

THE BARRISTER



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Best of the Best

Melanie Stokes, a graduating senior at Cherry Hill West High School was selected as the "Best of the Best" for 2018 in the Bar Foundation's High School Graduate Awards program. In recognition of her academics and all around work, Melanie was presented with a \$2,500 award check by **Jim Hamilton**, Award Committee Chair, Association President **Eric Fikry** and Foundation President **Jenifer Fowler**. Congratulations Melanie!



Get Involved and Shape the Future of Your Association

A major benefit of your CCBA membership is the opportunity to serve on one of the many Association substantive law committees. Committee participation offers you a voice in the future of YOUR professional organization. As the new Bar year begins, committee appointments will be one of the first official acts of President Ron Lieberman—**let Ron know how you want to be involved!**

Use the committee call list included with the inserts and return it to Bar Headquarters with your committee choice(s) indicated. Committee participation is important to the future of the Association, and a terrific way to meet and network with fellow lawyers, judges and other members of the legal community. The strength of your Association depends upon the strength and activities of its committees.



Hon. Robert G. Millenky, J.S.C. (Ret.) is presented with his official judicial portrait by CCBA President **Eric Fikry** at the Cocktails & Conversation Bench Bar Cocktail Party at Il Villaggio. Congratulations Judge Millenky!



Don't Delay, Renew Today!

Pay dues by June 1!

Please remember to pay your dues and renew your CCBA membership.

Enjoy Your Summer!

This is the final *Barrister* until September. We hope it has been an interesting and informative *Barrister* year for you, our readers, and we look forward to continuing the tradition next year.

The Barrister Editorial Board appreciates the efforts of all who have taken the time and interest to provide columns for our readers month after month, and extends its gratitude to all of our regular columnists.

In addition to the regular columns that appear, *The Barrister* is fortunate to receive a number of interesting articles throughout the year from various Bar members. To those of you who pen these articles, thanks and 'keep 'em comin'!

This is YOUR bar publication, written for and by members of the Camden County Bar Association and we're always looking for a fresh idea for a new regular column and additional articles on various topics. We would especially appreciate substantive articles from our committees as they meet and work throughout the year. We invite submissions from ALL Bar members.

Please remember that submissions are due on the 15th of the month prior to publication, i.e. August 15, for the September issue, etc. Articles should be no more than 750-1,000 words, 12pt. type, double-spaced and forwarded as an email attachment in MSWord or WordPerfect format to lbpc@camdencountybar.org.

For additional information on submitting articles for publication, please contact Bar Headquarters at 856.482.0620 or via email to info@camdencountybar.org.

Rest, relax, re-charge and have a great and safe summer! See you in September!

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THE DOCKET

Saturday, June 2nd

Children's Picnic

10 am – 1 pm

Challenge Grove Park, Cherry Hill, NJ

Thursday, June 7th

Installation of Officers & Trustees Celebration

6 – 8 pm

Betty and Milton Katz Jewish Community Center, Cherry Hill, NJ

Wednesday, June 20th

CCBA Board of Trustees Meeting

4 pm

Bar Headquarters

Thursday, June 28th

Bridge the Gap—NJ Trust/Business Accounting & Law Office Management-Newly Admitted Attorneys

3 – 6:15 pm

Tavistock Country Club, Haddonfield, NJ

Monday, July 9th

The First Tee Golf Outing 2018

12 – 7 pm

Merchantville County Club, Cherry Hill, NJ

Wednesday, July 18th

Festivus for the Rest of Us II

6 – 8 pm

Home of Marty & Jane Abo, Cherry Hill, NJ

WELCOME NEW MEMBERS

May 2018

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Drew Karlberg, Esq.

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THE BARRISTER

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Tentative agenda for June 20th Trustees Meeting

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

- | | |
|-----------------------------------|------------------------------------|
| I. Call to Order | IV. President's Report |
| II. Minutes from Previous Meeting | V. Membership Committee Report |
| III. Treasurer's Report | VI. Executive Director's 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 |

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VERDICTS OF THE COURT

May 2018

Superior Court of New Jersey

VERDICT: No Cause (4/4/18)
Case Type: Medical Malpractice
Judge: Michael J. Kassel, J.S.C.
Plaintiff's Atty: Joseph Grimes
Defendant's Atty: Mark Petraske
L-468-14 Jury

VERDICT: Damages Verdict: \$15,000 Defendant (4/4/18)
Case Type: Auto Negligence
Judge: Steven J. Polansky, J.S.C.
Plaintiff's Atty: Christine Lafferty, Esq.
and Jacquelyn R. Matchett, Esq.
Defendant's Atty: Stephen Wolf, Esq.
L-118-16 Jury

VERDICT: No Cause(4/5/18)
Case Type: Personal Injury
Judge: Francisco Dominguez, J.S.C.
Plaintiff's Atty: Robert Greenberg, Esq.
Defendant's Atty: John Dingle, Esq.
L-389-16 Jury

VERDICT: No Cause (4/12/18)
Case Type: Jury
Judge: Steven J. Polansky, J.S.C.
Plaintiff's Atty: David Cuneo, Esq.
Defendant's Atty: Robert Nicodemo, Esq.
L-1225-16 Jury

VERDICT: No Cause (4/12/18)
Case Type: UM/UIIM
Judge: Michael J. Kassel, J.S.C.
Plaintiff's Atty: James Herman, Esq.
Defendant's Atty: Rachel Vican, Esq.
L-1606-16 Jury

VERDICT: Defendant Parking Authority in case L-2436-14
Case Type: Condemnation
Judge: Michael E. Joyce, J.S.C.
Plaintiff's Atty: Michael J. Ash, Esq.
Defendant's Atty: Robert J. Baranowski, Jr., Esq.
and Megan Balne, Esq.
L-3605-14 Jury

VERDICT: No Cause (4/18/18)
Case Type: Auto Negligence
Judge: Francisco Dominguez, J.S.C.
Plaintiff's Atty: Paul Santangini, Esq.
Defendant's Atty: Christopher Marcucci, Esq.
L-3990-15 Jury

VERDICT: Liability Verdict: \$499,905.30 100%
Defendant Berlin (4/18/18)
Case Type: Medical Malpractice
Judge: Donald J. Stein, J.S.C.
Plaintiff's Atty: Jared Kasher, Esq.
Defendant's Atty: Charles Koernig, Esq.
L-1479-15 Jury

VERDICT: No Cause (4/19/18)
Case Type: UM
Judge: Michael J. Kassel, J.S.C.
Plaintiff's Atty: David Rockman, Esq.
Defendant's Atty: Rachel Vicari, Esq.
L-35-15 Jury

VERDICT: No Cause (4/19/18)
Case Type: Auto Negligence
Judge: Daniel A. Bernardin, J.S.C.
Plaintiff's Atty: Robert Greenberg, Esq.
Defendant's Atty: Robert Nicodemo, Esq.
L-4056-15 Jury

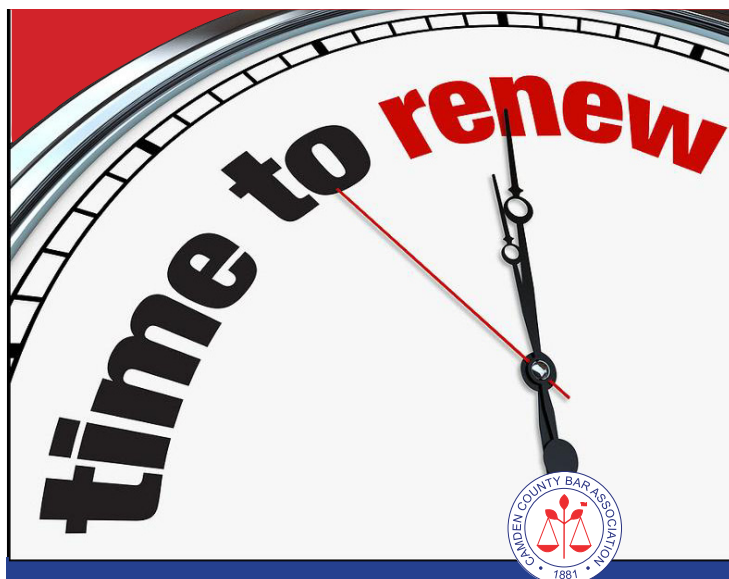
VERDICT: Damages Verdict: \$3,000,000 Defendant Parking Authority of the City of Camden (4/25/18)
Case Type: Condemnation
Judge: Michael E. Joyce, J.S.C.
Plaintiff's Atty: Michael J. Ash, Esq.
Defendant's Atty: Robert J. Baranowski, Jr., Esq. and Megan Balne, Esq.
L-2436-14 Jury

VERDICT: Liability Verdict 50% Plaintiff Goebel, 50% Defendant Page
Damages Verdict \$5,292.40
Defendant Page (4/27/18)
Case Type: Auto Negligence
Judge: Daniel A. Bernardin, J.S.C.
Plaintiff's Atty: Stephen Guice, Esq.
Defendant's Atty: Anthony DiGiulio, Esq.
L-2749-15 Jury

First Tee Golf Outing 2018 Monday · July 9th

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Please remember to pay your dues and
renew your CCBA membership.



Since 1881 . . . Your Home Court Advantage!



By Ronald G. Lieberman

PRESIDENT'S PERSPECTIVE

A New Calling

I am humbled to be the 92nd President of the Camden County Bar Association. During my time on the Board first as a trustee and then as an officer, I have noticed a great deal of activity by the Camden County Bar Association. I have served under a number of active presidents and our Bar Association has thrived as a result. I am very fortunate to be taking the reins from another in the long line of excellent Bar Association presidents, Eric Fikry, and I thank him on behalf of the Bar Association for his efforts and guidance during his successful year as president. The incoming officers of the Camden County Bar Association are a unique mixture of youth, experience, gender and ethnicity. It is difficult to imagine a more balanced slate of officers when looking at our members. I believe we will do great things, if we keep true to an overarching call to action.

It is my goal as president to be a crucial voice of criticism against abuse of power, unconstitutional actions, attacks on individual Judges and the independence of our judiciary, and any trampling upon the rule of law.

Some may argue that these matters are not the purview of a Bar Association. But that thought process is not a basis for those actions to continue. The legal profession can no longer continue its perfunctory functioning whether caused by a split in society or a dilution of the ethics in the practice of law if lawyers are to regain the respect and public confidence which, unfortunately, has hemorrhaged over the last several years.

Our system requires an independent judiciary, as well as a functional and competent justice system. If not, our democratic society cannot be well suited. The legal profession is expected to play a fundamental role in the process.

As lawyers and, in fact, as really and truly officers of the court in which we daily practice, we have a special interest in preserving the integrity and independence of the judicial system and to speak out any time that integrity or independence of the judiciary is threatened by any act of the state or public authority. It is our role as lawyers to ensure the public confidence in our judicial system. The organized Bar, as well as the individual members of the Bar must discharge this responsibility by correcting misconceptions and misleading criticisms of Judges

and their decisions and the judicial system in general. Executive or legislative violations of constitutional rights will go unredressed unless lawyers are willing to invoke the judiciary's power of review.

If Judges are submitted to unrelenting attacks by people who should know better, then there is a danger the public will draw from the silence of Judges an implication that criticism is justified. But as lawyers we know that judicial codes of conduct require silence and that Judges cannot answer back. It is the legal profession, either individually or collectively as a Bar Association, which must speak out in defense of the judiciary in these circumstances.

Our role as a Bar Association is not limited to protecting the judiciary. The Bar Association owes a responsibility to educate the public on matters relating to the rule of law and to apprise them of their legal rights and responsibilities. Our Bar Association must also reach out to elected officials to offer them our assistance in their discharge of their offices and the rule of law.

My team of officers has our work cut out for us if we are to discharge our responsibilities to the best of our abilities. Are we capable of doing so? Of course we are. Do we have the will to do so? Of course we do. All I ask is that you assist us and support us in the upcoming year as we follow-up on our role and responsibilities as a Bar Association.

SUMMER NETWORKING PARTY AT FESTIVUS for the REST OF US-II



Info & Reservations



SEMINAR

Is it Legal? Recent issues concerning marijuana in New Jersey was the subject of a recent lunch and learn seminar at Tavistock. Program presenters were Faculty/Moderator **Craig D. Becker**, *Craig David Becker-Attorney at Law*; **Nancianne Aydelotte**, *Kearney & Martone, P.C.*; **Brian Herman**, *Brenda Lee Eutsler & Associates, P.A.* Not pictured, **Kevin M. Costello**, *Costello & Mains, P.C.*

YOUNG LAWYER HAPPENINGS



YOUNG LAWYER CHAIR

2017 The Year That Was & Will Be! 2018

By Tom Hagner

It is hard to believe how fast this past year went. It seems like only yesterday I was preparing the second half of this article. I am happy to report that the Young Lawyer Committee successfully completed each and every goal that we set out to accomplish this past year. Between the Lobster Bake, Chili Cook-Off, and The First Tee golf outing, we were able to raise more than \$10,000 for the respective beneficiaries of our charitable works. We adopted two families during the Adopt-A-Family program, and continued to support organizations like the Anna Sample House. Suffice it to say, 2017-2018 was as productive as it was fun.

I cannot begin to extend enough thanks to all of the members of the Young Lawyer Committee who contributed to the Young Lawyer Committee's events; without your assistance and dedication, the Committee's successes would not have been possible. Also deserving of a big thanks are Larry Pelletier, Roseanne Riley, and Rosanna Curci for their behind-the-scenes assistance throughout the year.

It is also important to note that our events would not be possible if it was not for the generosity of our sponsors and donors, especially this year's Hon. Peter J. Devine Award winner, Brenda Lee Eutsler, who makes herself a big part of each and every one of our events without fail. Additionally, I would like to thank Brian Herman, Amir Goodarzi, Rachael Brekke, Matt Rooney, Jeanette Kwon, Abe Tran, and Mike Dennin for encouraging me to take on this role, for all their assistance throughout the year, and most importantly, for their friendship.

Finally, I have to thank my father/mentor, Thomas J. Hagner as well as his partner, John A. Zohlman for giving me the time, support, and flexibility to serve as the Young Lawyer Trustee. From day one of becoming a law student, my father instilled in me the importance of joining and being active in the Camden County Bar Association, and I am proud to report that my involvement now extends far beyond just the Autumn Scramble.

With that, please allow me to introduce you to Neel Bhuta, your incoming Young Lawyer Trustee for the 2018-2019 year. Neel has proven himself to be a dedicated and thoughtful member of our committee, and I am certain that he will continue to push the Young Lawyer Committee to new heights.



I have the privilege to be the Young Lawyer Trustee for the Camden County Bar Association for 2018/19. I will be in charge of this column for the next twelve months, and so I want to start by introducing myself. I am a lawyer for Locks Law Firm in Cherry Hill, New Jersey. I have been there for over six years, and it is the only place that I have ever worked. I grew up here in Camden County, mostly in Blackwood. And while I went away to school in different parts of the country, I came back here to start my legal career. Now I have the wonderful opportunity to serve this legal community of which I have chosen to be a part.

One of the things I would like to focus on during my time as the Young Lawyer Trustee is keeping our younger lawyers connected to the larger body of legal professionals in Camden County. I know that I did not start practicing with any real knowledge about what it meant to be a lawyer. Whether it was before my first trial, my first motion hearing, my first deposition, or even my first business dinner, I had bosses and mentors guide me through the process. All that I know now is based on what I learned from who came before me.

We as young lawyers have so much to discover from those who came before us, and I am not sure if we are all taking advantage of the opportunity that we have to learn. We should all be members of the county bar association. We should all go to the events put on by the county bar association. It is not just about professional development (although that is a huge part), but also about showing that we are part of the society in which we work. It makes us better lawyers.

Therefore, over the next twelve months, I hope to encourage more young lawyers to become participating members of the bar association. I hope to listen to those young lawyers and see what they need and want from that association.

So, good luck to all the new officers this year, and I will endeavor to serve effectively.



SEMINAR

The State of the Camden County Probate Court was the topic of a recent Probate & Trust Committee luncheon meeting. Committee Co-chairs **Glenn Henkel**, *Kulzer & DiPadova, P.A.* and **Tony LaRatta**, *Archer*, pose with program presenters **Hon. Nan S. Famular**, *P.J. Ch.* and Camden County Surrogate **Michelle Gentek-Mayer**.

MEMBER ON THE SPOT



NAME:

PRACTICE AFFILIATION:

YEAR ADMITTED TO BAR:

OTHER BAR ADMITTANCES:

PRIOR OCCUPATION:

RESIDENCE:

Neel Bhuta

Plaintiff-side complex civil litigation

2012

Pennsylvania

Politics

Collingswood, NJ

HIGH SCHOOL: Eastern High School

COLLEGE: New York University

LAW SCHOOL: UCLA School of Law

WHAT LED YOU TO A LEGAL CAREER: I wanted to know how the world worked, and law gave me the framework to understand why things work the way they do.

BEST PERSONAL/PROFESSIONAL ATTRIBUTE: Thoughtfulness

GREATEST FAULT: Tendency to overthink

WHAT I DO TO RELAX: Watch bad television

HOBBIES: I like to write. I'm learning how to play guitar (poorly)

FAVORITE RESTAURANT: Fat Salmon

FAVORITE TELEVISION SHOW: Late Show with Stephen Colbert

FAVORITE MOVIE: Toy Story 3

FAVORITE AUTHOR/BOOK: *The Great Gatsby*

FAVORITE VACATION PLACES: Bombay

FAVORITE WEBSITE: ESPN



SEMINAR

Best Practices in Mediation—Lessons from the Masters was the topic of discussion at Il Villaggio. Program faculty included **Theodore K. Cheng**, *ADR Office of Theo Cheng, Princeton Junction*; Faculty/Moderator **Eric G. Fikry**, *Blank Rome LLP, Princeton*; **Hon. Marie E. Lihotz, J.A.D. (ret.)**, *Archer, Haddonfield*; **Hon. Francis J. Orlando, Jr., A.J.S.C. (Ret.)**, *Connell Foley LLP, Cherry Hill*; **Hon. Joel B. Rosen, U.S.M.J. (Ret.)**, *Montgomery McCracken, Cherry Hill*; and **Hon. Stephen M. Orlofsky, U.S.D.J. (Ret.)**, *Blank Rome LLP, Princeton*.

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By Craig D. Becker

The Half Finished Case, Juvenile and Criminal Law

As an attorney who practices both education law and criminal defense I am often representing criminal defense clients who have mental health or other disabilities. In some cases, I am asked to come into the case as a second attorney. In many cases in the criminal realm the original attorney only thought about the first half of the case. This is especially true in juvenile cases.

In juvenile cases the disposition in the case can often be more important than the actual proof of guilt or innocence. Judges in juvenile criminal cases have significant discretion regarding disposition.

The Code empowers Family Part courts handling juvenile cases to enter dispositions that comport with the Code's rehabilitative goals. *State ex rel. J.L.A.*, 136 N.J. 370, 376–77, 643 A.2d 538 (1994). Once the court adjudicates a juvenile to be delinquent, the Code permits the court to order incarceration or, in lieu of incarceration, any of twenty enumerated dispositions under N.J.S.A. 2A:4A–43(b). The statute sets forth the factors that the court must weigh when determining the appropriate disposition. N.J.S.A. 2A:4A–43(a). Although not explicitly included in the statute, the Code has been found to permit suspended sentences as a necessary, viable disposition. *State ex rel. M.C.*, 384 N.J.Super. 116, 118, 894 A.2d 60 (App.Div.2006).

One of the “major hallmarks of the Code” was to provide the newly created, specialized family court with flexibility in juvenile dispositions. *Id.* at 127, 894 A.2d 60. Indeed, legislative statements accompanying the draft versions of the Code emphasized that flexibility to choose among the myriad dispositions available under the Code would enable Family Part judges to accomplish the stated rehabilitative goals of the Code. See *S. Judiciary Comm. Statement to Assem.*, No. 641, at 1 (1982) (“The language in this section combines the purpose sections in the current juvenile statutes and stresses such concepts as the preservation of the family unit and the rehabilitation of juveniles consistent with the protection of the public.”).

[*In re State ex rel. C.V.*, 201 N.J. 281, 294–95 (2010)]

Although the high level of judicial discretion can be a positive, it also opens the possibility of a judge ordering significant restrictions, even for minor offenses. See N.J.S.A. 2A:4A-43 and N.J.S.A. 2A:4A-44.

In one case the first attorney obtained an extremely favorable plea agreement. Per the agreement, the juvenile was adjudicated on a less serious offense. During the disposition the prosecutor presented evidence that the juvenile had a history of engaging in dangerous behavior. Based on this information, the prosecution recommended that the juvenile attend a restrictive residential placement. At that point the parents sought out my help. After I reviewed the case I realized there was significant suspicion

that the juvenile had a severe untreated neurological disability. This evidence was not in the juvenile court records but in the juvenile's school records. Using this evidence, I was able to convince the court to pay for a psychiatric evaluation. The psychiatric evaluation showed that the juvenile suffered from an undiagnosed neurological condition that affects human behavior. The psychiatrist recommended a day placement. Based in part on the diagnosis the psychiatrist gave the opinion that the juvenile was an excellent candidate for outpatient treatment. The juvenile immediately started treatment based on the psychiatric recommendation. At the hearing I was able to show proof of the juvenile's progress in treatment. The judge and the prosecutor both agreed with the psychiatrist's recommendation.

In criminal matters evidence of a juvenile or adult having a previously unidentified medical condition can significantly change the disposition of a case. Even in adult cases judges and prosecutors will seriously consider evidence of an undiagnosed medical condition and proper plans to treat the condition. Evidence of the condition alone is not enough to mitigate the situation. An attorney, with the help of an expert's opinion, needs to explain how the proper treatment will address the condition. Even if the medical condition was previously known, presenting expert opinion that there are new treatment options available and that the defendant is a good candidate can be crucial evidence in the case.

It is important that an attorney properly determine the existence of a relevant mental health condition that would have affected the individual's conduct. Criminal defense attorneys should routinely ask their clients questions about their mental health history at initial intake. Attorneys should be aware that significant evidence regarding a defendant's mental health needs may be in the educational records. A parent or person over 18 has the right to request a copy of all documents a school district maintained regarding the student. See 20 U.S.C. 1232 and 34 C.E.R. § 99.30. If while representing a young adult or student, you become aware that the defendant had a 504 service plan or an Individualized Education Program (“IEP”) or other special services plan, I would recommend requesting a full copy of the educational records.

New Jersey's juvenile court system strongly considers rehabilitation. See *C.V.*, 201 N.J. at 294–95. New Jersey's adult courts have rehabilitative options such as Pretrial Intervention (“PTI”) and Drug Court. See, e.g., N.J.S.A. 2C:43-12 and N.J.S.A. 2C:35-14. In all criminal matters it is important that an attorney consider not only the client's guilt or innocence, but also what facts may be used as mitigating evidence in disposition.

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PERSONAL INJURY LAW

The Impact of the Revised Social Security POMS on Special Needs Trusts

By Thomas D. Begley, Jr., CELA

Social Security recently issued four Transmittals, SI 01120 TN 51 - 54. These clarify the Program Operating Manual System (POMS) of the Social Security Administration with respect to trusts, particularly Self-Settled Special Needs Trusts and Pooled Trusts, although there was some discussion of Third Party Special Needs Trusts. Each Transmittal was effective April 30, 2018.

Transmittal TN51

➤ **Trust Reviews.** TN 51 dealt primarily with the review of Third Party Trusts or First Party Trusts established prior to January 1, 2000, and incorporates the Regional Centralization of SSI trust reviews. The significant clarification includes the following:

- ✓ SSI payments are non-assignable by law, and SSI payments do not count as income for SSI purposes.
- ✓ Direct deposit to a trust account does not constitute assignment of benefits.
- ✓ Assignment of payments by Court Orders are considered by SSA to be irrevocable.

➤ **Special Needs Trust.** A Special Needs Trust may be established to provide for a disabled individual's supplemental needs other than food, shelter, and health care expenses that may be covered by public assistance benefits that the Trust beneficiary may be eligible to receive under various programs.

➤ **Reimbursements to a Third Party.** Reimbursements to a third party from a trust for funds expended on behalf of the trust beneficiary are not income.

➤ **Home Ownership.** SSI is intended for food and shelter. Payment by a third party for food and/or shelter results in in-kind support and maintenance (ISM). When the SSI recipient receives ISM, this reduces or eliminates the amount of the SSI benefit. Certain types of distributions result in a reduction equal to the presumed maximum value (PMV), which is usually one-third of the federal benefit or \$250. If a trust purchases a home for the trust beneficiary, the beneficiary has an equitable interest in the home and the purchase results in the receipt of ISM in the form of shelter in the month of the purchase, but the ISM is valued at no more than the PMV, the individual does not receive ISM while living in the home in which he or she has an ownership interest. So, therefore, there is no ISM after the month of purchase. If a trust purchases a home with a mortgage, each mortgage payment would constitute ISM at no more than PMV.

➤ **Household Expenses.** If a trust pays for household operating expenses, these payments are income in the form of ISM in the month of the trust beneficiary's use. If the trust pays for repairs, maintenance, improvements or renovations to the home, the trust beneficiary does not receive ISM. The reason is that these expenditures increase the value of the home.

➤ **Assignment of Income.** Assignment of payments by Court Order is irrevocable. For example, child support or alimony payments paid directly to a trust or trustee because of a court order, are considered irrevocably assigned and, thus, not trust income. However, if the assignment is to an ABLE account, the payment

is considered income. If the assignment is to a First Party Special Needs Trust, the payment is not considered income.

➤ **Trust Review Process.** Claim Specialists evaluate all trusts that need a resource determination (such as new or amended trusts) in all initial claims. Claim Specialists submit their trust resource determinations to the Regional Trust Review Team (RTRT) for review. SSA may request a reevaluation by the central office or the office of General Counsel.

Transmittal TN52

This Transmittal clarifies the three exceptions to the *sole benefit* rule for third party payments.

- ✓ Trust disbursements to a trust beneficiary's personal debit card are the same as cash disbursements.
- ✓ Survivor Benefit Plans and direct deposits of SSA by benefits to trusts are discussed.
- ✓ When and how to use the 90-day amendment period is discussed.

These provisions do not apply to trusts established solely with the assets of a third party.

ABLE accounts are not trusts.

➤ **Sole Benefit Policy.**

- ✓ Third Party Payments for Goods and Services—Collateral benefit may result.
- ✓ A third party service provider can be a family member, non-family member, or professional services company. The policy is all the same.
- ✓ Companion services can be a valid expense.
- ✓ Medical training or certification of family members is not requested by SSA.
- ✓ There is no need to establish a business relationship. However, if it is relevant to SSI eligibility, SSA will request wage or self-employment evidence.
- ✓ The key to evaluating whether payments to a third party violate the sole benefit of rule is that the distribution must be for the *primary benefit of the trust beneficiary*. Collateral benefit to other individuals is not prevented. For example, if the trust buys a television set, other people can watch it. On the other hand, it would violate the *sole benefit* rule if the trust purchased a car for the beneficiary's grandson to take her to the doctor's appointment twice a month, but he was also driving it to work every day. Even if a person or entity, other than the beneficiary, is listed in the title of the vehicle, it must still be used for the sole benefit of the trust beneficiary.
- ✓ SSA should not routinely question the reasonableness of a service provider's compensation. If there is reason to question the reasonableness of the compensation, the time and effort involved, as well as the prevailing rate of compensation for similar services in the geographic area should be considered.

PERSONAL INJURY LAW

The Impact of the Revised Social Security POMS on Special Needs Trusts

(Continued from Page 6)

- *Payment of Third Party Travel Expenses to Accompany the Trust Beneficiary and Provide Services or Assistance that is Necessary due to the Trust Beneficiary's Medical Condition, Disability or Age.* In evaluating whether travel expenses are allowable and do not violate the sole benefit of rule, include transportation, lodging and food in travel expenses. Absent evidence to the contrary, accept a statement from the trustee that the service or assistance provided is necessary to permit the trust beneficiary to travel. *Do not request a physician's statement concerning medical necessity. Do not request evidence of medical training or certification for the person accompanying the trust beneficiary.* Use the reasonableness test in evaluating the number of people the trust is paying to accompany the beneficiary. The fact that parents are caretakers who cannot afford to pay for their other children's trip, or cannot leave them at home, is not a consideration relevant to the sole benefit requirement.
- *Payment of Third Party Travel Expenses to Visit Trust Beneficiary.* Travel expenses do not violate the sole benefit of rule, if a third party service provider oversees the trust beneficiary's living arrangements when the beneficiary resides in an institution. Travel for a trustee, trust advisor named in the trust, or successor to exercise his or her *fiduciary duties* or to ensure the well-being of the beneficiary when the beneficiary *does not reside in an institution*.
- *Disbursements.*
 - ✓ *Prepaid Cards.* Administrator-managed pre-paid cards, such as True Link, are acceptable. The trustee should be owner of the account. If the card is used to take out cash, the cash is considered income. If the card is used to buy food or shelter, it is considered ISM.
 - ✓ *Credit Cards.* If a trust pays a credit card bill for the trust beneficiary, whether the individual receives income depends on the items charged on the bill. If the trust pays for food and shelter items on the bill, it is considered ISM. Distributions to third party credit cards are treated in the same fashion.
 - ✓ *ABLE Account.* Funds transferred from a trust to an ABLE account are not income to the beneficiary.
 - ✓ *Gift Cards or Certificates.* Distributions to purchase gift cards or gift certificates are considered cash, and result in unearned income and/or a resource.
- *90-Day Amendment.* A trust that was previously determined to be exempt from resource counting shall continue to be accepted, provided the trust is amended to conform with policy requirements within 90 days. The 90-day period begins on the day SSA informs the recipient or representative payee that the trust contains provisions that must be amended in order to continue qualifying for the exception. Previously, there were only four instances when there was a 90-day amendment.
- *Extension to the 90-Day Amendment Period.* An extension to the 90-day amendment period may be granted for good cause, such as the disqualifying issue cannot be resolved. For example, if a court must amend the trust and there is a wait to get on the court docket.

Transmittal TN53

This transmittal deals with the establishment of Special Needs Trusts by Court Orders and the establishment of trusts by individual beneficiaries.

- *The Special Needs Trust exception can be met when a Court approves a Petition and establishes a trust by a Court Order, as long as the creation of the trust has not been completed before the Court Order is issued. Court approval of an already created Special Needs Trust is not sufficient for the trust to qualify for the exception. An individual may petition the court with a draft document of a trust, as long as it is **unsigned** and not legally binding. A nunc pro tunc order does not meet the requirements for a court-established trust when the trust has previously been established by someone else.*
- *Beneficiary Establishing Trust.* A person or entity establishing a trust with the assets of the legally-competent disabled individual or transferring the assets of the individual to the trust must have legal authority to act with respect to the assets of the individual. Attempting to establish a trust with the assets of another individual without proper legal authority to act with respect to the assets of that individual, will generally result in an invalid trust under state law. A Power of Attorney for a trust beneficiary may be used to establish a trust or transfer assets of the beneficiary to the trust, so long as the POA provides the proper authority to do so.
- *Establishment and Funding of Pooled Trusts.* There is no age restriction for the establishment of a Pooled Trust, but some states, including New Jersey and Pennsylvania, impose a transfer of asset penalty for assets transferred after age 64.

Transmittal TN54

This transmittal clarifies the procedure for reviewing Pooled Trusts for SSI purposes.


Once a Master Trust has been reviewed and approved, it is precedent. SSA no longer needs to review the Master Trust in each individual case. However, the Master Trust would have to be reviewed if there has been a policy change, since the precedent was established.

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Jurists, lawyers and law students gathered at Il Villaggio in Cherry Hill for the Association's Cocktails & Conversation Event, the final Bench/Bar networking event until September.

The relaxed atmosphere lent itself to good food & spirits, conversation and the presentation of the Foundation's law school scholarships and the presentation of Judge Millenky's portrait.

Congratulations to Judge Millenky and to all of our deserving scholarship recipients:



Peter Boyer & CCBA President Eric Fikry

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WINE & FOOD

By Jim Hamilton

With all due respect to the Righteous Brothers, time really does not go by so slowly in a society far more complex and hectic than when *Unchained Melody* was released in 1965. It seems that *The Barrister* year has flown by like a leaf caught in one of the four Nor'easters we endured, propelling us past our late arriving spring to the edge of summer. Before we take a publishing break, we have time to talk about some wines you may want to explore as the temperatures climb.

While heat often has wine drinkers searching for something cool and refreshing to open, whether for time on the patio or deck or with lighter fare, summer also is a time for barbecues, which can invite bolder red wines to stand up to grilling (and not that...*where were you on the night of...*). To accommodate wine buying versatility, let's cover some of the prospects you may want to consider.

Along with the proliferation of inexpensive sparkling wines reaching our shores, e.g. Cava from Spain or Prosecco from Italy, another wine that has gained popularity in recent years is Moscato d'Asti. Unlike Cava or most Proseccos, Moscato d'Asti is a wine made in Italy's

Piedmont region in which the Moscato grape is not fermented to completion, leaving obvious residual sugar and lower (usually 5% to 6%) alcohol. While it is not a sparkling wine in a Champagne sense (call it *frizzante*), it is frothy, offering a gently sweet, creamy impression. It is a wine often used as an aperitif, rather than paired with food, and it can work well on a hot summer day. It is also a wine that does not command the prices more prestigious wines enjoy, adding to its approachability. If there is one person who probably can take credit for exposing Americans to Moscato d'Asti it is Giorgio Rivetti, whose well-regarded La Spinetta winery began its now diverse Piedmont (and beyond) program with the international success of this wine. In addition to considering La Spinetta's *Bricco Quaglia* (many producers offer a name for their Moscato d'Asti which is more for branding purposes than any qualitative difference), other renditions you may find in our market are those produced by Saracco, Ceretto, Marengo (*Scarpona*), G.D. Vajra, Vietti (*Cascinetta*), Perrone (*Bigaro*), Alasia and, in 375 ml. bottles, Michele Chiarlo's *Nivole*.

As you know, rosé wines continue their surge in popularity, especially as a summer alternative to red wine. We have talked about many of these wines over the past few years, and judging from the space they now command on retailers' shelves, the wave of interest has yet to crest. For many wineries, or in some cases large distributors looking to capitalize on consumer interest, the marketplace is a field of dreams—if you make it buyers will come. Two wine regions where rosés are wine leaders rather than afterthoughts are France's Provence and Tavel. We have spoken about some of my go-to Provence rosés in the past, but they deserve mentioning again for the pleasure they can deliver at attractive prices. Two reliable favorites are Chateau Pigoudet and Domaine Lafage's Miraflores. These wines may not have the cachet of wines such as Chateau Miraval (Brad Pitt and Angelina Jolie's estate) or Chateau d'Esclans' Whispering Angel (probably the most available of this all-rosé producer's bottlings), but they should be less expensive and equally enjoyable. Other nice Provençal rosés to look for include those from Mas de Gourgonnier, Commanderie de la Bargemone, Chateau de Calavon, Domaine



Houchart and Gassier's Esprit.

Tavel enjoys the distinction of being a wine commune located north of Avignon in the southern Rhone where the *only* wine that can be produced is rosé. These wines tend to be a bit sturdier than Provençal rosés, enabling them to age a bit if desired. One of the nicer Tavel wines I tasted recently is from Domaine Maby. It has a rich, fleshy texture not often found in Provençal rosés, with tart red berry fruit. Other Tavel prospects you may find and want to consider trying are those from Les Lauzeraies, Chateau de Ségriès, Domaine Lafond Roc Epine, Chateau de Trinquedol, M. Chapoutier and Alain Jaume's Le Crétacé.

As you will find when making a rosé wine purchase, those from Provence and Tavel are but two of many regions and countries adding to the menu of rosé wines being sold. Space does not allow us to explore others, but since it is so geographically close to Provence, let me mention two nice rosés made by producers in the Languedoc—Chateau d'Oupia and Chateau de Lascaux. Should we view the Gard region as more Languedoc than southern Rhone, then we can add a third—Saveurs du Temps.

With apologies to white wine enthusiasts, let's end this month's column addressing a wine to consider for the summer barbecue when only a robust red wine should be offered. A grape that lends itself to barbecue, particularly around July 4th, is the "all American" wine, Zinfandel. Once upon a time in a distant wine world, one letter of the alphabet helped make Zinfandel wine purchases easy. Three of the best Zinfandels were made by, in no particular order, Rafanelli, Ravenswood and Ridge. After Joel Peterson sold Ravenswood, it expanded as a brand, but continues to offer some wines of quality and value. Rafanelli and Ridge still more than hold their own against wave after wave of new competition that has joined them

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WINE & FOOD

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in the marketplace, although pricing has risen to levels that many will find uncomfortable. As a side note, there are many, including influential wine critics, who feel that Zinfandels cannot age beyond 6 or 7 years. I do not happen to agree, finding that the big, jammy fruit often delivered by a young Zin recedes a bit and makes a wine that, if anything, becomes compatible with a broader array of foods it no longer will overpower. Indeed, I have Rafanelli and Ridge Zins in the cellar more than 25 years old. Sure, some may disappoint, but others will be interesting and enjoyable in their un-Zin-like profiles. Back in those "R" days, if these big three either were not available or not affordable, consumers could consider purchasing Renwood or Rabbit Ridge.

Nowadays, one of the Zinfandel standard bearers is Turley. I was fortunate to join the winery's mailing list with its second vintage (1994), which has allowed me to access wines not available at retail. However, if you come across a Turley Zinfandel at your favorite wine store, more than likely it will be the Juveniles or Old Vines bottlings. Since Larry Turley has not raised their prices to take advantage of the demand, these represent excellent value. A few additional, currently available Zinfandel options in relative order of cost (low to high) might be Marietta, St. Francis, Foxglove, Dashe, Bedrock (the winery of Joel Peterson's son), Biale, Limerick Lane and Carlisle.

Wherever the summer may take you, I hope it is an enjoyable time filled with family, friends, fun and, since you're reading this, wine! Enjoy!!

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FINANCIAL FORENSICS

The Ins and Outs of Marketability Discounts

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

A marketability discount is often a key calculation in the valuation process. This discount is based on an assessment of an asset's liquidity—or the time it takes to convert the asset to cash. The longer it takes, the less liquid and the greater the discount. A marketability discount represents a value reduction caused by a lack of liquidity.

This discount is often applicable in appraising a business interest, such as when valuing shares for gift and estate tax planning. Or perhaps when seeking an investor's value assessment in a merger or purchase scenario.

A Case in Point

Assume Lieberman Mighty Miniman Gyms Corp. is a publicly listed corporation with exactly the same service/product lines, sales, earnings, assets and management as Fabulous Fikry Fitness Centers, Inc., a privately held corporation. Lieberman sells for \$12 per share. Is the value of 50 shares of Fikry the same as the value of 50 shares of Lieberman? The IRS, courts and valuers say no, in most circumstances.

Why? Selling a small closely held business or even your law practice usually takes several months and the seller must spend considerable time, effort and money in the process. The seller may have to pay a brokerage fee or incur other direct costs that it wouldn't incur in the sale of publicly traded shares. The seller may also have to make price concessions to facilitate the sale.

When Are They Appropriate?

Using this discount inappropriately can result in misstated market value. Some cost and income valuation methods don't lend themselves to the use of marketability discounts. I've seen these include:

- The liquidation value premise. This valuation premise may not require a marketability discount because some degree of illiquidity is already assumed in the asset valuations.
- The excess earnings method. This method—often used to determine a 100% controlling interest value—more than likely already has some degree of illiquidity built into the multiples.

But marketability discounts are generally appropriate when a valuator uses a market multiple or capital market valuation approach. Because each method estimates a company's equity value by comparing its stock value to the stock prices of publicly traded (and therefore liquid) companies, a discount representing closely held stock's non-marketability (or illiquid nature) is, again, generally appropriate.

In order to test the reasonableness of marketability discount conclusions applicable to a particular situation and attempting to be consistent with case law, appraisers will often determine the lack of marketability discount using the approach outlined in *Mandelbaum et al v. Commissioner*, T.C. Memo 1995-255 (June 13, 1995). These factors,

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FINANCIAL FORENSICS

The Ins and Outs of Marketability Discounts

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now commonly referred to as the "Mandelbaum factors," are as follows:

- Financial statement analysis;
- Dividend policy;
- Nature of the company, its history, its position in the industry, and its economic outlook;
- Management;
- Amount of control in the transferred shares;
- Restrictions on transferability;
- Holding period for the stock;
- Company's redemption policy; and
- Costs associated with a public offering.

Seek Advice

If we're playing in the tax arena, we can pretty much assume the IRS won't automatically allow a lack of marketability discount. Sometimes, the taxpayer must present expert testimony that the stock or other business interest lacks marketability. A valuator needs to consider the specific facts and circumstances when determining the discount's size. Remember, indiscriminate use of a marketability discount might raise a red flag and cause the IRS or other triers of fact to scrutinize the entire valuation.

Determining the Discount's Size

When a marketability discount is appropriate, what percentage should a valuator apply? The discount's application and size depend heavily on the specific situation. Historically, observed discounts have been across the board—ranging from 6% up to 94% from the prices of publicly traded companies. The average discount frequently hovers around 35%.

And how about a discount for the risk of depending on a key person?

Does a business depend on a key person? Whether this person is the company's founder or a leading salesperson, one important risk to consider in a business valuation is the impact losing him or her will have on cash flow—both revenues and expenses.

Analyzing the Risk

The purpose of a valuation also affects the risk analysis. If you are the key person and you are selling the business, you will try to maximize the sale price by working to increase the likelihood that strategic relationships will transfer to the buyer.

A succession plan may have transferred these strategic relationships before an owner or manager's death, thus making the estate valuation easier. But an orderly transition period is less likely for an estate with no plan in place. Or a valuation for marital dissolution purposes can create wide variations. Some states require fair market value under the definition of Revenue Ruling 59-60. But other family law courts suggest that consideration of the key person issue is unnecessary. These courts assume that the parties involved aren't really contemplating a sale, or the spouse who actively manages the business is, in fact, the buyer and that these risks should have little effect.

How Losing a Key Person Affects a Business

In addition to cash flow, here are some other aspects of a business that may suffer if a key person leaves:

- **Sales.** If one person has the sole working relationship with most major customers, maintaining the sales level after his or her departure may not be possible. Assessing this risk is part of the

valuation process. The valuator may reviews sales and evaluate whether each relationship could be transferred to someone else, whether the competition can take these sales away and what sales level the company can expect in the future.

- **Operations.** Reviewing vendor relationships can help determine the stability of the company's gross profits. If only one person knows where to buy raw materials at the best prices or has a unique relationship with the vendor, the gross profit margins may not be sustainable if he or she departs.
- **Work force.** Employees whose loyalty stems from a relationship with the owner may leave if the business is sold.

Assess the Impact

Evaluating the risk of reliance on a key person is an important consideration in many business valuations. Owners should address this when preparing to sell their businesses. Proper analysis of its impact on value is essential.

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By Daniel Reinganum, Esq.

Residential Foreclosure Roundup

In 2017 New Jersey claimed a dubious honor: the highest foreclosure rate in the country, with 1.61% of housing units the subject of a foreclosure filing. New Jersey was also among the top five states in terms of average time to foreclose (1,298 days)¹. However, this number is misleading as newly filed foreclosures are moving to completion much quicker.

Based on my own experience and after speaking with knowledgeable local foreclosure counsel, it seems that newly filed residential foreclosure cases are moving from complaint to sheriff's sale in ten to twelve months in Camden, Gloucester, and Burlington Counties.

The filing of a foreclosure complaint was traditionally triggered when a homeowner fell three or more months behind. At a certain point in time, the mortgage company stops accepting partial payments and demands that the entire amount of past due payments be paid in a lump sum. When the foreclosure complaint is filed, the mortgage company accelerates the payment of the debt and all amounts are now owed in full.

Fortunately for homeowners, there are options for saving their homes under both state and federal law.

Under the New Jersey Fair Foreclosure Act, a homeowner "...shall have the right at any time, up to the entry of final judgment...to cure the default, de-accelerate and reinstate the residential mortgage..." by paying all past due payments including late fees, court costs, and lender's attorney's fees. *N.J.S.A. 2A:50-57(a)*. In other words, at any time before the entry of final judgment, the homeowner can pay all past due amounts owed and the foreclosure case has to be dismissed, the debt de-accelerated, and things are supposed to go back to normal with the mortgage company in terms of making regular monthly mortgage payments.

Under New Jersey State Law, the right to cure is lost upon the entry of the final judgment of foreclosure. However all hope is not lost for the homeowner at this point. Under federal bankruptcy law a debtor has the right to cure and reinstate their mortgage in a case filed before the property is sold at a sheriff's sale. *See 11 U.S.C. §1322(b)(3), (5), and (c)(1) and In re: Connors* 497 F.3d 314 (3d Cir. 2007). Homeowners can use a Chapter 13 bankruptcy filing to impose a repayment plan on the mortgage company for the past due amounts over three to five years.

A bankruptcy filing will also require a mortgage company to resume accepting regular monthly mortgage payments.

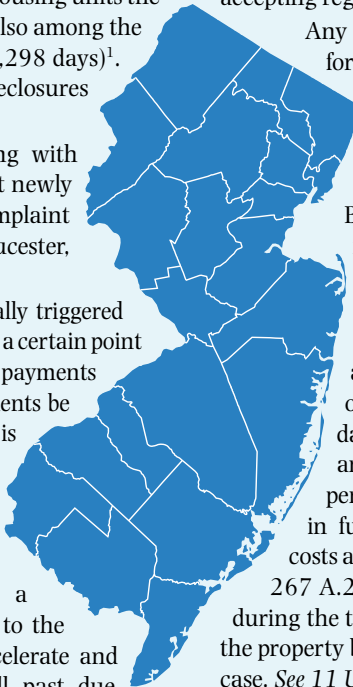
Any time prior to a sheriff's sale a homeowner can apply for a mortgage modification from their lender. However a mortgage modification application typically will not halt or slow down the sheriff's sale process. For homeowners that are facing a sheriff sale and want to save their homes with a mortgage modification, the Bankruptcy Court in New Jersey has a fantastic loss mitigation program that gives borrowers time to complete a mortgage modification application in connection with a Chapter 13 case.

But even for the homeowner whose property has already been sold at a sheriff's sale, there a faint glimmer of hope. New Jersey Court Rule 4:65-5 provides for a ten day period to object to a sheriff sale following the sale, and it is settled state law that anytime during that ten day period a homeowner may redeem their property by paying, in full, the entire foreclosure judgment including sheriff's costs and fees. *See Hardyston Nat'l Bank of Hamburg v. Tartamella*, 267 A.2d 495, 498 (N.J. 1970). The filing of a bankruptcy case during the ten day redemption period will extend the time to redeem the property by sixty days from the commencement of the bankruptcy case. *See 11 U.S.C. §108(b)*.

For the homeowner that had equity in their home when it was sold at sheriff sale, redemption may be a viable option. During the redemption period the homeowner can try to redeem their property through a refinance or sale of the property. It will typically be very difficult to accomplish due to the tight timeframes imposed for redemption of the property, and the homeowner's presumably less than stellar credit at that time. However if there is a sufficient equity cushion and the right lender can be found, it is possible to refinance the property, or alternatively it can be sold to a purchaser for more money that was obtained at the sheriff sale.

This is all to say that homeowners who are in foreclosure have options to try and keep their homes (or salvage what equity in their homes they can) and that there are state and federal laws to help.

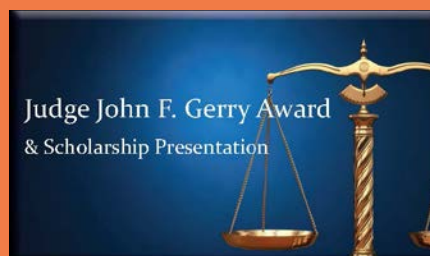
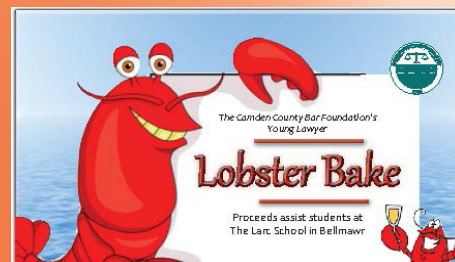
¹ <https://www.attomdata.com/news/foreclosure-trends/2017-year-end-u-s-foreclosure-market-report/Feb. 28, 2018>



SEMINAR

Avoiding Pitfalls on Appeal was recently presented to attendees at Tavistock. Program faculty included **Hon. Stephen M. Orlofsky, U.S.D.J. (Ret.)**, *Blank Rome, Princeton*; **Hon. Francine I Axelrad, J.A.D. (Ret./on recall)**; **Hon. Marie E Lihotz, J.A.D. (Ret.)**, *Archer, Haddonfield*. The program was moderated by **Marty M. Judge, Flaster/Greenberg P.C., Cherry Hill**.

Coming Next Fall!



Enjoy your summer and watch your Email for additional information and registration materials for these and other events and programs.

OUT & ABOUT

Cocktails & Conversation



Hon. Ralph W.E. Donges
Memorial Scholarship recipient
John Husband & Rachael Brekke



Brenda Eutsler & Brian Herman



Judge Bernardin, Ruby DelaRosa,
Rick DeMichele



Jim Herman & Judge Kelley



Robert Johnson &
Judge Fratto



Judge Fox & Ron Lieberman



Joe McCormick &
Eric Fikry



Lou Moffa, Judge Schneider & Braheme Days



Jim Herman &
Chuck Resnick

CLASSIFIEDS

REFERRALS

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

OFFICE SPACE

MARLTON OFFICES FOR RENT

Route 73 So at Ardsley Drive (across from Target) 1 or 2 window offices in private rear alcove, each approx.. 120 SF with adjacent secretarial work area and two workstations. Ample parking. Some furnishings available. Network-wired and internet access provided. Shared use of 2 conference rooms included. Call 856-596-2828 and ask for Steve Neuner or Joanne Ventura

FOR SALE

CHERRY HILL - 3,100 SQ FT LAW BUILDING

One Story Office Building situated on attractive landscaped grounds with 15 parking spaces. Great visibility. Monument signage. Centrally located on Brace Road, easy access to major roads Route 1 295, Route 70, and close to Haddonfield downtown business district. Currently occupied law firm downsizing. Floor plan available. Reasonably Priced... Contact: Ben Sepielli @ Farrell & Knight Realty, LLC. 856-429-1770

HELP WANTED

ASSOCIATE POSITION AVAILABLE

Well regarded South Jersey consumer bankruptcy firm seeks highly motivated and organized associate with excellent communication skills with minimum of 5 years experience. Responsibilities include substantial client interaction and bankruptcy litigation. Competitive salary and benefits. Must be barred in New Jersey and admitted to practice before the US Bankruptcy Court. Send cover letter, resume and writing sample to: mcdoherty@newjerseybankruptcy.com

ESTATE ATTORNEY

Estate Attorney for Boutique Center City Philadelphia law firm, LLM or Estate Planning Certificate preferred. Please e-mail your resume c/o chris@pozzuolo.com. No faxes or telephone calls.

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

When it comes to
Residential Mortgage Lending,
it's not just our job.
It's our Neighborhood.



For information on our low rates and for exceptional customer service, please contact one of our lenders:

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856-869-3251
JSilvi@1stcolonial.com

Jason Haugh
856-869-3252
JHaugh@1stcolonial.com

Rich Shakarjian
856-858-8118
RShakarjian@1stcolonial.com

Carol DeGrace
856-885-2021
CDeGrace@1stcolonial.com

Richard DeGrace
856-885-2022
RDeGrace@1stcolonial.com

Efrain Muñoz
856-559-4259
EMunoz@1stcolonial.com

For information on a Reverse Mortgage, please contact Richard DeGrace.

1st Colonial Community Bank
1stcolonial.com Nice People with Money



RESIDENTIAL LENDING

210 Lake Drive East, Woodland Falls Corporate Park Suite 300, Cherry Hill

NMLS
677617



Member
FDIC



Equal Opportunity
Lender

Shares of 1st Colonial Bancorp, Inc. common stock are publicly traded on the OTC Bulletin Board under the symbol FCOB.

**Make YOUR
association
work for you!**

**Get involved in a
Committee.**

Need Meeting Space?
Call 856.482.0620
Email klw@camdencountybar.org



June, 2018

Inserts



Camden County Bar Association Lawyer ID Card



The CCBA, in cooperation with the Camden Vicinage and the Camden County Sheriff's Office, is now issuing photo Attorney ID Cards.* These cards will allow holders to enter the courthouse without removing their belts, and the use of the employee-designated security lines at the Camden County Courthouse during high traffic times.

The cost for the cards is \$25 for CCBA Members and \$50 for Non-Members. They will be valid for 5 years, at which time they must be renewed.

The cards must be visible upon entry to the courthouse, and the CCBA will provide a lanyard with each card.

To receive a CCBA Lawyer ID Card, complete the information below and return it with payment to Bar Headquarters. The cards will be issued in the Sheriff's Office on the 1st Floor of the Courthouse.

The CCBA is grateful to Assignment Judge Deborah Silverman Katz and the Camden County Sheriff's Office for their assistance in the implementation of this program.

** Lawyer ID Cards are the property of the Camden County Bar Association (CCBA) and the Camden Vicinage and must be surrendered upon cessation of the practice of law in the State of New Jersey. The cards are not an acceptable form of legal identification.*

Print Clearly

Name _____

Home Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____ Email _____

Height _____ Weight _____ Eye Color _____ Hair Color _____

Payment: ☐ Check ☐ AMEX ☐ Mastercard ☐ VISA
☐ CCBA Member – \$25 ☐ Non-member – \$50

Card # _____ Expiration _____ CVV# _____

Signature (Credit Cards Only) _____

Please allow several days for this application to be processed and forwarded to the Camden County Sheriff's Office in the Courthouse. Applicants must go to the Sheriff's office on the first floor of the Courthouse to obtain the card.

QUESTIONS?

Call Us: 856.482.0620

Fax Application: 856.482.0637

Email Application: info@camdencountybar.org

CHECKS PAYABLE/RETURN TO:

Camden County Bar Association
Lawyer ID Card
1040 N. Kings Highway, Suite 201
Cherry Hill, NJ 08034

Office Use:

Rcvd: _____

Frwd: _____



Since 1881 . . . Your Home Court Advantage!

The Public Benefits & Young Lawyer Committees present

The "First Tee" Golf Outing 2018

Monday · July 9th

Merchantville Country Club
501 Chapel Ave · Cherry Hill



Registration Deadline — July 2nd

THE FIRST TEE OUTING

- Check-in begins at 12 Noon
- Tee off with kids at 1 pm, **front 9 only**
- Tee off on back 9 at 3:30 pm **without kids**
- Buffet Banquet 6:30 pm – includes 1 drink (cash bar)
- Silent and Live Auctions

ENTRY FEES

- \$140 = 18 holes/cart/banquet/1 drink
- \$90 = 18 holes/cart
- \$55 = Banquet, auctions & fun

YES, SIGN ME UP!

- ☐ \$140 – 18 holes/cart/banquet
- ☐ \$90 – 18 holes/cart only
- ☐ \$55 – Banquet only

PAYMENT

- ☐ Check Enclosed (payable to CCBF)
- ☐ AMEX ☐ Mastercard ☐ Discover ☐ Visa



The First Tee of Greater Philadelphia impacts the lives of young people by providing educational programs that build character, instill life-enhancing values and promote healthy choices through the game of golf.

The First Tee reaches young people ages 5-18 through golf instruction and life skills lessons administered at chapters, military installations, and to students in elementary schools.

REGISTRATION (please print clearly)

Name

Title

Firm/Company

Address

City

State

Zip

Phone

Cell

Fax

Email

Name on Card if credit

Signature on Card

Expiration Date

CVV

PLAYING PARTNERS

Name

Firm/Company

Email

Name

Firm/Company

Email

Mail Registration:

First Tee Golf Outing

1040 N. Kings Hwy, Ste. 201
Cherry Hill, NJ 08034

FAX Registration:

856.482.0637

Questions?

856.482.0620

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

Thank you for your support!



**WELCOME TO THE
3rd ANNUAL
CAMDEN COUNTY
BAR FOUNDATION
“FIRST TEE”
GOLF OUTING
July 9, 2018
Merchantville Country Club**



**CAMDEN COUNTY
BAR ASSOCIATION**

EVENT SPONSORSHIP (please mark your selection)

- \$1,000.00** _____ **Hole In One Sponsor**
Presenting Sponsor for the event. Includes three full entries (lunch, golf, dinner) in the outing along with three additional guest tickets for the cocktail hour, dinner and auction along with sponsor recognition throughout the event.
- \$750.00** _____ **Eagle Sponsor**
Includes three full entries in the outing along with sponsor recognition throughout the event.
- \$500.00** _____ **Birdie Sponsor**
Includes two full entries in the outing along with two additional guest tickets for the cocktail hour, dinner and auction along with sponsor recognition throughout the event.
- \$300.00** _____ **PAR-tner Sponsor: Children's Tee Gift and Prize Sponsor**
Includes sponsor recognition throughout the event.
- \$250.00** _____ **On-Course Food and Beverage Sponsor**
Includes sponsor recognition throughout the event.
- \$75.00** _____ **Hole Sponsor**
Includes sponsor recognition.

Name: _____

Firm/Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone (Cell): _____ Fax : _____

Email: _____

Credit Card: _____

Signature (for credit card only) _____ Expiration Date _____

Please send this form along with payment to:

Attn: Larry Pelletier
Camden County Bar Foundation
1040 N. Kings Highway, Suite 201
Cherry Hill, NJ 08034

PAYMENT

METHOD

(PLEASE CHECK)

- ☐ Check
- ☐ Enclosed
- ☐ Amex
- ☐ Mastercard
- ☐ Visa

If you have questions please email Tom Hagner at tahagner@hzlawpartners.com or Brian Herman at bkherman@ble-law.com.

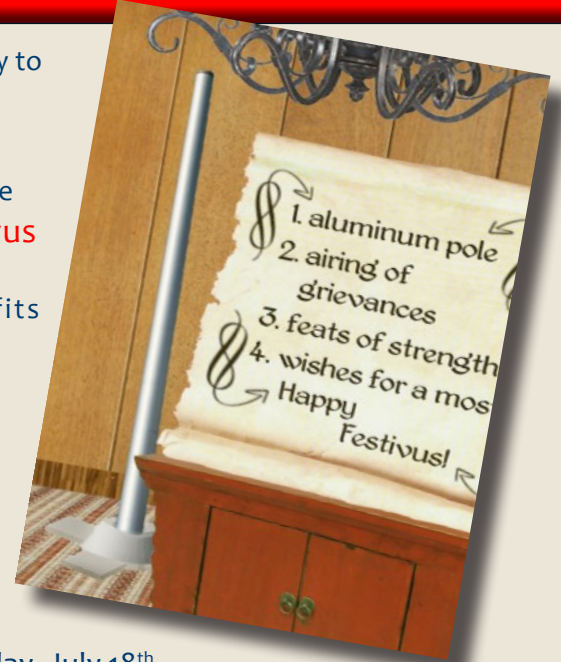
JOIN US FOR A SUMMER NETWORKING PARTY AT

FESTIVUS for the REST OF US-II

It's hot — it's muggy — it's a typical Jersey summer! There's no better way to beat the dog days than to "think cool" — like December cool.

Through the generosity of CCBA Partner in Progress Marty Abo and his wife Jane, the Bar Foundation is again hosting a "Festivus in July" networking party with proceeds being used to purchase toys for the Public Benefits Committee's *Children's Holiday Breakfast and Party* on December 1st.

Don't miss this opportunity to support one of the Foundation's most cherished projects and explore the Abo Wonderland as featured in the February, 2013 issue of *SJ Magazine*.



WHEN: 6-8 pm, Wednesday, July 18th

WHERE: The Home of Marty & Jane Abo
104 St. Vincent Court
Cherry Hill

TICKETS: \$30 per person
\$25 per person*

* Admitted to the Bar 5 years or less.

Space for this very special evening is limited, so reserve your place early!

Reservation Form – Print Clearly – Detach & return with payment no later than **July 13, 2018**.

Name(s) _____

Address _____

City/State/Zip _____

Telephone _____ Email _____

Credit Card # _____ Expiration _____ Signature (Credit Card Payment Only) _____

PAYMENT:

- ☐ Check Encl.
- ☐ Amex
- ☐ Discover
- ☐ Mastercard

Questions?

Call Us: 856.482.0620

Fax Reservation: 856.482.0637

Checks Payable/Return To

Camden County Bar Foundation - Festivus
1040 N. Kings Highway, Suite 201
Cherry Hill, NJ 08034





CCBA Committees

Invest in Yourself. . . Invest in Your Association!
Get Active on a Committee



The Camden County Bar Association has a number of committees that offer opportunities to network with peers, take advantage of timely discussions on specific areas of the law, give back to the community, and much more. Committee service also gives you a voice in the Association to let you get the most out of your membership. If you are interested in participating on a committee(s), review the list below, check the committee(s) in which you have an interest, complete the information at the bottom, and mail or fax it to Bar Headquarters. For Committee descriptions or if you have questions, call Bar headquarters at 856.482.0620, or visit camdencountybar.org.

PLEASE NOTE: An email address is required if you have one. It is only used for announcements, notices, polls, etc. of an urgent nature, and will remain confidential.

- | | |
|--|--|
| <input type="checkbox"/> Bench-Bar (Federal) | <input type="checkbox"/> Law Day |
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Law Practice Management |
| <input type="checkbox"/> CDR | <input type="checkbox"/> Lawyer Referral Service (Advisory) |
| <input type="checkbox"/> Civil Practice | <input type="checkbox"/> Membership |
| <input type="checkbox"/> Civil Practice Bench-Bar Subcommittee (State) | <input type="checkbox"/> Memorials |
| <input type="checkbox"/> Class Action Practice | <input type="checkbox"/> Municipal Court |
| <input type="checkbox"/> Commercial Litigation | <input type="checkbox"/> Personal Injury |
| <input type="checkbox"/> Continuing Legal Education | <input type="checkbox"/> Probate & Trust |
| <input type="checkbox"/> Corporate, Banking & Business | <input type="checkbox"/> Pro Bono Legal Services |
| <input type="checkbox"/> Courthouse Facilities | <input type="checkbox"/> Professionalism |
| <input type="checkbox"/> Criminal Practice | <input type="checkbox"/> Public Benefits |
| <input type="checkbox"/> Debtor-Creditor | <input type="checkbox"/> Real Estate, Land Use & Environmental |
| <input type="checkbox"/> President's Commission on Diversity | <input type="checkbox"/> Substance Abuse |
| <input type="checkbox"/> Elder Law & Disability | <input type="checkbox"/> Superior Court – Special Civil Part |
| <input type="checkbox"/> Family Law | <input type="checkbox"/> Taxation |
| <input type="checkbox"/> Government Liaison | <input type="checkbox"/> Unauthorized Practice of Law |
| <input type="checkbox"/> Group Insurance Programs | <input type="checkbox"/> Women In The Profession |
| <input type="checkbox"/> Health Law | <input type="checkbox"/> Workers' Compensation |
| <input type="checkbox"/> Immigration & Naturalization | <input type="checkbox"/> Young Lawyer |
| <input type="checkbox"/> Labor & Employment Law | |

Name

Address

City/State/Zip

Office Phone

Cell Phone

E-mail **REQUIRED**

Fax

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

Phone: 856.482.0620

Fax: 856.482.0637



Since 1881 . . . Your Home Court . Advantage!








Camden County Bar Foundation/Young Lawyer Committee
9th Annual Larc School Fundraiser

Lobster Bake

4:30 – 8:30 PM • September 16th
LaScala's Birra • Pennsauken

\$80 per person/\$150 per couple in advance
\$70 per person/\$130 per couple in advance*

Walk-ins add \$15 per person
* Lawyers admitted to the bar of NJ 5 years or less

Proceeds assist students at
The Larc School in Bellmawr

The Larc School is a non-profit special education school serving students with a wide range of moderate to severe disabilities. Join us for a special end-of-summer day of great food, great camaraderie and great fun, all for a great cause!

Grab your family and friends and come on down to LaScala's Birra for a traditional New England lobster dinner with beer, wine, dessert and games, all for one low price!

The Camden County Bar Foundation is a 501(c)(3) not for profit charitable organization registered with the Office of the Attorney General of New Jersey. Contributions to the Foundation are tax-deductible to the extent allowed by current IRS regulations. \$30 of the ticket price may be used as a deduction.

Reservation Form — Print Clearly — Detach and return with payment no later than **September 11, 2018**

Name(s) _____

Address _____

City/State/Zip _____

Telephone _____ Email _____

Credit Card# _____ Expiration _____ CVV# _____

Signature (Credit Card Payment Only) _____

Payment Method

- ☐ Check Enclosed for \$ _____
- ☐ AMEX
- ☐ Discover
- ☐ Mastercard
- ☐ Visa

Questions?

Call Us: 856.482.0620
Fax Registration: 856.482.0637

Checks payable/return to:

Camden County Bar Foundation
Lobster Bake
1040 N. Kings Highway, Suite 201
Cherry Hill, NJ 08034



2018 LOBSTER BAKE



4:30 -8:30 pm • September 16th
LaScala's Birra • Pennsauken



Hosted by The Camden County Bar charitable Foundation & the Young Lawyer Committee



Sponsorship/Marketing Opportunities

When you team up with the **Young Lawyer Committee (YLC)** as a **Lobster Bake** sponsor, you will place your business before over 2,200 members of the legal community in Camden County and throughout New Jersey, while supporting a very worthy cause.

We are pleased to offer the following marketing/sponsorship opportunities for your consideration. In addition to the benefits described below, sponsors will be recognized in an event thank you display ad in the CCBA's monthly publication, *The Barrister*, on event signage, in press releases, and on our website: <http://www.camdencountybar.org>.

Sponsor Commitments must be received no later than August 24, 2018.

- **Presentation Sponsor (1) \$2,500**

Event name becomes YLC Lobster Bake Presented by...;
Six (6) event tickets; Recognition throughout the event;
Name/logo on event marketing, throughout the event, and
in *The Barrister* Lobster Bake thank you display ad.

- **Lobster Sponsor (8) \$1,000**

Four (4) event tickets; Recognition throughout event;
Name/logo on event marketing, throughout the event, and
in *The Barrister* Lobster Bake thank you display ad.

- **Cigar Bar Sponsor (1) \$1,000**

Four (4) event tickets; Exclusive signage at Cigar Bar;
Name/logo on event marketing, throughout the event, and
in *The Barrister* Lobster Bake thank you display ad.

- **LARC Sponsor (6) \$750**

Two (2) event tickets; Name/logo on event marketing,
throughout the event, and in *The Barrister* Lobster Bake
thank you display ad.

- **Lobster-man Sponsor (1) \$750**

Two (2) event tickets; Name/logo on event marketing,
throughout the event, and in *The Barrister* Lobster Bake
thank you display ad.

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

We are pleased to support the YLC Lobster Bake as indicated:

_____ Presentation Sponsor	_____ LARC Sponsor
_____ Lobster Sponsor	_____ Lobster-man Sponsor
_____ Cigar Bar Sponsor	_____ Other \$ _____

_____ Event Tickets # _____

\$80 per person/\$150 per couple in advance
\$70 per person/\$130 per couple in advance*

Walk-ins add \$15 per person

* Lawyers admitted to the bar of NJ 5 years or less

Name

Company

Address

City

State

Zip

Phone

Email

Thanks for your support! Please send this sponsorship form with check payable to CCBF, or call 856.482.0620 to use a credit card **no later than August 24, 2018 to:**



Camden County Bar Foundation
YLC Lobster Bake
1040 N. Kings Highway, Suite 201
Cherry Hill, NJ 08034

Questions? 856.482.0620