE - REDUCED TO \$259,900

Professional office building - corner. Excellent Location - Rt. 561 Haddonfield-Berlin Rd. Large private parking lot (just over 1/2 acre). 2,700 sq. ft., \$259,900. Please contact Jo at 609.504.4667

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HADDONFIELD

4 room suite. French doors and natural wood throughout. Overlooks Kings Hwy. at Haddon Ave. Heat and central air included. Can be subdivided. \$1,400 Call Jerry at 609.760.1476.

HADDONFIELD

10 room suite comprised of 2,283 sq. ft. at \$17.75 per sq.ft. (Can be subdivided). High profile location in the center of town. Multiple entrances, additional adjacent space may be available. All utilities, parking and light janitorial included. No CAM charges. Call owner at 609.760.1476.

HADDONFIELD

2 room suite, new carpet, paint and lighting. Kings Hwy. town center location. \$500+ Call Jerry at 609.750.1476.

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Gary W. Boguski Participates in ABA Bar Leadership Institute

Joining over 300 other emerging leaders of lawyer organizations from across the country at the American Bar Association's Bar Leadership Institute (BLI), March 13-15 was CCBA's President-Elect, Gary W. Boguski.

The annual BLI in Chicago offers incoming officials of local and state bars, special focus lawyer organizations and bar foundations the opportunity to confer with ABA officials, bar leader colleagues, executive staff and other experts on the operation of such associations.

Boguski joined ABA President Laurel G. Bellows of Chicago, IL and ABA President-Elect James R. Siklenat of New York, NY in sessions on bar leadership, governance, and communications.

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.



CCBA President-Elect Gary W. Boguski, ABA President-Elect James R. Siklenat, ABA President Laurel G. Bellows, NJSBA Past President Carol Corbin Walker & Burlington County Bar President-Elect Katherine D. Hoffman.

2013 Camden County Professional Lawyer of the Year Nominations

Nominations for Camden County's 2013 Professional Lawyer of the Year Award 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 members of the legal profession.

The criteria for determining a Professional Lawyer of the Year are:

- A lawyer/judge who is committed to the ideals of professionalism
- Who is well recognized in the legal community for character and competence.
- Who is respected by all and looked upon as a model of professional behavior.

The awards will be presented at the annual awards luncheon next fall.

Selection of the recipient is NOT based on the number of nominations a person receives. Each nominee is reviewed by the CCBA selection committee with the recipient determined by who best exemplifies the criteria set forth.

To nominate a colleague for this prestigious award, use the nomination form included in this month's inserts.

NOMINATIONS ARE DUE TO BAR HEADQUARTERS BY 5 PM, FRIDAY JUNE 21.

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*Michael P. Madden, Esq. and James J. Madden, Esq.
Madden & Madden, P.A., Haddonfield, New Jersey*



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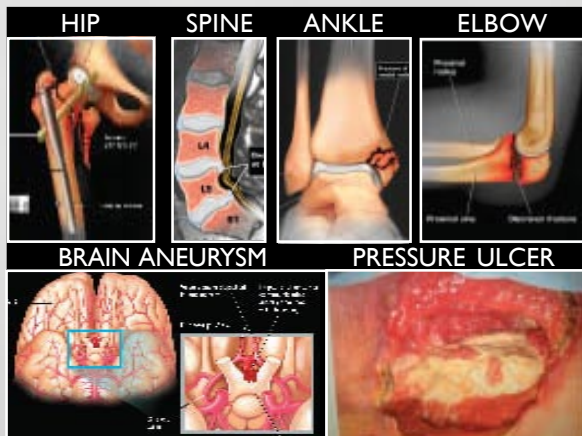
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See other exhibits @ www.ballerinilaw.com



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As Certified Civil Trial Attorneys, we have and will pay one third referral fees to those attorneys who give us the opportunity to serve their clients.



Richard J. Talbot

Recent case results include:

- ☐ \$350K Tort Claims Act - Motor Vehicle Accident
- ☐ \$900K Slip & Fall - RSD
- ☐ \$260K Nursing Home Neglect-Fractured Prosthetic Hip/Hip Pressure Alcer
- ☐ \$300K Slip & Fall During Storm-Fractured Prosthetic Knee
- ☐ \$415K Nursing Home Neglect-Pressure Ulcer
- ☐ \$490K Truck Accident - Lumbar Fusion - Partial Disability
- ☐ \$990K Nursing Home & Assisted Living Facility Neglect-Multiple Pressure Ulcers

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