

# THE BARRISTER



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## Michael J. Dennin to be Installed as 93<sup>rd</sup> Bar President

Friends and colleagues from the Bench and Bar are invited to join us at **Adventure Aquarium on**

**Friday, June 7** for the annual gala Installation of Association and Foundation Officers and Trustees Celebration to witness **Michael J. Dennin become the 93rd President of the Camden County Bar Association.** Dennin and the other officers and trustees of the Association and Foundation will receive their oaths of office from New Jersey Supreme Court Associate Justice Lee A. Solomon.

A graduate of the University of Scranton in 2002, Dennin attended Widener University School of Law at the Harrisburg Campus and graduated in 2005. Dennin says he went to law school because he wanted to help people and make a difference in the world and in society. After law school Dennin was admitted

to practice in New Jersey and Pennsylvania and started working at the Law Offices of Vincent J. Ciecka, where his father manages the firm. He has been with the firm for 14 years and notes that he enjoys the practice of law, being in court and trying cases. "More importantly, I enjoy helping people in their time of need when they are hurt," remarks Dennin.

With regard to the Camden County Bar Association and Bar service, Dennin believes that lawyers have an obligation, being one of the few professionals who have licenses to practice, to give back to the community. "Our oath requires, or directs, us to get involved and help fellow lawyers, and help the community," says Dennin. "There is no better place to do that than being involved in the local Bar Association."

Current Bar Foundation President, Louis R. Moffa, Jr., partner at Montgomery McCracken

in Cherry Hill who also serves as the firm's General Counsel, will turn over the reins of the Bar Foundation, the Association's charitable arm, to Hon. Stephen Holden (retired).

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 Michelle H. Badolato, President-elect; Dawnn E. Briddell, Vice President; Rachael B. Brekke, Treasurer; and Craig David Becker, Secretary. New and reappointed Association trustees include: Michelle Altieri, Neel Bhuta, Timothy S. Farrow, David J. Khawam, Shayna Slater, Abraham Tran and Christopher Keating, who will serve as Young Lawyer Trustee.

**Congratulations Mike, new officers and trustees! We look forward to another great year.**

## Officer and Trustee Nominations Announced

The Camden County Bar Association Nominating Committee and Board of Trustees have nominated the following candidates for terms beginning **June 7, 2019:**

### President

Michael J. Dennin

### President-Elect

Michelle H. Badolato

### Vice President

Dawnn E. Briddell

### Treasurer

Rachael B. Brekke

### Secretary

Craig David Becker

### Board of Trustees

(Term ending 2020)

Michelle Altieri

(Term ending 2022)

Neel Bhuta

Timothy S. Farrow

David J. Khawam

Shayna Slater

Abraham Tran

### Young Lawyer Trustee

Christopher J. Keating

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

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## 2019 Camden County Professional Lawyer of the Year Nominations

# NOMINATION FORM

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## Annual Children's Picnic Set for June 1<sup>st</sup>

**Volunteers needed for  
important community event!**

(Continued on Page 3)

## Time to Renew!

**Your Partner for Greater Purpose  
and Greater Productivity**

(Continued on Page 2)



## THE DOCKET

### Wednesday, May 8th

*The State of the Camden County Probate Court*  
12:00 p.m. – 1:30 p.m.  
Tavistock Country Club, Haddonfield

### Tuesday, May 14th

*Young Lawyer Committee Meeting*  
12:30 p.m.  
Bar Headquarters

### Tuesday, May 21st

*A Primer to Valuing a Law Practice*  
by Marty Abo  
12:00 p.m. – 2:15 p.m.  
Bar Headquarters

### Wednesday, May 22nd

*Camden County Bar Association- Board of Trustees Meeting*  
4:30 p.m.

IL Villaggio Restaurant, Cherry Hill

*Cocktails & Conversation*  
6:00 p.m. – 8:00 p.m.

IL Villaggio Restaurant, Cherry Hill

### Thursday, May 30th

*Ethics Update- 2 Ethics Credits*  
4:00 p.m. - 6:15 p.m.  
Bar Headquarters

## Tentative Agenda for May 22<sup>nd</sup> Board Meeting

A tentative agenda for this month's regular Board of Trustees meeting follows. The meeting will begin at 4:30 p.m. at IL Villaggio in Cherry Hill. All meetings are open to the membership. Anyone interested in attending should notify and confirm their attendance by calling Bar Headquarters at 856.482.0620

- I. Call to Order
- II. Approval of Minutes from Meeting
- III. Treasurer's Report
- IV. President's Report
- V. Executive Director's Report
- VI. Committee Reports
  - a. Membership Committee
  - b. Young Lawyers Committee
  - c. Standing Committee Reports
- VII. Foundation Update
- VIII. NJSBA Update
- IX. Old Business (*if any*)
- X. New Business (*if any*)
- XI. Adjournment

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## WELCOME NEW MEMBERS

### Active (2)

#### Daniel Capecci, Esq.

Parker McCay  
9000 Midlantic Drive, Suite 300  
Mount Laurel, NJ 08054

#### William F. Saldutti, Esq.

Saldutti Law Group  
800 Kings Highway North, Suite 300  
Cherry Hill, NJ 08034

### Public Sector (1)

#### Carmen R. Morales, Esq.

Camden County Prosecutors Office  
200 Federal Street  
Camden, NJ 08103

### Limited Students (2)

#### Kelley Robert Collins, Jr. Steven Weidler

## Time to Renew!

**Your Partner for Greater Purpose and Greater Productivity**



You should have received your dues renewal notice for the 2019-20 Bar year, commencing June 1. Paying promptly ensures that your Association can continue to serve you and the local community with its many important programs and services.

As a CCBA member, you receive numerous benefits designed to make your practice more efficient and enjoyable:

- Newly reduced CLE seminars featuring cutting-edge topics and esteemed speakers;
- Members-only professional networking events with the Bench and Bar;
- Monthly newsletter, *The Barrister*, as well as our e-newsletter *BARreview*;
- A brand-new, redesigned and easy-to-use website (coming soon!);

- Exclusive member directory (coming soon!);
- 75% discount on meeting/deposition space;
- 50% discount on Camden County Vicinage lawyer ID cards;
- 50+ practice sections and committees;
- Lawyer Referral Service making some 3,000 referrals per year;
- Discounted products & services from our Partners in Progress and other retailers;
- Volunteer opportunities with our charitable arm, and much more!

Our member-focused, attentive staff is available to help you with everything from registering for seminars and events to building your book of business, so you can focus on the day-to-day demands of your job.

**Don't miss out – renew today!**

## THE BARRISTER

Published monthly, except July and August, by the Camden County Bar Association.

### President

Ronald G. Lieberman  
1415 Route 70 East,  
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Cherry Hill, NJ 08034

### Treasurer

Dawnn E. Briddell  
1940 Route 70 East,  
Suite 200  
Cherry Hill, NJ 08003

### President-elect

Michael J. Dennin  
5709 Westfield Avenue  
Pennsauken, NJ 08110

### Secretary

Rachael B. Brekke  
46 West Main Street  
Maple Shade, NJ 08052

### Vice President

Michelle H. Badolato  
457 Haddonfield Road,  
Suite 100  
Cherry Hill, NJ 08002

### Executive Director

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

### Board of Trustees

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### Young Lawyer Trustee

Neel Bhuta

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Views and opinions in editorials and articles are not to be taken as official expressions of the Association's policies unless so stated, and publication of contributed articles does not necessarily imply endorsement in any way of the views expressed.

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# PRESIDENT'S PERSPECTIVE

## Thank You for the Privilege of a Lifetime

By Ronald G. Lieberman

**I**n looking forward to the moment which is intended to terminate my many years as an officer and Trustee of the Camden County Bar Association, my feelings do not permit me to suspend

the deep acknowledgment of that debt of gratitude which I owe to you for the honor conferred upon me to serve as President; still more for the steadfast confidence with which you have supported me; and for the opportunities I have enjoyed by persevering. If benefits have resulted to the Bar Association from these services, I will always remember that the consistency of your support was the essential prop of the efforts.

I was not flawless during my year as President, but because of my officers and the Trustees I have shown the capacity to change and to make the Bar Association a little better for those who follow. Yes, the progress has been uneven. We needed to find a replacement for our executive director of 15 years and we were extremely fortunate that Kara Edens was right next door. She has been everything a President could hope for and then some in an

executive director. The work of leading the Bar Association has always been hard. My officers – Michael Dennin; Michelle Badolato; Dawnn Briddell; and Rachael Brekke – have offered me their guidance, their humor, and their no-holds barred way of pointing me in the right direction. I thank each of them for their time and their unwavering devotion to making my year a good one. Despite my best efforts, for every two steps forward, it often felt like I took one step back. But the long sweep of tradition in any endeavor has been defined by forward motion and a constant widening of experience and knowledge.

We have done some of what I set out to do. We revisited our dues structure; made outreach to our hardworking and dedicated elected officials; sought to work with specialty bar associations and our fellow county bar associations; tackled the challenges both big and small. As a Bar Association, we demonstrated a boundless capacity for risk and reinvention. But all of our hard work will not be of use if we do not restore the sense of common purpose that we so badly need right now.

That is what I want to focus on: The state of our Bar Association. Understand, no situation requires uniformity. Our country's founders argued. They

quarreled. Eventually they compromised. They expected us to do the same. But everything does require a basic sense of solidarity — the idea that for all our outward differences, we're all in this together.

But there are no quick fixes to the long-term challenges facing the Bar Association. And so we are going to have to forge a new compact with members to guarantee that they can reap the most from this new Bar Association. We can argue about how to best achieve these goals. But we cannot be complacent about the goals themselves. I ask you to join with Michael Dennin as he takes over as the 93rd President of the Camden County Bar Association and work with him to make our Bar Association even better than it is today. Mike is a gifted lawyer, an insightful leader, and someone we all know to be as honest and ethical as the day is long.

Which brings me to my final point: Our Bar Association is threatened whenever we take it for granted. All of us should be throwing ourselves into the task of rebuilding our Bar Association. All of this depends on our participation; on each of us accepting the responsibility of membership, regardless of which way our society views bar associations in general at the moment.

### 2019 Camden County Professional Lawyer of the Year Nominations

(Continued from Page 1)

**Nominations for Camden County's 2019 Professional Lawyer of the Year Award are now being accepted.**

The Professional Lawyer of the Year Awards are presented 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 in fall of 2019. Selection of the recipient is NOT based on the number of nominations an individual 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 p.m. FRIDAY, JUNE 14.**

### Annual Children's Picnic Set for June 1<sup>st</sup>

**Volunteers needed for important community event!**

(Continued from Page 1)

The Camden County Bar Foundation's annual Summer Picnic for underserved children is an annual rite of spring that provides a day of games, music, barbecue fare, treats, bounce houses and great fun in the sun for hundreds of deserving kids from Camden who are guaranteed a day of happy memories on **Saturday, June 1** from 10 a.m. – 1 p.m., RAIN or SHINE.

Members of the Public Benefits and Young Lawyers Committees will be on hand to help run the event; however, additional volunteers are always needed and welcome. To sign up to participate, or for more information, please call Bar Headquarters or 856.482.0620, or email **Kara Edens at [kee@camdencountybar.org](mailto:kee@camdencountybar.org)**.

Financial support for this important event is provided in part by Bar members who include the Foundation donation when paying their dues, and proceeds from events throughout the year such as the upcoming Installation Dinner Dance.



## FOUNDATION UPDATE

# Wine, Whiskey and WELCOME

By Louis R. Moffa, Jr.

**A**s we come to the end of another great Bar year, I wanted to recap, reflect and thank everyone. Each year, the Camden County Bar Foundation sponsors and conducts two main events for underprivileged children from Camden. First is the Holiday Party in early December where the children are treated to breakfast, a magic show, caroling with our special volunteers, and, of course, a visit with the man himself, Santa Claus.

The second main event is the Children's Picnic. It is a day of fun in the "country" for inner-city kids. Fun for all ages, there are face painters, a bounce house, balloons, burgers, dogs and Mr. Softee, not to mention music, games and dancing. Like the Holiday Party, the Foundation provides the transportation for the children and their chaperones to and from the event. This year's version will be June 1 at Challenge Grove Park in Cherry Hill. We gratefully appreciate member volunteers to help in any way possible, from grilling to cotton candy to dancing with the "stars."

As in years past, the Foundation raised funds for the Holiday Party at the Fall Frolic. We were extremely pleased with the turnout and financial support this year, and our Holiday Party was a tremendous success. We also introduced "Santa Holden" for the first of many appearances.

For the Children's Picnic (which usually costs approximately \$7,000 to stage, including all the amusements, food and music, along with a tent, furniture and transportation) we looked to our Cinco de Abril event at the Barry D. Brown Health Education Center. Thanks to our wine guy Jim Hamilton and our whiskey guy Abe Tran, we had ample wine and spirits to sip and sample. The event committee led by Michele Badolato did a great job pulling together silent auction items and baskets. We greatly appreciate everyone who paid, poured, participated, ate, drank and got merry.

Please spread the word. When you are out and about in the legal community, encourage your friends and colleagues to support the Foundation and its many events and activities. There is no better marketing than grass roots promotion. We welcome all comers and hope to see many new faces.

We are already planning for next year, and we welcome your suggestions for events, especially the Spring fundraiser.

Finally, do not miss the Installation Dinner Dance on June 7 at the Adventure Aquarium in Camden. It will be a great time to acknowledge Michael J. Dennin as our next President of the Camden County Bar Association, and to introduce Steve (aka Santa) Holden as President of the Foundation for 2019-20. Hope to see you there!



## LEGAL BRIEFS

Archer is pleased to announce that **Marie E. Lihotz, P.J.A.D. (Ret.)** will receive the 2019 Serpentelli Award presented by the Family Law Section of the New Jersey State Bar Association (NJSBA). The Serpentelli Award is given to an individual in recognition of lifelong and extraordinary contributions to the development of family law in the state of New Jersey. The award presentation will take place during the NJSBA Annual Meeting in Atlantic City on May 17th, prior to the Family Law Section Bench-Bar Meeting. Judge Lihotz joined Archer as Of Counsel after serving twenty years in the New Jersey Superior Court, including more than eleven years in the Appellate Division. Judge Lihotz concentrates her practice in resolving legal disputes through mediation and arbitration, including family, business, estate and employment matters. She is a member of AAA's Roster of Commercial and Employment Arbitrators. She also consults on trial and appellate presentations. During her twenty-year judicial career, Judge Lihotz served as Presiding Judge of the Family Part, Burlington Vicinage and was assigned to the Superior Court Appellate Division on August 1, 2006. As one of the Appellate Division's senior judges, Judge Lihotz served as a Presiding Judge, Part B, until her retirement from the bench on September 1, 2017.

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 [kee@camdencountybar.org](mailto:kee@camdencountybar.org).

## Seminars

The Camden County Bar Association recently sponsored a seminar on April 4, 2019 entitled **"Handling The Premises Liability Case: Trips, Slips and Falls"**.

The seminar featured Moderators/Speakers Diane Tungol Magram, Esq., Pringle Quinn Anzano, P.C. and Tommie Ann Gibney, Esq., Andres & Berger, P.C., as well as speakers Michael J. Dennin, Esq., Law Office of Vincent J. Ciecka; Richard A. DeMichele, Jr., Esq., DeMichele & DeMichele, P.C. and Scott Moore, Forensic Expert, Moore Engineering Services.



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## PERSONAL INJURY LAW

# A Ten-Step Analysis to Minimize the Impact of a Personal Injury Settlement on a Plaintiff Receiving Public Benefits

By Thomas D. Begley, Jr., Esquire, CELA

Many public benefits are means-tested and the receipt of a personal injury settlement will frequently disqualify the plaintiff from continuing to receive those public benefits. There are many public benefits, but the most common ones are SSI, Medicaid, SSDI, Medicare, Section 8 Housing, SNAP (Food Stamps), and Veterans Aid and Attendance. SSI is an income payable to the recipient. For 2019, the maximum amount is \$771 from the federal government, and a state supplement of \$31.25. Medicaid provides medical services. Basic Medicaid includes basic services such as doctors and hospitals. Medicaid Waiver Programs include home care, assisted living, and nursing home care. There are other Medicaid Waiver Programs, such as the TBI Program, which provide extensive additional benefits. SSDI is a monthly income. The amount varies depending on the amount that the Plaintiff has paid into the system. Medicare provides basic medical services such as doctors and hospitals, but has deductibles, copayments, and maximums per spell of illness. Section 8 Housing is subsidized housing. SNAP is a food voucher program, and Aid and Attendance provides assistance to Veterans with disabilities who require home care, assisted living or nursing home care. SSI, Medicaid and most Medicaid Waiver Programs have a maximum resource limit of \$2,000. SSDI, Medicare and Section 8 Housing, at this point, do not have resource limits. SNAP has a resource limit of \$2,000, and Veterans Aid and Attendance has a resource limit of \$126,420. So, receipt of a personal injury settlement would impact those programs that have a resource limit.

In addition, many of these programs have income limits. SSI, Medicaid and Section 8 Housing, SNAP, and Veterans Aid and Attendance have income limits. SSDI and Medicare do not.

SSI, Medicaid, Section 8 Housing, SNAP and Veterans Aid and Attendance have transfer of asset penalties. SSDI and Medicare do not. The lookback for transfers of assets varies from program to program.

Special Needs Trusts are almost always required when the plaintiff is receiving SSI and Medicaid, unless the settlement is large enough to warrant the plaintiff giving up these benefits. A Special Needs Trust is not necessary for SSDI and Medicare. It is not recognized by the Veterans Administration for Veterans Aid and Attendance. A Special Needs Trust can sometimes be useful in connection with Section 8 Housing and SNAP, but this needs to be analyzed on a case-by-case basis.

There are a number of steps that should be taken to determine the best course of action when a plaintiff receiving public benefits is going to receive a personal injury settlement.

**Step 1:** Determine what benefits the plaintiff is receiving. Plaintiffs frequently confuse SSI and SSDI, as well as Medicaid and Medicare. Good practice dictates that copies of the medical cards be obtained.

**Step 2:** Determine whether the plaintiff is disabled. Good practice dictates that copies of Disability Determination Letter from the Social Security Administration or the Veterans Administration be obtained. A plaintiff cannot benefit from a Self-Settled Special Needs Trust, unless the plaintiff has a disability.

**Step 3:** Determine whether the plaintiff is under age 65. A plaintiff cannot qualify for SSI, Medicaid, SSDI or Medicare under age 65 without a disability determination from the Social Security Administration. A plaintiff cannot benefit from a Self-Settled Special Needs Trust or a Pooled Trust in New Jersey, unless he or she is under age 65. If there is any question, obtain a copy of the plaintiff's birth certificate.



**Step 4:** If it is determined that the plaintiff is receiving SSDI and Medicare, or will be eligible to receive Medicare within 30 months, then the plaintiff may receive the personal injury settlement and there will be no impact on SSDI and Medicare, but CMS may require a Medicare Set-Aside Arrangement.

**Step 5:** Determine whether it makes sense to give up Section 8 Housing. If the settlement is large enough, this benefit will no longer be of much value. If the settlement is more modest, consider transferring the personal injury settlement. There is a two year lookback for Section 8 Housing.

**Step 6:** Determine whether it makes sense to give up SNAP. If the settlement is large enough, this benefit will no longer be needed. If the settlement is more modest, consider transferring the personal injury settlement. There is a three month lookback for SNAP.

**Step 7:** If the settlement is very large, consider giving up SSI (approximately \$800 per month between the federal benefit and the state supplement).

**Step 8:** If the settlement is very large, consider giving up Medicaid. The New Jersey Medicaid agency has become very difficult with Special Needs Trust distributions in the last year. By giving up Medicaid, this oversight can be eliminated. Private medical insurance can be obtained in the open market or through Obamacare. It should be noted that private medical insurance generally does not cover home care.

(Continued on Page 6)

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## A Ten-Step Analysis to Minimize the Impact of a Personal Injury Settlement on a Plaintiff Receiving Public Benefits

(Continued from Page 5)

**Step 9:** Consider the following strategies that might be useful based on the size of the settlement. These strategies and the size the settlement will vary from plaintiff to plaintiff.

Size of Settlement	Strategy
\$100,000 or less	Spend down Retain benefits
\$100,000 to \$200,000	Pooled Trust The plaintiff must be disabled and under age 65.
\$200,000 to \$500,000	Individual Special Needs Trust The plaintiff must be disabled, under age 65, and any Structured Settlement must be payable directly to the Trust.
\$500,000 and up	Individual Special Needs Trust The plaintiff must be disabled, under age 65, and any Structured Settlement must be payable directly to the Trust.
Plaintiff not disabled	Structure with payment deferred. This really only preserves Section 8 Housing and SNAP, and then only until the Structure payments begin.

**Step 10:** Consider a Settlement Protection Trust with Special Need Provisions when the beneficiary is under 18 and will be eligible for SSI and Medicaid at age 18. Also consider Trusts or Structures for minors and Trusts for incapacitated persons.

*Begley Law Group, P.C. has served the Southern New Jersey and Philadelphia area as a life-planning firm for over 85 years. Our attorneys have expertise in the areas of Personal Injury Settlement Consulting, Special Needs Planning, Medicaid Planning, Estate Planning, Estate & Trust Administration, Guardianship, and Estate & Trust Litigation. Contact us today to begin the conversation.*

**Need Meeting Space?**  
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This year's annual Installation of Officers & Trustees will take place on **Friday, June 7** at the beautiful **Adventure Aquarium in Camden, NJ**. Celebrating 138 years of service to the profession and community, the event features magnificent views, delicious food and live music! Show your support as **Michael J. Dennin** is installed as the **Association's 93rd President**, along with the other Officers and Trustees of both the Association and Foundation.

Pay tribute to Mike and the incoming Officers and Trustees and thank them for the time and effort they give to both organizations by placing an ad in the 2019 commemorative program book. Proceeds from the Dinner Dance and program book support the Bar Foundation's many community service programs and projects that improve the quality of

## VERDICTS OF THE COURT

Superior Court of New Jersey

March 2019

VERDICT: Case Type: Judge: Plaintiff's Atty: Defendant's Atty: L-206-17	No Cause (3/6/19) Auto Negligence Anthony M. Pugliese, J.S.C. William Nieves, Esq. Emma K. Bradley, Esq. Jury	VERDICT: Case Type: Judge: Plaintiff's Atty: Defendant's Atty: L-2095-17	No Cause (3/21/19) Whistleblower Thomas T. Booth, Jr. J.S.C. Gregg L. Zeff, Esq. Daniel E. Rybeck, Esq. and Georgios Farmakis, Esq. Jury
VERDICT: Case Type: Judge: Plaintiff's Atty: Defendant's Atty: L-2933-14	Damages Verdict: Defendant \$496,010 (3/12/19) Condemnation Sherri Schweitzer, J.S.C. Rebecca J. Karol, Esq. Nonee Lee Wagner, Esq. Drew Kapur, Esq. Jury	VERDICT: Case Type: Judge: Plaintiff's Atty: Defendant's Atty: L-3178-16	Damages \$17,000 (3/21/19) Auto Negligence Donald J. Stein, J.S.C. Craig Altman, Esq. Joseph Bernhardt, Esq. Jury
VERDICT: Case Type: Judge: Plaintiff's Atty: Defendant's Atty: L-308-17	No Cause (3/13/19) Auto Negligence Donald Stein, J.S.C. Gary Piserchia, Esq. Danielle Smith, Esq. Jury	VERDICT: Case Type: Judge: Plaintiff's Atty: Defendant's Atty: L-1401-17	No Cause (3/21/19) Auto Negligence Anthony M. Pugliese, J.S.C. Michael J. Weiss, Esq. Steven Antinoff, Esq. Jury
VERDICT: Case Type: Judge: Plaintiff's Atty: Defendant's Atty: L-2311-16	Damages Verdict \$300,500 (3/14/19) Auto Negligence Anthony M. Pugliese, J.S.C. David Cuneo, Esq. Karen Maschke, Esq. and Johnathan Dwyer, Esq. Jury	VERDICT: Case Type: Judge: Plaintiff's Atty: Defendant's Atty: L-970-17	Damages \$54,624.18 (3/25/19) Contract Michael J. Kassel, J.S.C. Thomas B. O'Connell, Esq. Louis P. Sampoli, Esq. Bench
VERDICT: Case Type: Judge: Plaintiff's Atty: Defendant's Atty: L-2266-16	No Cause (3/20/19) Personal Injury Michael J. Kassel, J.S.C. Marc S. Rosenberg, Esq. Gerald X. Smith, Esq. and Guy Mercogliano, Esq. Jury	VERDICT: Case Type: Judge: Plaintiff's Atty: Defendant's Atty: L-1555-16	No Cause (3/27/19) Auto Negligence Daniel A. Bernardin, J.S.C. Daniel Zonies, Esq. Thomas Mrphy, Esq. Jury
VERDICT: Case Type: Judge: Plaintiff's Atty: Defendant's Atty: L-632-16	No Cause (3/20/19) Auto Negligence Sherri Schweitzer, J.S.C. Kimberly Hoehing, Esq. Christopher Marcucci, Esq. Jury	VERDICT: Case Type: Judge: Plaintiff's Atty: Defendant's Atty: L-1139-17	No Cause (3/28/19) Auto Negligence Anthony M. Pugliese, J.S.C. Michael J. Sosa, Esq. and George B. Coddling, II, Esq. Zachary P. Hicks, Esq. and Barbara J. Davis, Esq. Jury

## Advertise in the 2019 Dinner Dance Program Book

Support the Bar Foundation's Community Service Projects

life for local residents, such as parties and picnics for disadvantaged kids, scholarship awards for deserving high school and law school students and scholarships for disabled students attending the Larc School.

Use the program book reservation flier in this month's issue to reserve a display ad for your firm or place your own personal display ad. Ads must be received by Bar Headquarters no later than Friday, May 24th to be included. Sponsorship opportunities are also available to show your support for the Association and Foundation. Contact Bar Headquarters to discuss sponsorship opportunities and look for your invitation in the mail. **See you there!**





# Cinco De Abril Raises Nearly \$4,000 for Foundation's Community Service Projects!



One of our guest pourers for the evening - Dawnn Briddell

Over 80 members of the Bench and Bar came out for a fun, masked evening of wine, beer, whiskey and fantastic prizes at the Foundation's Cinco de Abril spring fundraiser on April 5 at the Barry Brown Health Education Center in Voorhees. Attendees enthusiastically bid on the many baskets generously donated by our friends and colleagues, while sipping the fantastic varieties of wines, beers and whiskeys generously supplied by Joe Huber of Martin's Liquors and our friends at Andres & Berger. The money raised from this important fundraiser go directly toward the Foundation's spring community projects such as the upcoming Children's Picnic on June 1, at which some 200 underprivileged children will be treated to a picnic in the park, complete with music, games, bounce-houses, ice cream treats, face painting and more! We extend a heartfelt thanks to all those who supported this event by donating items to the silent auction, pouring wine, volunteering their time, and attending.

**We couldn't do it without your support!**



Jim Hamilton gets the wine ready for the guests!



(l to r) CCBF President Louis Moffa, Abe Tran and Judge Stephen Holden



(l to r) Chris Fowler, Jim Badolato, CCBA President Ronald Lieberman and Michelle Badolato



(l to r) Jim Herman, Maisie Chin Smith and Carly Ferro



(l to r) Tina Tate, Bob Tate and Brenda Lee Eutsler



CCBF President Louis Moffa and Donna Moffa



David Hasner and Brenda Lee Eutsler



(l to r) Brian Herman, Beth Becker and Craig David Becker



Mike Dennin and Rachael Brekke

## THANK YOU!

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James Badolato  
Bauhaus Hair Design Studio  
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Cherry Hill Health & Racquet Club

Craig David Becker, Attorney at Law  
Dawnn Briddell  
Cooper Levenson  
Brenda Lee Eutsler  
Jennifer Fowler  
Garden State Discovery Museum  
James Hamilton, Jr.  
Brian Herman  
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## DATA PRIVACY AND CYBERSECURITY

# Lawyers, Data Privacy, Cybersecurity and the Ethics Rules

By: Robert T. Egan, Esquire and Anthony M. Fassano, Esquire  
Archer Law

## Editor's Note:

This is the first in a series of articles by members of Archer & Greiner's **Data Privacy and Cybersecurity Practice Group** which will discuss various aspects of data privacy and cybersecurity law of interest to all lawyers, both for their own business management and to provide basic advice to their clients. This article focuses upon a lawyer's ethical obligations as applied to technologies commonly used in today's legal practice.

\*\*\*

The ever-increasing dependence on technology in the legal profession brings with it an enhanced risk of cyberattack and the theft of confidential information of all types—whether belonging to clients, adversaries, or law firms themselves. Not surprisingly, traditional ethics principles have now been applied in the cyber age, imposing ethical duties upon attorneys in addition to the duties imposed by the patchwork of cyber-focused statutes, regulations, and case law applicable to business of all types.

Examples of hackers stealing customer information from big companies are legion and frequently publicized in all types of media. But law firms are also common targets of cyber criminals. Lawyers are data aggregators—they collect sensitive, privileged, and personal information from a wide variety of sources, as well as create and maintain data and information on their own practices, employees and business.

Consequently, the legal profession is one industry on which the law imposes special rules and duties to protect against the unauthorized access to private information and to respond whenever that information is accessed. The ABA Model Rules of Professional Conduct ("RPC") contain several applicable provisions, and its Standing Committee on Ethics and Professional Responsibility has issued two important formal opinions on the topic.

## Technological Competence and Confidentiality

Lawyers must provide competent representation<sup>1</sup>. Competence requires you to keep abreast of the benefits and risks of relevant technology<sup>2</sup>. This does not mean that you have to become an expert in computer technology. However, it does mean that, if you lack those skills, you must remedy the deficiency through education or by associating with lawyers or experts who are competent.

In addition, law firm partners and supervising lawyers are responsible for the RPC compliance of the lawyers and nonlawyers over whom they have supervisory authority<sup>3</sup>. This duty extends to outside vendors retained to work on discrete projects<sup>4</sup>. In short, you must ensure not only your own competence, but also the competence of those working under you, lawyers and nonlawyers alike.

Cyber competence is important because law firms, with their propensity to store confidential client information, also make for enticing targets. The risk that a cybercriminal will target a law firm implicates another duty: confidentiality<sup>5</sup>. This duty requires, among other things, that you take reasonable steps to protect your clients' confidential information.

So what happens if you are hacked and the cybercriminals steal confidential client information? Does this mean that you have run afoul of the RPC? Not necessarily. The inadvertent or unauthorized disclosure of client information does not in itself amount to a violation. Remember, cybercriminals have hacked some of the most sophisticated companies in the world. Instead, the inquiry turns on the reasonableness of your efforts to prevent the inadvertent or unauthorized disclosure<sup>6</sup>. Competence, either through individual knowledge or association with others, could go a long way in determining the reasonableness of your conduct.

## The Obligation to Prevent Cyber Incidents

Lawyers are no doubt familiar with the term "reasonable," which permeates various legal concepts, and know that the word resists rigid definition. For cybersecurity, however, ABA offers some factors to consider when gauging the reasonableness of your efforts. These factors include the sensitivity of the information, the cost and the degree of protection of additional safeguards, and the likelihood that additional safeguards will hinder the ability to represent clients<sup>7</sup>.

The touchstone here is reasonableness. It would behoove you to frequently revisit the ABA's factors to ensure that additional safeguards are unnecessary. While these factors defy a hard-and-fast rule, there are a couple of general guidelines. For instance, client information that has low sensitivity may be protected with standard security measures, requiring no additional safeguards<sup>8</sup>.

On the other hand, when the subject of the communication with a client touches upon

sensitive information, such as trade secrets, you should consider strong safeguards, such as encryption. When you suspect at the outset that the representation may require you to handle sensitive client information, consult with the client to make arrangements for the steps you will take to protect the data, perhaps even incorporating this information into the retention agreement<sup>9</sup>.

Besides taking steps based upon the unique characteristics of a specific client, there are other generally applicable things you can do. The key here is to be proactive, rather than reactive. One important step is to employ or retain technology professionals with specific experience in data security to assure that you are keeping up with state-of-the-art technologies, as well as sound business practices and policies. Trusting an IT firm without that experience to keep you secure is not a good idea. Another proactive step is to develop an "incident response plan," which is a set of procedures and instructions to systematically respond to a cyberattack<sup>10</sup>.

(Continued on Page 9)

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## Lawyers, Data Privacy, Cybersecurity and the Ethics Rules

(Continued from Page 8)

### The Obligation to Respond to Cyber Incidents

Despite lawyers' best efforts, cyberattacks will still occur. As former FBI Director Robert Mueller once said, "there are only two types of companies: those that have been hacked and those that will be." Law firms are not exempt from this maxim.

So you get hacked, or think you've been hacked. Now what?

First, whatever you do, do not ignore it! Lawyers (or the experts with whom we should associate) should promptly take those steps necessary to stop the breach and mitigate damages. Among other things, it is essential to determine if the bad guys still have access to your computers and data. Having an incident response plan already in place could go a long way here. Also, notify your carrier if you have cyber insurance coverage, whether as part of a general liability policy or a cyber-specific policy (which you should obtain through a broker experienced in cyber insurance). After you stop the breach, make reasonable efforts to restore computer operations to allow you to meet clients' need<sup>11</sup>.

After these initial steps, conduct a post-breach investigation and take steps to determine what occurred (e.g., what files were accessed, what was lost, etc.). This step is essential for communicating accurate information about the breach to clients. It may also provide information about vulnerabilities and allow for greater protection in the future<sup>12</sup>.

Next, inform your current clients affected by the breach. This communication must include, at a minimum, the fact of the breach, the known extent to which the client's information was affected, and your efforts in determining the extent of the breach. In addition, tell the clients about your plan to respond to the breach, including efforts to recover the information lost and increase future security. Finally, keep clients apprised of developments in the post-incident investigation<sup>13</sup>.

The ABA does not recognize the same duties for former clients. However, the ABA does recommend that you reach agreements with clients before the termination of the representation regarding how you will handle the client's electronic information after the representation ends<sup>14</sup>.

Finally, statutes, regulations, and case law other than the ethics rules and opinions also impose obligations to prevent and report cyberattacks on organizations in general. These laws may apply to lawyers depending upon the circumstances, including the nature of the information accessed or stolen. We will tackle these issues in the articles that will appear in this space in the coming months.

For more information, or if you have any questions regarding cybersecurity matters in general, please contact **Archer's Privacy and Cybersecurity Group** members **Robert T. Egan** at **856-354-3079** or **regan@archerlaw.com** or **Anthony M. Fassano** at **856-616-2618** or **afassano@archerlaw.com**

**DISCLAIMER:** This client advisory is for general information purposes only. It does not constitute legal or tax advice, and may not be used and relied upon as a substitute for legal or tax advice regarding a specific issue or problem. Advice should be obtained from a qualified attorney or tax practitioner licensed to practice in the jurisdiction where that advice is sought.

<sup>1</sup>RPC 1.1.

<sup>2</sup>RPC 1.1, Comment 8.

<sup>3</sup>RPC 5.1.

<sup>4</sup>RPC 5.3, Comment 3.

<sup>5</sup>RPC 1.6.

<sup>6</sup>RPC 1.6, Comment 18.

<sup>7</sup>ABA Formal Opinion 477R:

Securing Communications of Protected Client Information.

<sup>8</sup>Id.

<sup>9</sup>Id.

<sup>10</sup>ABA Formal Opinion 483:

Lawyers' Obligations After an Electronic Data Breach or Attack.

<sup>11</sup>Id.

<sup>12</sup>Id.

<sup>13</sup>Id.

<sup>14</sup>Id.

## YOUNG LAWYERS COMMITTEE 5<sup>TH</sup> ANNUAL CHILI COOK-OFF RAISES RECORD \$4,000 FOR VETERAN'S HAVEN!

The Young Lawyers Committee hosted the 5th annual Chili Cook-Off for a Cause on March 2, 2019 at American Legion Post 371. 60 people attended this fantastic event, and a record 13 different chilis and various cornbread, side items and desserts were entered into the competition. In the end, Braheme Days won first place for both chili and cornbread, with Abe Tran taking home the bragging rights for his first place dessert. Special thanks to our terrific sponsors Law Office of Vincent Ciecka; DeMichele & DeMichele; McDowell Law; Locks Law Firm; Stradley Ronan and Brian Herman & Tom Hagner. The event was a huge success!



# YOUNG LAWYER HAPPENINGS

## YOUNG LAWYER CHAIR

### Tips for Building your Law Practice as a Young Lawyer

By Neel Bhuta

**T**he Camden County Bar Association is unique among the larger county bar associations in the State because so much of our membership is comprised of lawyers from small and medium-sized firms. We are not dominated by lawyers from large firms from Philadelphia or Newark or New York. That provides a great opportunity for young lawyers to use the association and the skills learned here to build their own special practice and career. Below are some tips that I have found useful in this process.

#### 1. Be good at your job and tell people about it.

We live on referrals. And word of mouth is still the best and most trusted form of advertising in our business. Therefore, it's important to treat every client and professional interaction you have with an eye toward the future. Just this week, I was contacted by an expert that had been hired by my adversary in a recent jury trial. I lost that jury trial. But the adversarial expert had been impressed with my representation of my client. So when a potential case came around that fit in my wheelhouse, that expert thought of me and sent the client my way. As long as you continue doing good work, openly, you will be recognized for it. Because of that, make sure your clients and your adversaries know all that you do—then you will be on their mind the next time that something comes up.

#### 2. Always seek to make connections.

Don't limit this to just networking events through the bar association (although we have great events—come check out Cocktails and Conversation with the Bench and the Bar at Il Villagio on May 22nd!). Look into your town's local chamber of commerce. Local businesses often prefer local lawyers to get the personalized attention that they might not be receiving elsewhere. Try the Young Professionals Association in your area. Their events provide you a great opportunity to meet people who can serve your clients in all the necessary ways that you do not have the capability to do. Finally, reach out to local charities that spark your interest. This will give you a chance to do some good in your area in addition to meeting people outside of your known legal community. Remember, building a successful law practice is inextricably connected to becoming a good member of your neighborhood.

#### 3. Develop your personal/professional identity.

There are a lot of good lawyers out there. It can be hard to know who to choose for a particular problem, especially for clients who are not aware of the granular distinctions between different practice areas. It can be a good idea, then, to make sure that there is at least one thing that people know that you do and do well. I am not suggesting that you place yourself in a box. But it is valuable to have a specialty, especially when you are starting out and trying to build your name in the area. If you start developing a reputation as a go-to in one area, then people will start going to you for other problems as well.

#### 4. Keep learning.

Find the gaps in the market. These gaps can be services that are not being offered in the local community. These gaps can be certain needs of your clients that are not being met or not being met well by other providers. The most important thing that we can do for our business is be of use to our clients. Sometimes, being useful requires learning how to do something new. That "new" thing could be a whole new practice area that allows you to expand and grow and broaden your horizons. Be open to that. It's an opportunity.

#### 5. Have a business plan.

A law practice is a business like any other. Even the most skilled lawyers need to know their numbers. Plan out what you need and ask the right questions. Is your target market and practice area big enough to allow you to grow and succeed? What kind of income is necessary for your other goals in life? How many hours do you need to bill (and at what rate) to cover your expenses and make a profit? Have your engaged with the other professionals—accountants, administrators, etc.—that you need to run your business properly?

Begin by imagining what you want your future to be, what success would look like for you. Then think about the steps that you would need to take to get from where you are right now to where you will be in that imagined future. Think about the other people that will be necessary and helpful in getting you to your goals—you will not get there alone. A clear vision will allow you to evaluate every new decision you make as you ask yourself a simple question each time: is this one thing going to help me get to where I want to go?

**Start building!**

## Working Together...CCBA Lawyer Referral Service and Lawyers

### Open Enrollment Begins for 2019-2020 Lawyer Referral Service Panel

Enrollment is now open for the Association's Lawyer Referral Service (LRS) for the 2019-20 Bar year. Panel membership is open to any lawyer who meets the necessary qualifications. The new LRS Panel will begin on June 1 and will continue through May 31, 2020. **Members serving on the current panel must re-enroll for the new LRS year.**

Each year, the LRS makes more than 3,000 referrals for callers with legal problems who are able to afford a private attorney; many of them fee generating cases. You can be a part of this important program that helps expand your client base through pre-screened referrals while providing a terrific community service for individuals requiring legal services.

The annual registration fee remains only \$75 for those admitted to the New Jersey Bar for up to five years or \$150 for those admitted six years or more. Please note that all LRS panel members are required to remit back to the Association 10% of fees collected in excess of \$500 for all matters referred by the LRS. The fee applies to any referral received from the LRS and is payable when the participating attorney receives payment for services rendered.

A completed application, together with the appropriate enrollment fee and required original certificate of malpractice insurance coverage, must be returned to the Bar Association before any referrals can be made.

Applications may be downloaded from the Association's website at [www.camdencountybar.org](http://www.camdencountybar.org) or by calling Roseanne Riley at Bar Headquarters at 856.482.0620.

Questions about the LRS? Contact Roseanne by phone or via e-mail at [riry@camdencountybar.org](mailto:riry@camdencountybar.org).





## A Devine Evening



It was a packed house as the Camden County Bar Association presented the Hon. Peter J. Devine Award to Hon. Joel B. Rosen, USMJ (Ret.) and Thomas J. Hagner, Esq. on April 9 at the lovely Caffè Aldo Lamberti in Cherry Hill. Over 130 friends, family members and colleagues came out to congratulate and celebrate with our two deserving award recipients on the occasion of them accepting the Association's highest honor for service to the profession and community. Both Judge Rosen and Mr. Hagner addressed the attendees with their usual light touch and expressed their genuine gratitude for being named this year's Devine Award recipients. As the pictures show, a wonderful time was had by all.

**Once again, congratulations to Joel and Tom!**



Award Recipients Thomas Hagner (center left) and Hon. Joel Rosen (center right) pose with CCBF President Louis Moffa (far left) and CCBA President Ronald Lieberman (far right)



(l to r) Amir Goodarzi-Panah, Abe Tran, Tom Hagner and YooNieh Ahn



(l to r) CCBA President Ronald Lieberman, CCBF President Louis Moffa and James Carl



(l to r) Brian Herman, Mike Ward, Margaret Ward and Thomas Hagner



(l to r) John Zohlman, Deirdre Hartman, Bonnie Greiner, YooNieh Ahn and Stephen DeNittis



(l to r) Joseph McCormick, Judge John Fratto and Judge Steven Polansky



(l to r) Rhasheda Douglas, Judge Stephen Orloffsky and Fabiana Pierre



(l to r) Judge John Tomasello and Ronald Graziano



(l to r) Rachael Brekke, Michelle Badolato and Jeanette Kwon



Judge Joseph Rodriguez and Barbara Rodriguez



(l to r) Judge Francis Orlando, Karen Berger, Judge Joel Rosen, Michael Berger, Judge Stephen Holden and Judge Louis Meloni



Judge Michele Fox and Judge Frederick Schuck



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## Cocktails & Conversation

Popular Bench/Bar Cocktail Party Returns May 22nd



### MEMBERS ONLY

Join members of the Bench and Bar for the annual Cocktails & Conversation Bench/Bar Cocktail Party on **May 22** at the lovely **Il Villaggio in Cherry Hill**. Enjoy delicious Italian fare and two-hour open bar while mingling with judges from the Superior Court, U.S. District Court, Bankruptcy Court and Workers' Compensation Court.

This exclusive members-only event will feature the presentation of three official judicial portraits to esteemed jurists **Hon. Angelo J. DiCamillo, J.S.C. (Ret.)**; **Hon. John T. Kelley, J.S.C. (Ret.)** and **Hon. George S. Leone, J.S.C. (Ret.)**. The Camden County Bar Foundation will also present the 2019 law student scholarships.

Cocktails & Conversation is the last opportunity to mix and mingle with colleagues and jurists in a relaxed, cheerful atmosphere until the Meet the Judges & Law Clerks Reception in September.

Use the flier included in this issue or go to our website **[www.camdencountybar.org](http://www.camdencountybar.org)** to register for what promises to be a fantastic evening. **This is a members-only event and we encourage early registration for what will likely be a sold-out event.**

Join us  
for a  
**Summer  
Networking  
party!**

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THE REST OF US**

|||

**Wednesday,  
July 10th**

It's hot — it's muggy — it's a typical New 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 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 slated for December 7th, 2019.



## First NJSBA Meet & Greet A Big Success!

Approximately 60 members of the Camden County Bar Association (CCBA) and Gloucester County Bar Association (GCBA) attended the first joint New Jersey State Bar Association (NJSBA) Meet & Greet event on March 20 at Woodcrest Country Club in Cherry Hill, NJ. NJSBA leadership including President-elect Evelyn Padin, Executive Director Angela Scheck, Secretary Timothy McGrougahan and Immediate Past President Robert Hille, attended the event to mix and mingle with members of the CCBA and GCBA. President-elect Evelyn Padin briefly addressed the attendees about matters of mutual importance and thanked everyone for their interest in their state and county bar associations.



(l to r) CCBA President Ronald Lieberman, Richard Rotz and Robert Adinolfi



(l to r) Gary Boguski, Michael Madden, Gregory DeMichele and Michael Dennin



(l to r) Julie Burick, GCBA Executive Director Lynn Silverstein and Judge Anne McDonnell



(l to r) Michael Dennin, NJSBA President-elect Evelyn Padin and Eric Fikry



(l to r) NJSBA President-elect Evelyn Padin, NJSBA Executive Director Angela Scheck, Judge Linda Eynon and CCBA President Ronald Lieberman



(l to r) Roger Lai, Marian Kelly, William Popjoy III and John DeSimone



John Palitto and Susan Purvin



Melissa Baxter and Louis DeVoto

# WINE & FOOD

By Jim Hamilton

While there was room for more guests, I think those who were able to attend the wine, beer and bourbon tasting on April 1<sup>st</sup> were treated to an enjoyable evening with an opportunity to test their palates on the wide-ranging offerings. I want to thank Joe Huber of Martin's Liquors for recruiting the wine distributors and to those sales representatives for donating wine and beer and for sacrificing an evening away from home to share them with us. I know many tasters were taken by the array of wines poured by Kevin Coffey, representing Popova Kula Winery, and by the opportunity to experience wines made from uncommon grape varieties, some of which are indigenous to the Republic of Macedonia where the winery was established by its founder, Jordan Trajkov. Kevin's enthusiasm for the winery and the potential it is realizing was evident to all who visited his table. Abe Tran (who proudly wore his plague doctor mask) and Andres & Berger are to be applauded for treating everyone to a great bourbon tasting, which seemed to be particularly appropriate given the cold, damp weather. Most importantly, your Bar Foundation is grateful for the efforts of everyone who supported an event to raise funds to help underwrite the cost of this year's Foundation children's picnic.

Now, let's look ahead to some wines you may want to seek out to enjoy at home or at your favorite BYOB restaurant. I was privileged to attend the 20th anniversary portfolio tasting of Polaner Selections in New York City where I searched for value-priced wines we could talk about in this column. Some of those I tried may be new to these pages (if digital publications can have them) while others may be familiar because of the consistently good value they represent. Let us explore...

You may recall from past issues the virtue and value of Bohigas Cava (Cava is a Spanish sparkling wine), and it continues to represent a quality alternative to more expensive bubbly options. However, the winery's still (i.e. non-sparkling) wine made from one of the three primary cava grapes deserves mention. **2017 Bohigas Xarel-lo** (the grape is pronounced *cha-REL-o*) delivers floral qualities in a surprisingly rich yet still crisp, medium weight body, showing fruit leaning toward shy citrus and ripe green apples.

Staying in Spain, another grape off most people's radar is Bobal, a variety that seems to thrive in the Utiel-Requena region near Valencia. If you want to check it off your grapes-I've-tried list, **2015 Temperamento Bobal** would be an affordable way to accomplish that. The nose of the wine is distinctive, not in a beaky, plague doctor way but rather in its peat, damp leaves rusticity. Indeed, the wine lacks any pretense of elegance, and may be off-putting to anyone accustomed to soft, fruit-driven wines. However, if you want something that can stand up to barbecue fare it really can work. The fruit profile is one of dark berries conveyed in a chewy, taut manner and framed by a tannic grip. It is not necessarily a wine to sit back and savor on its own, but rather is one to complement the right cuisine.

A wine that does suit summer sipping that was featured here in a past vintage is **2018 Niepoort Docil Branco**. I have had the pleasure of twice dining with proprietor Dirk Niepoort, once in Philadelphia and the other time at his winery in Portugal's Douro Valley. He is one of the more engaging winemakers one will encounter and he has definite insight, and opinions, he gladly will share. Originally best known for its Port wine, Niepoort has been at the forefront of popularizing table wines made not only in the Douro Valley but also other regions

of Portugal. While his expanding lineup primarily features red wines, one of the real values is this charming white wine made from the Loureiro grape. While this is a *Vinho Verde*, a category of wines that used to be uninspired but is being elevated with each passing vintage, it is not one of the prickly, light and simple versions you may have tried. There is a deft balance of precision and softness to fruit that is solid and slightly grassy, but not aggressively so, and is framed with touches of slate and fresh-cut flowers.

While demand has led to a rising tide of inexpensive sparkling wine that has lifted more than a few efforts undeserving of your dollars, there are so many quality entries available it is understandable that many people prefer to find one that works for them and simply stay with it. For those of you willing to explore, an affordable option is the **NV Per Ora Prosecco**. While Prosecco, made mostly from the Glera grape, probably was one of the biggest beneficiaries of the Great Recession as it provided an affordable alternative to more expensive sparkling wines (e.g. Champagne), it has had to vie with Spanish Cava for shelf space and consumer acceptance. However, these two categories of wine are distinctly different, and there seems to be more

(Continued on Page 15)



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## FINANCIAL FORENSICS

# Impact of the Trump Tax Act on Employment Cases and Resulting Damage Awards

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

How pleased I was when asked to co-present with Ben Folkman, Esq. at the employment law track for the New Jersey Association for Justice's Boardwalk Conference on this arena with just so many traps for the unwary (and fraught with a legal malpractice exposure). So, here's a quick rundown of what to be aware of...

For years, confusion and litigation abounded about the taxability of damages for nonphysical injuries such as gender and age discrimination or in harassment cases. Internal Revenue Code (IRC) section 61 states that all income from whatever source derived is taxable income, unless specifically excluded by another code section. The only provision which specifically addresses income exclusions for any lawsuit proceeds is IRC section 104(a)(2) which excludes from income amounts paid by suit or agreement for personal injuries or sickness. When the Small Business Job Protection Act was signed into law in 1996, years of litigation ended by stating that punitive damages – whether or not related to physical injury – are not excludable from gross income. Awards for nonphysical injuries are not excludable except for amounts paid for medical care attributable to emotional distress. Generally, if the primary injury is physical, then all resultant damages (except for punitive damages or interest) are excludable. This is the case even if the damages are measured by lost wages. However, if the primary injury is not physical, then the resultant damages are not excludable even if the action caused emotional distress, which might cause headaches, ulcers, teeth grinding, insomnia, etc.



Think about it...Sexual harassment in the workplace could be mental, physical or even both. In a sexual harassment suit, there might be no or little physical contact so the plaintiff will more than likely pay tax on their recovery. If you made a claim for emotional distress or suffering, such damages will be taxable. If you made a claim that your employment made you become physically sick, well, those damages could be tax free. How lawyers list out the order of events and how they are described can be critical for the drafting attorney. Cases have been cited where stress at work caused a heart attack which qualified it as a non-taxable physical injury while similar stressful conditions aggravated a pre-existing physical condition of Multiple Sclerosis which was determined to be tax free. Even former President Obama suggested that Post-Traumatic Stress Disorder (PTSD) may be physical. Also excluded from taxable income are recoveries to pay for medical expenses necessitated by a physical or non-physical injury. This might include psychiatry or therapy for emotional distress resulting from a wrongful discharge, medicines for resulting stress, dental bills resulting from teeth grinding, etc.

## And What About the Legal Fees?

What is the tax treatment of legal fees where the award is NOT excluded as a physical injury? Wouldn't you think that the most a plaintiff might be taxed by the IRS or their state would be on their actual recovery, net of legal fees and other costs? Typically, the lawyer's trust account receives the gross award, the attorney takes his or her fee and costs advanced, remitting to their client the net amount. Alas, in the IRS' view, 100% of the award is gross income to the plaintiff, even if paid directly to

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Prosecco that is made in a less than bone dry style that suits American taste. This wine probably exemplifies that, with a thick, creamy texture expressed within a generous mousse providing weight, but with its flinty, matchstick and minerals veins offering a nice counterbalance.

Staying in Italy, a top-notch Chianti producer has an entry level wine that with the current release seems on par with its more expensive (but still fine value) Chianti Classico. **2016 Rodano Poggialupi** blends some noticeable Merlot with the region's signature grape, Sangiovese, to yield a wine that shows abundant black and blue fruit that while fleshy is framed by an acid-formed structure to offer a pretty, easy drinking wine at a very affordable price.

Venturing into France, a winery we previously explored that deserves mention again, this time for its rosé, is **Domaine Isle Saint-Pierre**. You may recall that this is a winery located on an island in the southern reaches of the Rhone River. It crafts a value priced trio of wines - white, red and pink. We've talked about the white before (a blend of

Chardonnay, Sauvignon Blanc and Muscat) and it remains a nice buy, but this year's rosé deserves an extra point. **2018 Domaine Isle Saint-Pierre Rosé Méditerranée** is made from a blend of five grape varieties (primarily Merlot and Cabernet Franc) and offers sturdy red cherry fruit that is ripe but clean and presents a bit more body than the quintessential rosé wines from Provence without being at all clumsy.

Let's remain in France and add two more red Bordeaux buys from the exceptional 2016 vintage. **2016 Chateau Sainte-Marie Bordeaux Supérieur Vieilles Vignes** has been a consistently good performer and in this vintage again acquits itself nicely. The mostly Merlot fruit (the rest is Cabernet Sauvignon) conveys a solid chewy, plummy impression with flecks of graphite emerging with air and a grip that is firm but not overbearing. **2016 Chateau Chetelier Bordeaux Supérieur Rouge** is made from 100% Merlot and shows a bit more depth than the Sainte-Marie. The fruit is a darker black, more berry like, with a brambly underbrush quality that adds another dimension. Let's finish with a white Bordeaux, a category that often is overlooked when considering wines from this southwestern part of France, perhaps because consumers tend to focus on the classified growth estates that primarily are red wine producers. The **2018 Chateau Chetelier Bordeaux Blanc** offers further evidence of the quality being achieved at this estate. The blend is 90% Semillon (another underappreciated varietal) and 10% Sauvignon Blanc, and the wine displays the viscosity one can find in Semillon-based wines, with ripe, almost tropical fruit edged by some subtle, nutty nuances. Cheers!

## Impact of the Trump Tax Act on Employment Cases and Resulting Damage Awards

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the plaintiff's attorney by the defendant. In the 2005 Supreme Court decision, *Comm'r v. Banks*, 543 U.S. 426 (2005), the Court determined that the plaintiff is considered to receive the gross award, including any portion that goes to pay legal fees and costs. The IRS rules for Form 1099 reporting bear this out. A defendant or other payor that issues a payment to a plaintiff and a lawyer must issue two Forms 1099. The lawyer and client each should receive a Form 1099 reporting they received 100 percent of the money. Such plaintiffs (including whistleblowers) must report the gross payment as their income. How about just having the lawyer issue two separate checks (one for the attorney and the balance to the client)? Sorry, but according to the *Banks* decision and IRS Form 1099 rules, defendants need to issue a Form 1099 to the plaintiff for the full settlement, even if part of the money is paid to the plaintiff's lawyer.

### Good News for Some Employment Cases... The Above-the-Line Deduction

Right before the Supreme Court chimed in on its *Banks* decision, in 2004 Congress added an above-the-line deduction for legal fees, but only for certain types of cases. This above-the-line deduction, reducing taxable income to arrive at "Adjusted Gross Income" (AGI), applies to any claim under the federal False Claims Act; the National Labor Relations Act; the Fair Labor Standards Act; the Employee Polygraph Protection Act of 1988; and the Worker Adjustment and Retraining Notification Act; and claims under certain provisions of the Civil Rights Act of 1991; the Congressional Accountability Act of 1995; the Age Discrimination in Employment Act of 1967; the Rehabilitation Act of 1973; the Employee Retirement Income Act of 1974; the Education Amendments of 1972; the Family and Medical Leave Act of 1993; the Civil Rights Act of 1964; the Fair Housing Act; the Americans with Disabilities Act

of 1990; chapter 43 of title 38 of the United States Code; and sections 1977, 1979, and 1980 of the Revised Statutes. Basically, this above-the-line deduction applies to any claim under any provision of federal, state, or local law, whether statutory, regulatory, or common law, that provides for the enforcement of civil rights or regulates any aspect of the employment relationship. Under 26 U.S. Code § 62(a)(21), as amended by the Bipartisan Budget Act of 2018, an SEC or Commodity Futures Trading Commission (CFTC) whistleblower receiving an award from the SEC whistleblower program or CFTC whistleblower program can also claim the legal fee as an above-the-line deduction.

The Appellate Courts have generally been split on whether contingent attorney fees paid by a taxpayer are excludable from gross income. As I alluded to earlier, the IRS typically requires the amount of an award or settlement to be included in gross income. Prior to 2018, the taxpayer was then generally entitled only to a miscellaneous itemized deduction for the contingent legal fee payment, the value of which was 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 the alternative minimum tax (AMT). Contrast this to only including in income that portion of an award net of the contingent fee paid to the taxpayer's attorney.

This above-the-line deduction means you pay no tax on the attorney's fees or, put another way, be only taxed on the net award you actually receive. Under the Tax Cuts and Jobs Act of 2017, miscellaneous itemized deductions were eliminated (at least until 2026 so stay tuned). If you don't qualify for the above-the-line deduction, you are effectively paying taxes on money you paid your attorney and never saw. Ouch!

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# Impact of the Trump Tax Act on Employment Cases and Resulting Damage Awards

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## A New Twist – The Harvey Weinstein Tax Effect

Almost the End to Deductions for Sexual Harassment Settlements Subject to a Nondisclosure Agreement

It's no secret that confidentiality agreements inspired outrage after reports that Hollywood mogul Harvey Weinstein, former Fox News host Bill O'Reilly, NBC anchor Matt Lauer and a brigade of celebrities and politicians paid millions of dollars in secret settlements to women who accused them of sexual misconduct. Those settlements were subject to non-disclosure clauses that would penalize the victims if they spoke out about their experiences.

The Tax Cuts and Jobs Act (TCJA) added IRC Sec. 162(q), which disallows a deduction for (1) any settlement or payment related to sexual harassment or sexual abuse (if subject to a nondisclosure agreement) and (2) attorney's fees related to the settlement or payment. What did this mean? Well, effective January 1, 2018 sexual harassment or abuse settlements which include a confidentiality agreement that prevents a victim from publicly sharing details about the incident can't be deducted from taxable income as a business expense. The non-deductibility also applies to attorney's fees related to such a settlement or payment. Note that the provision doesn't apply to settlements that do NOT come with a confidentiality clause. While the original intent of this provision may have been to keep corporations from deducting settlements of sexual harassment and sexual abuse allegations from their taxes, the provision has far greater implications. Unfortunately, in current form, the new law is not limited to businesses. It extends to individuals who receive settlement payments, nixing their ability to deduct counsel fees. This results in double taxation and is undoubtedly the result of the rush to enact the law before Congress took its Christmas break.

## The Lord Giveth-The Lord Taketh.... For Now, It Looks Like the Lord Giveth Back

From the website of New Jersey's own Senator Robert Menendez who initially introduced the amendment to the TCJA:

*"Corporations should not be allowed to write-off workplace sexual misconduct as a normal cost of doing business when it is far from normal. That is why I was proud to offer an amendment to the GOP tax bill that would both protect victims of sexual misconduct while ending the practice of taxpayers subsidizing the bad behavior of corporations or executives. However, when the final bill was written, language was inserted that does not reflect my legislative intent, at best has led to confusion and, at worst, will inadvertently lead to sexual misconduct victims being further victimized. This is outrageous and maddening, and what inevitably can occur when members are forced to vote on haphazardly rushed legislation before even getting a chance to read it."*

In the past or at least prior to 2018, it was clear sexual harassment victims who received settlements could deduct their legal fees from the settlement so they didn't pay taxes on money they didn't receive, and their attorneys would pay taxes on the money earned from the case. Strictly interpreted, this new provision in the recent law would eliminate that deduction and those victims who now signed non-disclosure agreements would pay taxes on the entire settlement, including the amount they pay to their attorneys. That amount would then be taxed twice-once by the victim and again by their attorney. Yep, you read it right - the victim gets taxed on the entire award - even the portion they don't get to keep. Without a fix or other corrective action, employers and individuals faced with sexual abuse claims had to know of the need to structure settlements to address this issue.

Fortunately, in March, 2019, the IRS finally released a Frequently Asked Question (FAQ) clarifying that recipients of settlements or payments related to sexual harassment or sexual abuse (subject to a nondisclosure agreement) are not prevented by IRC Sec. 162(q) from deducting attorney's fees, if otherwise deductible.

As per the IRS Publication 525 -TAXABLE AND NON-TAXABLE INCOME

Question: "Does section 162(q) preclude me from deducting my attorney's fees related to the settlement of my sexual harassment claim if the settlement is subject to a nondisclosure agreement?"

Answer: "No, recipients of settlements or payments related to sexual harassment or sexual abuse, whose settlement or payment is subject to a nondisclosure agreement, are not precluded by section 162(q) from deducting attorney's fees related to the settlement or payment, if otherwise deductible. See Publication 525, Taxable and Nontaxable Income, for additional information on when all or a portion of attorney's fees may be deductible."

Whew! Kudos to the Internal Revenue Service that tried to fix what Congress didn't.

Knowing that such FAQs by the IRS don't carry the weight of law, I inquired of Steven Sandberg, Press Secretary for Senator Menendez. "While we're pleased the IRS used its authority to correct this unfortunate mistake made when Congressional Republicans clumsily rushed through the 2017 tax law, Sen. Menendez will continue to push legislation to ensure victims of workplace sexual harassment are fully protected."

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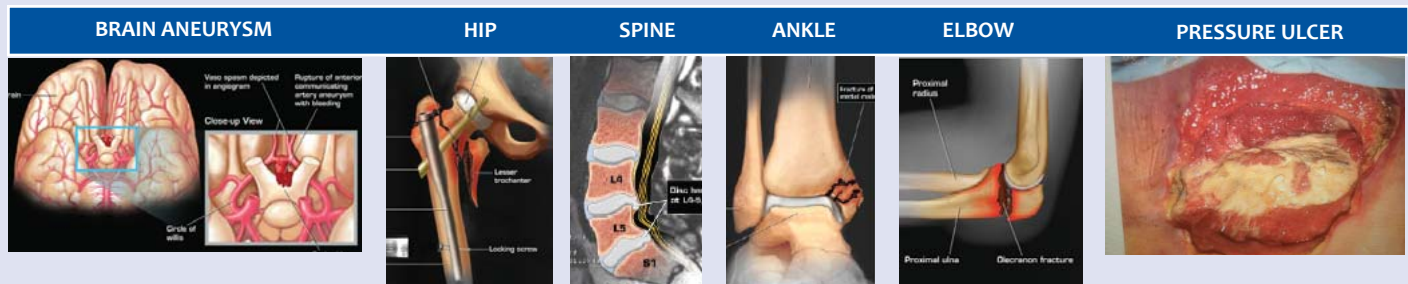


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- \$400K Nursing Home Neglect-Pressure Ulcer Developed on Cancer Patient During Rehab Admission
- \$400K Hospital and Nursing Home Neglect - Pressure Ulcers
- \$550K Nursing Home Neglect/Violations of Rights-Fractured Hip During Transfer-Pressure Ulcers
- \$850K Nursing Home Neglect/Violations of Rights-Bed Sores
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## ***THE STATE OF THE CAMDEN COUNTY PROBATE COURT***

### **WHEN**

**Wednesday, May 8, 2019  
Noon-1:30pm**

### **WHERE**

**Tavistock Country Club,  
Haddonfield**

Join us as Judge Nan S. Famular, P.J. Ch., presents the State of the Camden County Probate Court address. During this annual presentation, Judge Famular will discuss the state of probate in Camden County, and the Court's insights as to the best and worst practices in the County. The Camden County Surrogate and members of her staff will also give their insights.

### **MODERATOR**

**Anthony R. LaRatta, Esq.,** Archer Law, Haddonfield

### **SPEAKERS**

**Hon. Nan S. Famular, P.J. Ch.,**  
Camden Vicinage

**Michelle A. Gentek-Mayer, Esq.,**  
Camden Surrogate

**Ann-Christine Bak-Brevik, Esq.,**  
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# ***A Primer to Valuing a Law Practice***

## **WHEN**

**Tuesday, May 21, 2019**  
**Noon-2:15pm**

## **WHERE**

**Bar Headquarters** (1040 N Kings Hwy, Cherry Hill)

The title of this presentation speaks for itself and takes on heightened significance to the professionals who attend. Of course, this seminar is equally applicable to law firm administrators, controllers, accountants and any other consultants in the law firm space and not just lawyers. Regardless, the focus will be on the ethical and industry specific issues peculiar to garnering a law practice's value - quantifying it - managing it - enhancing it - buying it - selling it - holding on to it. A partner retiring? A partner's death or disability? An associate buying in? A merger? The seller in a sale? The buyer in a sale? All should so know.

Get it? You need to know how one goes about assessing and even enhancing value and, at the end of the day, so does everyone mentioned above involved in or with a law practice.

In this two-hour program, we will explore, on a nuts and bolts, practical level, the myths, realities, and pitfalls of assessing a legal practice in the current economic and ethical climate. We will cover what you need to know and, with a handout of solid facts and concepts, provide valuable tools for the attendee's arsenal of resources to understand and grasp this ever changing arena.

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# Cocktails & Conversation



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Reservation Form — Print Clearly — Detach and return with payment no later than **May 17, 2019**

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CCBFF'S ANNUAL

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## ETHICS UPDATE

### WHEN

**Thursday, May 30, 2019**  
**4-6:15pm**

### WHERE

**Bar Headquarters**

(1040 North Kings Highway, Suite 201, Cherry Hill)

### OVERVIEW

The seminar is intended to provide an update as to recent developments in ethics relating to subjects that are of common interest to the Bar.

### TOPICS TO BE DISCUSSED:

- Electronic information and social media with particular attention to Stengart v. Loving Agency Robertelli v. OAE, the pertinent RPCs, ethics opinions and case law;
- The interplay between ethics and malpractice: Baxt v. Liloia and related case law;
- Confidentiality: compare and contrast RPC 1.6 and the attorney/client privilege;
- The ethics of fees;
- Conflicts: RPC 1.7-1.10;
- Responsibilities of prosecutors and trial publicity.

### SPEAKERS

**Sean Dalton, Esq.,** Cooper Levenson, P.A., Cherry Hill

**Fredric L. Shenkman, Esq.,** Cooper Levenson, P.A., Atlantic City

This program is approved by the **NJ CLE Board** of the Supreme Court of New Jersey for 2.4 hours of total CLE credit. Of these, 2.4 qualifies as hours of credit for ethics/professionalism. Actual credits earned may be less if seminar is less than 180 minutes. **PA CLE Board:** Includes 2.0 hours of Substantive credits, and 2.0 hours of credit for ethics/professionalism. **The CCBA charges \$3 per PA credit.**

Need PA Credits Yes No

→ PA ID#: \_\_\_\_\_

**Please add \$6 to the registration fee for PA credits.**

**2 Ethics  
Credit**

### COST

**\$35 CCBA MEMBERS**

**\$55 NON-MEMBERS**

**\$15 PARALEGALS/LEGAL SEC**

**FREE TO LAW STUDENTS**

### PAYMENT OPTIONS

☐ Check

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**PRICE REDUCED**

**Questions? Contact Roseanne Riley @ [rry@camdencountybar.org](mailto:rry@camdencountybar.org) or 856-482-0620**





Camden County Bar Association  
*Your Home Court Advantage!*

# Residential Real Estate: Timely Issues

Credit  
Voucher  
Eligible

## WHEN

**Wednesday, June 5, 2019**  
**4-6:15pm**

## WHERE

**Bar Headquarters** (1040 North Kings Highway,  
Suite 201, Cherry Hill)

## Topics of Discussion:

- ✓ Mold: How it impacts a transaction
- ✓ Lease-purchase options
- ✓ Rights of First Refusal
- ✓ Post closing Litigation
- ✓ Removal of Liens to clear title

## MODERATOR

**Charles G. Resnick, Esq.**, Law Offices of Charles G. Resnick, Cherry Hill

## SPEAKERS

**Jeffrey R. Gans, Esq.**, Law Offices of Jeffrey R. Gans, Gibbsboro  
**Nancy Wilson, Esq.**, Pennoni Associates, Haddon Heights  
**TBD**, Surety Title, Marlton, NJ

This program is approved by the **NJ CLE Board** of the Supreme Court of New Jersey for 2.4 hours of total CLE credit. Of these, 0.0 qualifies as hours of credit for ethics/professionalism. Actual credits earned may be less if seminar is less than 120 minutes. **PA CLE Board:** Includes 2.0 hour of Substantive credits, and 0.0 hours of credit for ethics/professionalism. **The CCBA charges \$3 per PA credit. Please add \$9 to the registration fee for PA Credits.**

Need PA Credits? Yes No

→ PA ID#: \_\_\_\_\_

## COST

**\$35 CCBA MEMBERS**

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**\$15 PARALEGALS/LEGAL SEC**

**FREE TO LAW STUDENTS**

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☐ CREDIT VOUCHER

☐ [www.camdencountybar.org](http://www.camdencountybar.org)

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**Phone:**

\_\_\_\_\_

**Email:**

\_\_\_\_\_

**Credit Card#:**

\_\_\_\_\_

**Exp:** \_\_\_\_\_ **CVV:** \_\_\_\_\_

**Billing Zip Code:** \_\_\_\_\_

**Questions?** Contact **Roseanne Riley** @ [rry@camdencountybar.org](mailto:rry@camdencountybar.org) or 856-482-0620

JOIN US FOR A SUMMER NETWORKING PARTY!

# FESTIVUS FOR THE REST OF US - III

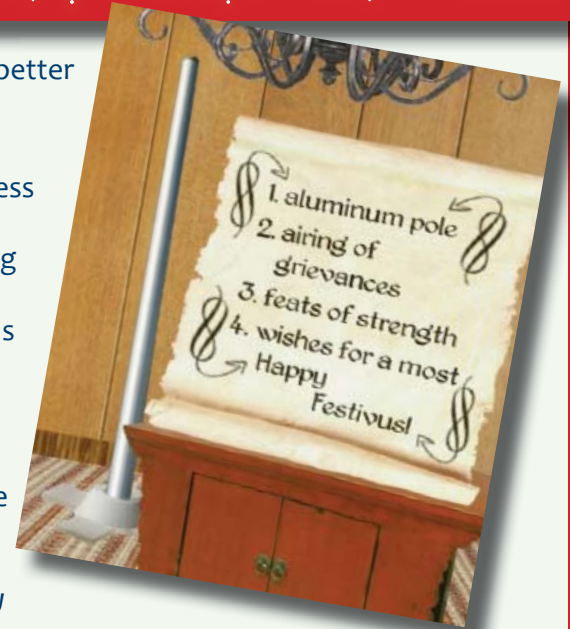
It's hot — it's muggy — it's a typical New Jersey summer! There's no better way to beat the dog days than to "think cool" — like **December cool**.



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* slated for December 7th, 2019.



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 10<sup>th</sup>  
**WHERE:** The Home of Marty & Jane Abo  
104 St. Vincent Court, Cherry Hill  
**TICKETS:** \$30 per person  
\$25 per person (*admitted 5 years or less*)

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

*Reservation form ~ Print clearly - detach and return no later than **July 3, 2019***

Name(s) \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Email \_\_\_\_\_

Credit Card # \_\_\_\_\_ Exp. Date \_\_\_\_\_ CVV \_\_\_\_\_

Signature (*credit card payment only*) \_\_\_\_\_

**PAYMENT METHOD:**

- ☐ Check enclosed  
☐ AMEX  
☐ Visa/MC

**QUESTIONS?**

Call us: 856.482.0620

Fax registration: 856.482.0637

**CHECKS PAYABLE/RETURN TO:**

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





The Public Benefits & Young Lawyers Committees present

# The "First Tee" Golf Outing 2019

Monday • July 22nd

Merchantville Country Club

501 Chapel Ave • Cherry Hill

Registration Deadline — July 15th



## 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 regulations.

**Thank you for your support!**



## PROGRAM BOOK RESERVATION

**~~Gone!~~** ~~Inside Front Cover~~ ~~\$1,500~~

\_\_\_\_\_ Outside Back Cover \$1,200

**~~Gone!~~** ~~Inside Back Cover~~ ~~\$1,000~~

\_\_\_\_\_ Full Page (5" w x 8" h) \$800

\_\_\_\_\_ Half Page (5" x 4") \$450

\_\_\_\_\_ Quarter Page (5" x 2") \$300

\_\_\_\_\_ Eighth Page (5" x 4") \$200

\_\_\_\_\_ Congratulatory Line \$100  
(25 words max, use space below)

Please indicate your ad size above. Complete the information below and make your check payable to CCBF.

Proceeds support the Camden County Bar Foundation's charitable projects for disadvantaged children, veterans and first responders, student scholarships, as well as other charitable projects and programs to improve the quality of life for Camden County residents.

The Camden County Bar Foundation is a 501(c)(3) not for profit 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.

All ad copy and payments MUST be received by Foundation office  
no later than **Friday, May 24, 2019** to be included.

Firm/Company Name \_\_\_\_\_

Contact Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Credit Card # \_\_\_\_\_ Expiration Date \_\_\_\_\_ CVV \_\_\_\_\_

Signature (credit cards only) \_\_\_\_\_

☐ Camera-ready Ad\* ☐ Set ad from attached copy or from message below

\*Camera-ready ads must be ready to print, as is, and submitted as a .jpg or .pdf document via email to kee@camdencountybar.org.

### Payment Method

☐ Check Enclosed

☐ Amex

☐ Visa/Mastercard

Ad message (please print)



**Mail to:** Camden County Bar Foundation - Program Book Ad

1040 N. Kings Highway, Suite 201

Cherry Hill, NJ 08034

**Email to:**

kee@camdencountybar.org

**Questions?** Call 856.482.0620

**Fax:** 856.482.0637





# 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 and helps you get the most out of your membership. If you are interested in participating on a committee, review the list below, check the committee(s) in which you have an interest, complete the information at the bottom, and email 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](http://camdencountybar.org).

**PLEASE NOTE: An email address is required if you have one. It is only used for committee-related correspondence, 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"/> Superior Court – Special Civil Part   |
| <input type="checkbox"/> Elder Law & Disability                        | <input type="checkbox"/> Taxation                              |
| <input type="checkbox"/> Family Law                                    | <input type="checkbox"/> Unauthorized Practice of Law          |
| <input type="checkbox"/> Government Liaison                            | <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 Lawyers                         |
| <input type="checkbox"/> Labor & Employment Law                        |                                                                |

Name

Address

City/State/Zip

Office Phone

Cell Phone

E-mail -**REQUIRED**

Fax

**Email to:** [klw@camdencountybar.org](mailto:klw@camdencountybar.org)

**Fax to:** 856.482.0637

**Mail:** Camden County Bar Association  
1040 N. Kings Highway, Suite 201



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Camden County



Bar Association

## 2019 Camden County Harvey M. Mitnick Professional Lawyer of the Year Award

*sponsored jointly with the*  
**The New Jersey Commission on Professionalism in the Law**

**Your nomination(s) for the 2019 Professional Lawyer of the Year Award should be one who is:**

1. Well recognized in the community for character and competence;
2. Respected by all;
3. Considered to be a model of professional behavior;
4. Not a sitting judge.

**Previous CCBA Professional Lawyer of the Year Award recipients:**

Arthur Montano, '97	Edward D. Sheehan, '05	Ann M. Gorman, '13
Harvey M. Mitnick, '98	Frank D. Allen, '06	Brenda Lee Eutsler '14
George F. Kugler, Jr., '99	Andrew B. Kushner, '07	Michael S. Berger '15
James D. Hamilton, Jr., '00	Justin T. Loughry, '08	Michael A. Kulzer '16
Warren W. Faulk, '01	Joseph A. McCormick, Jr. '09	Jules A. Lieberman '17
Ira R. Deiches, '02	William J. Thompson, '10	Robert G. Harbeson '18
Gladys E. Rodriquez, '03	Michael P. Madden, '11	
Hon. Michele M. Fox, '04	Robert N. Agre, '12	

I am pleased to nominate the following lawyer(s) to be the Camden County Bar Association's Professional Lawyer of the Year for 2019. (Please attach a brief description as to why you feel the nominee(s) should be selected.)

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Nominated by (optional)

Your Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**\*Please note:** Recipient selection is **NOT** determined by the number of nominations a person receives. Nominations are reviewed by the CCBA Committee on Professionalism with the recipient determined by who best exemplifies the criteria set forth.

**Send this nomination form to:**

**Camden County Bar Association**  
Professional Lawyer of the Year Nominations  
1040 N. Kings Highway, Suite 201  
Cherry Hill, NJ 08034  
FAX: 856.482.0637

**NOMINATIONS DUE BY FRIDAY JUNE 14, 2019**



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