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*(Continued on Page 3)*

## Nominations Sought for Judge John F. Gerry Award

The Camden County Bar Foundation's Judge John F. Gerry Award was established to acknowledge the continuing outstanding contributions of a member of the New Jersey Bar, or a member of the State or Federal Judiciary in New Jersey, to the administration of justice in New Jersey, who exemplifies the spirit and humanitarianism of Judge Gerry.

Members of the bar and the public are invited to nominate individuals to receive the 2018 Gerry Award, which will be presented at the Annual Gerry Awards Presentation in October. Nominations should be made in writing and sent to: Laurence B. Pelletier, Executive Director, Camden County Bar Association, 1040 N. Kings Highway, Suite 201, Cherry Hill, NJ 08034, no later than April 27, 2018. Nominations may also be emailed to Mr. Pelletier at: [lbp@camdencountybar.org](mailto:lbp@camdencountybar.org).



## Simply Devine



Past president Brenda Lee Eutsler received the 2017 Hon. Peter J. Devine, Jr. Award for service to the Bar at the recent Devine Award Presentation Cocktail Party. On hand to bestow the Association's highest award for service was CCBA President **Eric Fikry** and Immediate Past President **Lou Moffa** Devine Committee Chair.

*(For more photos, please see pages 16 and 17)*

**SAVE THE DATE • LIP SYNC BATTLE**

**April 19 • VERA • Cherry Hill**

See Page 2 for more information

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## THE DOCKET

### Thursday, March 8

*Federal Civil Practice 101 – The Basics*

4 – 6:15pm

Tavistock Country Club, Haddonfield, NJ

### Thursday, March 13

*A Lawyer's Guide to Dealing with Difficult Clients, Adversaries & Experts*

5:15 – 7:30pm

Investors Bank, Voorhees, NJ

### Thursday, March 15

*Pitfall on Appeals*

4 – 6:15pm

Tavistock Country Club, Haddonfield, NJ

### Tuesday, March 20

*Young Lawyer Committee Meeting*

12:30 – 1:30pm

Bar Headquarters

### Wednesday, March 21

*CCBA Board of Trustees Meeting*

4 pm

Bar Headquarters

### Wednesday, March 22

*Bridge the Gap - NJ Basic Estate Admin*

Newly Admitted Attorneys

3 – 6:15pm

Tavistock Country Club, Haddonfield, NJ

## Tentative agenda for March 21, Trustees Meeting

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

- I. Call to Order
- II. Minutes from Previous Meeting
- III. Treasurer's Report
- IV. President's Report
- V. Executive Director's Report
- VI. Membership Committee Report
- VII. Young Lawyer Committee Report
- VIII. Standing Committee Reports
- IX. Foundation Update
- X. NJSBA Update
- XI. New Business (if any)
- XII. Old Business
- XIII. Adjourn

## THE BARRISTER

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

### President

Eric G. Fikry  
301 Carnegie Center,  
3rd Floor  
Princeton, NJ 08540

### Treasurer

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

### President-elect

Ronald G. Lieberman  
1415 Route 70 East,  
Suite 205  
Cherry Hill, NJ 08034

### Secretary

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

### Vice President

Michael J. Dennin  
5709 Westfield Avenue  
Pennsauken, NJ 08110

### Executive Director

Laurence B. Pelletier  
1040 N. Kings Highway, Suite 201,  
Cherry Hill, NJ 08034

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## Save The Date! Lip Sync Battle



CCBA's own Matt Portella will be stepping into the ring as MC when the Bar Foundation's Lip Sync Battle pits South Jersey's most talented lip sync artists against each other in a fight to the finish! Don't miss this opportunity to enjoy an entertaining evening of song, fun and laughter as colleagues and friends share their non-lawyering talents for the Bar Foundation's Big Spring Fundraiser.

*See the Lip Sync Battle inserts at the end of the Barrister.*

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in YOUR professional  
organization.**

**ATTEND MEETINGS  
AND FUNCTIONS!**

## CCBA Welcomes Investors Bank as Newest Partner in Progress

### *Understanding the Investors Bank Difference*

(Continued from Page 1)

indigent persons. Additionally, IOLTA and IOLA accounts also may be set up with sub-accounts to provide you with maximum flexibility in tracking and monitoring client funds. There are no fees associated with our IOLTA and IOLA accounts.

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- A Detailed Statement—you receive a Partner's Summary each month, which provides comprehensive reporting on your escrow deposits, all FDIC-insured, and all with no service charges.
- Disbursements easily made through Investors secure mail service.
- The ability to view client sub-accounts through Investors Online Banking.
- Meeting legal and compliance requirements that prohibit commingling of customer funds.
- Tax Reporting—we provide a 1099 INT Form each January, for interest earned over \$10.

It's all at Investors. We have the size, scope and talent to deliver products and services that are competitive with larger institutions.

But we are more. We are a community bank, and we place a premium on providing personal service and attention to each customer. Our vision as a financial services company is to provide world-class products and services, in an honest and straightforward manner, to our customers. We work to do what is "right" for each customer, and do so responsibly and ethically, so our clients, employees,

stockholders and communities may prosper.

Investors is led by a senior management team committed to serving others. Investors takes pride in its commitment to all of its core values, but to Community in particular. The Bank cares about the customers, employees, and the people and businesses in the local neighborhoods it serves. Investors Bank and its Foundation provide financial support to organizations in New Jersey, New York City, and Long Island that invigorate their local communities with civic-minded initiatives focused on the arts, education, health and human services, youth programs and much more. But it's more than financial support. Investors' team members volunteer their time and talents, to these organizations throughout our communities.

Investors Bank was founded in 1926, and currently has more than \$25 billion in assets and a network of more than 150 retail branches throughout New Jersey, New York City and Long Island. Since 2012, Investors has been named on the "Forbes Best Banks in America" list. In addition to its products and services for the legal profession, Investors delivers a broad range of financial services and products tailored to meet the needs of its other business and retail customers. Investors Bank is a member FDIC, and an Equal Housing Lender.

But most of all, Investors strives to be a model of what a true community bank should be: a good corporate citizen with a tradition of "giving back" at the heart of everything it does.

To learn more about what Investors Bank can do for your practice, contact John Celmer, Vice President, Professional Services at 973.738.7859 or Rennie Resalsingh, District Manager at 856.449.1555. Investors Bank. Member FDIC and Equal Housing Lender.



## WELCOME NEW MEMBERS

January 2018

### Active (6)

#### Robert Atkins

Law Office of Kenneth W. Landis  
311 West Cuthbert Blvd  
Collingwood, NJ 08108

#### Alexander Barkasy

16 Autumn Court  
Blackwood, NJ 08012

#### Daniel DeFiglio

Archer & Greiner, PC  
One Centennial Sq  
Haddonfield, NJ 08033

#### Jesse Klaproth

Klaproth Law, PLLC  
1500 Walnut Street  
Suite 800  
Philadelphia, PA 19102

#### Brian Carney

Davis & Brusca  
300 Carnegie Center Drive  
Suite 150  
Princeton, NJ 08540

#### Colleen McCafferty

2137 45th Street  
Pennsauken, NJ 08110

### Public Sector (1)

#### Steven Boc

Philadelphia Parking Authority  
701 Market St  
Suite 5400  
Philadelphia, PA 19154



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By Eric G. Fikry

# PRESIDENT'S PERSPECTIVE

## Awe Inspiring

One of the duties and privileges that one enjoys while serving as CCBA President is having the opportunity to participate in the swearing in ceremonies of newly appointed Judges in our vicinage. So far, I have had the honor of speaking at the investitures of the Honorable Mark K. Chase, J.S.C. and the Honorable Michael E. Joyce, J.S.C. Next month, I look forward to attending the swearing in ceremony of the Honorable Kurt Kramer, J.S.C. The CCBA extends a warm welcome to our newest members of the judiciary, and wishes them the best as they embark upon their judicial service.

The swearing in of a new member of the judiciary is of course a wonderful event. It is both celebratory in nature, and a reminder of the unique and important role that the judiciary plays in our democracy and society. The significance of the judiciary is a fairly obvious point to anyone reading *The Barrister*. Nevertheless, the importance of a strong, independent judiciary is something that can often be taken for granted. Now especially, Courts have a heightened responsibility for ensuring that our society reflects the values of fairness, order, reason, civility, tolerance, dignity and compassion, particularly since examples of those virtues are far less frequently exhibited by many of our other institutions.

Courts and Judges play a vital role in our democracy. They set expectations for what is acceptable and unacceptable behavior.

They enable our economy to function by providing businesses with a framework for resolving disputes fairly, and by ensuring that outcomes aren't dictated by the relative economic advantage of one party over another. Courts and Judges ensure that individual rights aren't trampled, and keep government from exceeding its authority, even when the political environment is such that turning a blind eye to such actions would be the most expedient, if not most popular course of action. Courts and Judges often serve as the most significant and direct interaction between our government and its citizens, typically in the context of situations that are among the most highly sensitive, emotionally charged and personally consequential times in people's lives.

The responsibility of the judiciary—and of all judges—is quite great. Judges not only have the burden of ensuring that the law is followed, but also of ensuring that litigants feel that their rights were protected and that they are participating in a thoughtful and fair process. Whether you are a litigator or not, the work done by Courts and Judges has a tremendous impact on our practices and on our ability to advise and advocate on behalf of our clients. Similarly, it is therefore our responsibility as a profession to ensure that Courts have the resources they need in order to function at the high levels we as a society demand, and to work to ensure

(Continued on Page 5)



## Luck O' The Irish CLE Special!

### BOGO

(Buy One Get One)

During the Month of March, when CCBA members in good standing purchase a March or April CLE seminar, they are eligible to purchase a second program of equal or lesser value for half price.\*

<p><b>Thursday, March 8th</b> Federal Civil Practice 101 The Basics</p> <p><b>Tuesday, March 13th</b> A Lawyer's Guide to Dealing with Difficult Clients, Adversaries &amp; Experts</p> <p><b>Thursday, March 15th</b> Avoiding Pitfalls on Appeal**</p> <p><b>Tuesday, April 10th</b> Hon. Gloria M. Burns Bench Bar Bankruptcy Conference</p>	<p><b>Thursday, April 12th</b> Basics of Civil &amp; Criminal Trial Advocacy**</p> <p><b>Wednesday, April 18th</b> The Tax Cuts &amp; Jobs Act: How It Affects Your Clients and Your Practice</p> <p><b>Thursday, April 19th</b> Best Practices in ADR**</p> <p><b>Tuesday, April 24th</b> Hot Topics in Commercial Litigation</p>
---	--

\* Excludes online & Bridge the Gap programs. Reservations must be made at the same time.  
\*\* Includes Ethics/Professionalism credits.

## MEMBER ON THE SPOT



**NAME:** Rachael B. Brekke  
**PRACTICE AFFILIATION:** McDowell Law, PC  
**YEAR ADMITTED TO BAR:** 2011  
**OFFICE LOCATED:** Maple Shade

**HIGH SCHOOL:** Eastern Regional High School

**COLLEGE:** American University - Finance

**LAW SCHOOL:** Rutgers Camden – JD/MBA

**WHAT LED YOU TO A LEGAL CAREER:** I am the oldest grandchild to Judge Barry M. Weinberg and very much grew up as his sidekick. He taught me that being a lawyer means having a responsibility to help people, and it has become my life's passion to do exactly that.

**BEST PERSONAL/PROFESSIONAL ATTRIBUTE:** I can strike up conversation with almost anyone. I've enjoyed meeting people with diverse backgrounds since I was a kid.

**GREATEST FAULT:** Not being able to say no.

**WHAT I DO TO RELAX:** Knitting

**HOBBIES:** Horseback riding and cooking

**FAVORITE RESTAURANT:** It's hard to choose, but most recently - Vetri

**FAVORITE TELEVISION SHOW:** I cut the cord 3 years ago!

**FAVORITE NETFLIX SERIES:** Ozark

**FAVORITE AUTHOR/BOOK:** *Still Alice* by Lisa Genova

**FAVORITE VACATION PLACES:** Montana

**FAVORITE WEBSITE:** www.mcdowelllegal.com

**FAVORITE WEEKEND GETAWAY:** The shore

**ENJOY MOST ABOUT PRACTICING LAW:** One on one client relationships and the direct, positive impact of my work for their business and/or personal life.

**MOST ADMIRE PERSON AND WHY:** Ellen McDowell. She owns her own firm, works incredibly hard for our clients, and comes to work every day with kindness and respect.

**WHEN AND WHERE HAPPIEST:** Hiking in the mountains.

**CHERISHED MEMORIES:** Watching my grandfather stay up late on the phone with younger attorneys asking for his advice. He loved helping attorneys and settling cases.

**GREATEST FEAR:** Letting business get in the way of friendship.

**ALTERNATE CAREER CHOICE:** Non-profit sector.

**GREATEST LESSON LEARNED FROM PRACTICE OF LAW:** It takes many years to build your reputation, and only one moment to ruin it.

**PERSON YOU'D MOST LIKE TO DINE WITH:** Justice Scalia

**PET PEEVE(S):** Attorneys not standing when they address the Court.

**LIFE'S HIGHLIGHTS:** Being sworn into the bar while standing in front of my grandfather's portrait in the Courthouse

**GREATEST ACCOMPLISHMENT:** Running for public office at the age of 28

**#1 PROFESSIONAL GOAL:** To be respected by my colleagues.

**#1 PERSONAL GOAL:** Happiness, love, and legacy.

**LIFE EXPERIENCE(S) WITH GREATEST IMPACT:** Being a Big Sister to an 11 yr old girl from West Philly.

**ADVICE TO YOUNG LAYWER:** It's not "who you know" ... it's who knows YOU! Get involved and stay involved.

**HOPE TO BE DOING IN 10 YEARS:** Being a mentor.

**FAVORITE QUOTATION:** Your education is your most valuable asset, no one can ever take it away from you.

## PRESIDENT'S PERSPECTIVE

### Awe Inspiring

(Continued from Page 4)

that the court system and Judges are enabled to discharge their responsibilities freely and independently.

Once again, on behalf of the CCBA, I would like to extend warm congratulations to Judges Chase, Joyce and Kramer, as they join the ranks of our very distinguished bench. We look forward to seeing and working with them as well as all members of the judiciary in the coming months.

**CCBA/NJSBA Attorney Wellness CLE Program—April 14, 2018.** Please also be on the lookout for details on an upcoming special event which is being brought to you as part of a partnership between the CCBA and the NJSBA. In the October 2017 issue of *The Barrister*, I wrote about an article that ran in the *New York Times* entitled, *The Lawyer, the Addict*, which addressed the issue of addiction in the legal profession, through the story of a lawyer who

suffered from, and ultimately succumbed to his dependency. The *New York Times* article also referenced the stories of other people in our profession who have also had to deal with addiction issues, the ways in which the legal profession may impede people's ability to get help, or create an environment which allows—if not subtly encourages—addictions to persist. One such person featured in the article is Lisa Smith, author of *Girl Walks Out of a Bar*, in which Ms. Smith, a lawyer and recovering alcoholic and drug addict, details her struggle in overcoming substance abuse during her career. I am very glad and excited to announce that Ms. Smith will be joining us for a program on this topic on **Saturday, April 14, 2018**. The event will take place at Rutgers Camden Law School, and more details will be announced very shortly. Please mark your calendars for what is sure to be an informative and relevant program.



## PERSONAL INJURY LAW

# Pathways to Medicaid

By Thomas D. Begley, Jr., CELA

## My Client Received a Personal Injury Settlement, he is on Medicaid, does he need a Special Needs Trust?

### General

An extremely important source of funding for medical needs for persons with disabilities is Medicaid. When a person is receiving Medicaid, the first question is whether a Special Needs Trust (SNT) is required. There are a number of pathways to Medicaid. If the individual's Medicaid is means-tested, then an SNT is required. If not, an SNT is not required. The answer to whether the individual needs an SNT depends on the Medicaid program involved. The first step is to obtain a copy of the client's medical card(s).

### SSI/Medicaid

SSI/Medicaid provides basic medical services such as doctors, hospitals, prescription drugs (basic medical services), but no long-term care (LTC). Generally, an individual receiving SSI also receives Medicaid. The applicant for SSI must be at least 65 years of age, blind or disabled.

There is an *income* test. The maximum federal SSI benefit is \$750 per month in 2018. After a \$20 disregard, unearned *income* reduces the SSI payment dollar-for-dollar. This means if the individual's outside unearned income more than \$769 per month, he or she would not be eligible for SSI. For earned income there is an \$85 disregard and then one-half of the earned income reduces SSI dollar-for-dollar. Income of the parent is deemed to a child under age 18.

There is an *asset* limit of \$2,000 for an SSI recipient.

There is a *transfer of asset penalty* for SSI. The lookback period for SSI is three years. The penalty for a transfer of assets during the lookback period is calculated by dividing the uncompensated value of the transferred assets by the amount of the maximum benefit payable, including any state supplement. (Note: The divisor is the amount payable, not the amount actually paid.) The maximum penalty is effectively three years.

If the plaintiff's Medicaid is linked to SSI, an SNT would be required.

It is important to remember that, because of parental *deeming* of income and assets, an individual may not be currently receiving SSI, but may become eligible for SSI at age 18. In those cases, the individual will also receive Medicaid at age 18, so it is important to look ahead. In those cases, an SNT would be required.

### Community Medicaid

New Jersey provides basic medical services for low-income individuals without a disability test. Long-term care is not covered. Financial eligibility is based on income and assets. The income limit is the same as the federal poverty level (FPL). In 2018, 100% of the FPL is \$1,012 per month. There is an asset test of \$2,000. There is no transfer of asset penalty. An SNT would be required for a personal injury recovery in order to maintain financial eligibility.

### New Jersey Family Care

In New Jersey the Affordable Care Act (ACA) is known as "New Jersey Family Care." It is also frequently called "Obamacare." The ACA provides basic medical services. There is no disability test. Financial eligibility is up to 138% of FPL at the state's option, which is \$1,397 in 2018. There is no asset limit. There is no transfer of asset penalty. An SNT is not required to maintain eligibility under the Affordable Care Act, if a personal injury settlement is received.

**NOTE:** A Settlement Protection Trust should be considered for management reasons.

### Community Resources for People with Disabilities (CRPD)

This program is also called the "Katie Beckett Waiver" and provides basic medical services and LTC services. There is a disability test. The disability test is stricter under CRPD—the test is whether or not the person will need to be institutionalized if they did not receive the benefit to get care at home. Income is limited to 300% of FPL, which in 2018 is \$2,250. There is an asset limit of \$2,000 for the individual with disabilities. However, there is no deeming of the parents' income or assets to the child. There is a transfer of asset penalty. The state LTC divisor is used to calculate the penalty. An SNT would be required to maintain eligibility for a personal injury recovery.

### New Jersey Workability

New Jersey Workability provides basic medical services. The individual must be between the ages of 16 and 64. The individual applicant must be disabled, but able to work. Disability must be determined by Social Security or the Disability Review Team at the New Jersey Division of Medical Assistance and Health Care. The individual must work full time or be self-employed and have proof of employment. For 2018, the income and asset limits are as follows:

- **Income.** The individual must have an earned income of no more than \$62,750 per year (no more than \$84,350 per year, if an eligible couple—both with permanent disability, both working), have unearned income (pensions, child support, interest, etc.) less than \$1,012 per month (less than \$1,372 for eligible couples). Social Security Disability benefits and/or Railroad Retirement benefits are disregarded.
- **Assets.** There is an asset limit of \$20,000 in liquid assets or less than \$30,000 if an eligible couple. There would be a transfer of asset penalty, if assets are gifted. Retirement assets, such as IRAs and 401(k)s are disregarded. The value of a home, vehicle, and personal effects are disregarded.

(Continued on Page 7)

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## PERSONAL INJURY LAW

## Pathways to Medicaid

(Continued from Page 6)

An SNT would be required in order to maintain eligibility, if there is a personal injury recovery.

### Nursing Home Services

Nursing home services include basic medical services plus nursing home services. Generally, the individual must be institutionalized in a nursing home. Generally, the individual receiving the personal injury settlement must be disabled. New Jersey has an income limit of 300% of FPL. In New Jersey, the individual can establish an Irrevocable Qualified Income Trust, also known as a Miller Trust, and direct any excess income into that trust to become income eligible. In 2018, this is \$2,250 per month. There is an asset limit of \$2,000. There is a Medicaid transfer of asset penalty calculated by dividing the uncompensated value of the amount transferred by a state divisor. An SNT must be required to maintain this benefit, if there is a personal injury recovery.

### Managed Long-Term Care Services & Supports

Managed Long-Term Care Services & Supports (MLTSS) provides basic medical services plus LTC including assisted living and home care. There is a disability test. Generally, the income limit is the same as nursing home services. The asset limit is \$2,000. There is a transfer of asset penalty, and the penalty is calculated by dividing the uncompensated value of the amount transferred by a state divisor. An SNT is required to maintain this benefit, if there is a personal injury recovery.

### Children's Health Insurance Program (CHIP)

Basic medical services for children under age 19. There is no disability test. Income limit depends on family size and is generally up to 355% of FPL. There is no asset limit. There is no transfer of asset penalty. An SNT is not required. However, a Settlement Protection Trust should be considered for management purposes.

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# Women in the Profession Celebrate Women's History Month

On March 13, 2018, the WIP Committee will sponsor a CLE entitled "A Lawyer's Guide to Dealing with Difficult Clients, Adversaries & Experts." The program will benefit **Distributing Dignity** through donations by seminar attendees of items distributed by the organization.

The following article, written by Joanie Balderstone and Rebecca McIntire, Co-Founders of Distributing Dignity, tells of the organization's origin and evolving purpose.

Distributing Dignity is a national organization based in Cherry Hill, NJ, which distributes new bras and monthly feminine hygiene products to women who are homeless, survivors of domestic violence, in and aging out of foster care, fighting life altering illness or displaced by disaster. When we started this organization at the end of 2013, some asked why we were addressing this very specific need. Why not distribute all toiletries? Why bras? The answer was simple. These items had been overlooked and under-donated and they play such an important role in a woman's health, self-esteem and ultimately her dignity.

Like so many others which donate items, we were unaware of this need for so long. We gave toothpaste, shampoo, deodorant... but, even as a two-woman household, we never thought to donate pads, tampons and liners. We took them for granted along with the luxury of being able to purchase a bra when we needed one.

A brave homeless woman opened our eyes to this need and changed the trajectory of our lives. While donating clothing to a homeless day center in Camden, NJ, we found out the women there didn't have decent bras to wear. We asked what else they needed. They almost never received donations of pads, tampons and liners forcing them to ration them out or worse . . . go without them altogether.

Compelled by this newly discovered need, we organized our first "Mardi Bra" party held on February 13, 2010. We invited all the women we knew and each guest brought a new bra or a package of pads/tampons. Many women brought bags full of donations. It was a party with a purpose! We took 80 new bras to Camden along with thousands of pads and tampons. When we were planning the party we were asked about bringing used bras. I consulted with the wisest and most philanthropic woman I knew, my mother. I expressed that I knew these women were homeless, but I really wanted to give them a NEW bra. Without hesitation, my mom smiled and said, "Joanie, just because these women are in need, doesn't mean they don't deserve the dignity of a new bra." She was absolutely right!

In 2011, we held our 2nd annual Mardi Bra party and broadened our outreach to include women who had aged out of the foster care system and families in South Jersey impacted by HIV/AIDS. Neither group had ever received donations of these specific supplies before yet both expressed how much they were needed.

In January of 2012, we lost my mother and we were unable to have our party. Knowing my mother wouldn't want these women to go without, I put the word out on Facebook. Checks and packages began arriving in the mail. Women want to help other women, especially with something so essential. Inspired by my mother's life of service, ignited by the generosity of our friends and committed to lifting up the Dignity of women in need, we formed Distributing Dignity.

What started as a yearly party became a 501(c)(3) nonprofit organization, helping locally at first. We started in Camden, Philadelphia and outlying areas. That quickly changed after we were featured in an article in the Huffington Post published in January of 2015. Our local organization and this prolific need were thrust into the national spotlight and overnight we developed a plan to grow our outreach across the United States.

In 2017, Distributing Dignity provided 273,000 monthly hygiene products to women in need across the United States. That is the equivalent of supplying 12,000 women with a one month's supply. In addition, we supplied 3,000 women with a brand new bra. Our outreach spans 56 cities in 19 states. We have functioned since our inception as an all-volunteer organization using our nights and weekends to get supplies where they are needed.

Our outreach expanded this past year to include women impacted by hurricanes Harvey and Irma. Working through relief organizations in each region, we sent items to women displaced by these disasters. We also became aware of the overwhelming need on the Pine Ridge Reservation in South Dakota. Teens were staying home from school once a month because they did not have the products they needed. We are working with the schools on the reservation to ensure these young women can pursue their education.

Locally, we are proud to supply items to organizations doing vital work such as the Center for Family Services, Cathedral Kitchen, Camden County Women's Center, Joseph's House, New Visions and Healthy Start.

What we have learned along the way is that Distributing Dignity is about more than providing a new bra or a package of tampons. It's about sending the message to each and every woman that she is worth it.

## Cocktails & Conversation Bench / Bar Cocktail Party



6-8 pm • Monday, May 14<sup>th</sup>  
Il Villaggio • Cherry Hill  
\$65 (\$75 @ the door)  
\$55\* (\$65 @ the door)

\* Admitted to the bar 5 years or less.

Register early for this popular event!



# YOUNG LAWYER HAPPENINGS



## YOUNG LAWYER CHAIR

# Embrace Solutions, Not Arguments

By Tom Hagner

**H**ow do we stop school shootings? How do we stop workplace violence? How do we stop home-grown terror attacks? How do we stop mass-murders? I am going to start off by stating that I do not have the answer to the questions posed above. Nobody does. While it is beyond dispute that we all have numerous conflicting opinions and ideas about how to end this epidemic; it is also beyond dispute that to date, nobody has come up with the answer (although many think they have, which is only further adding to the problem). The reason we have no answer is that instead of critically analyzing and scrutinizing events of mass-murder from a factual and logical standpoint, our society quickly backs into its respective adversarial corners to wage a war of words and bicker about who is wrong and who is right. It is as if, like many do with sports franchises, the majority of our society has begun to value its self-worth based upon the success of its political party's legislative aspirations, instead of focusing on what is best for America as a whole.

The answer is not as simple as ownership of guns and mental health problems, nor is it as simple as some combination of the two. Unfortunately, this is a complex societal problem which, although not necessarily new, is certainly becoming more mainstream – both in the frequency of these events, as well as the media's coverage of them. A complete ban on guns is unrealistic, but heightened safety training and registration for owners is not (to the extent those requirements do not already exist). Similarly, eliminating mental illness and acts of extremism are also unrealistic – if not impossible, but adopting policies and procedures to treat the ill and to prevent unfit and unwanted people from gaining access to implements capable of mass-murder is not. That said, it is doubtful that even those types of changes will be sufficient. Moreover, there are other civilized countries with both an armed citizenry and also mentally ill citizens who don't repeatedly make the news for murdering their classmates and/or colleagues. Our problem is simply deeper than access to weapons and lack of access to adequate health care. There is a problem with the way many in America see the world, see their countrymen, and see mankind in general.

We as a society need to understand what is causing people to think that killing innocent people is a viable option for expressing their displeasure with the world. We need to curb the popularity of these events. Take for instance the recent school shooting in Parkland, Florida. In the days that

followed there were a number copy-cat threats made from South Carolina to Washington, as well as New Jersey. Society needs to stop glorifying killing and start presenting it as "uncool" (like anti-smoking campaigns have done with tobacco) if we want to nip this problem in the bud.

The simplest steps we can all begin to take toward a solution to this scourge of violence is to start treating each other with respect and dignity. Start at the home, and let it carry over to your place of business and to your clients. Teach your children the same lessons, and let them teach their peers in school. There was a time in this country when Americans endeavored to help, not harm, their fellow man. Getting back there will take baby steps. There simply is no one solution to the mess that we as society have allowed to be created.

So how do we come up with the answers we so desperately need? We need to start by stopping the arguments and start rational conversations. There is at least one point both sides of the debate can (presumably) agree on – everyone wants to minimize the killing of innocent people. Americans need to start the conversation there and work outwards, finding more and more middle ground as discussions progress. Starting at gun control or at the Second Amendment is not going to be productive. If the answers wind up being in one or both of those areas, in whole or in part, so be it, but we shouldn't be starting there. It is becoming increasingly clear that neither side of the political spectrum will be hitting a home run on this issue, and both sides of the debate need to realize that striking out is a far worse fate. A good settlement is where everyone is equally unhappy, and that is exactly what America needs right now. Whether you believe in unlimited Second Amendment rights or whether you think all guns should be destroyed, if you aren't willing to give a little bit in your position, you will not be part of the solution and will remain part of the problem.

Nevertheless, I can assure you that there is hope. For anyone who watched on TV or marched along the parade route celebrating the 2018 Super Bowl Champion Philadelphia Eagles, you were fortunate enough to bear witness to the beauty of hundreds of thousands of citizens co-existing peacefully. The Eagles victory is also proof that anything is possible if you have the right team and the right attitude. Everyone needs to take a step back, take a deep breath, and switch focus from winning an argument to acting in the best interests of society as a whole.



## LEGAL BRIEFS

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

The law firm of Borger Matez is pleased to announce that **Bruce P. Matez** has been elected Vice President of the Board of Directors for The Starting Point and Secretary of the South Jersey Collaborative Divorce Professionals. He has over 28 years of experience handling all types of family law matters including but not limited to divorce, custody and parenting time, child support, alimony, equitable distribution of marital property, equitable allocation of marital debt, child abuse and neglect matters, adoption, domestic violence and more. He has substantial experience in preparing and negotiating pre-marital and cohabitation

agreements and marital settlement agreements. Bruce has also built a successful mediation practice to whom judges and his colleagues refer parties to resolve their marital and family disputes through mediation.

On January 1, 2018, **Ellen M. McDowell** started her own law firm: McDowell Law, PC. The following attorneys left McDowell Posternock Apell & Detrick, PC and joined McDowell Law, PC: **Thomas G. Egner, Daniel L. Reinganum, Rachael B. Brekke, Lauren A. Talty and Leonard R. Wizmur.**



**Devils Creek Brewery** in Collingswood was the site of a recent joint Happy Hour sponsored by the CCBA Young Lawyer Committee and the Hispanic Bar of New Jersey

## VERDICTS OF THE COURT *December 2017 - January 2018*

*Superior Court of New Jersey*

VERDICT: No Cause (12/6/17)  
Case Type: Auto Negligence  
Judge: Michael J. Kassel, J.S.C.  
Plaintiff's Atty: Robert Borbi, Esq.  
Defendant's Atty: Robert Kaplan, Esq.  
L-2168-15 Jury

VERDICT: No Cause (12/6/17)  
Case Type: Auto Negligence  
Judge: Donald J. Stein, J.S.C.  
Plaintiff's Atty: Erik Neiman, Esq.  
Defendant's Atty: Douglas Mosko, Esq.  
L-3786-15 Jury

VERDICT: Liability Verdict: \$36,000 100%  
Defendant Cooper Health System  
(12/7/17)  
Case Type: Discrimination  
Judge: Daniel A. Bernardin, J.S.C.  
Plaintiff's Atty: Zachary Zahner, Esq.  
Defendant's Atty: Christine O'Hearn, Esq.  
L-4852-15 Jury

VERDICT: No Cause (12/13/17)  
Case Type: Auto Negligence  
Judge: Donald J. Stein, J.S.C.  
Plaintiff's Atty: Michael Gallagher, Esq.  
Defendant's Atty: Danielle Smith, Esq.  
L-1583-15 Jury

VERDICT: No Cause (12/18/17)  
Case Type: Medical Malpractice  
Judge: Francisco Dominguez, J.S.C.  
Plaintiff's Atty: Jared Kashner, Esq.  
Defendant's Atty: William Theroux, Esq.  
L-4887-14 Jury

VERDICT: No Cause (1/9/18)  
Case Type: Auto Negligence  
Judge: Francisco Dominguez, J.S.C.  
Plaintiff's Atty: Jeremy M. Weitz, Esq.  
Defendant's Atty: Toni M. Gheen, Esq.  
L-2588-15 Jury

VERDICT: Liability Verdict: \$150,000 100%  
Defendant Edwin Vazquez (1/10/18)  
Case Type: Auto Negligence  
Judge: Donald J. Stein, J.S.C.  
Plaintiff's Atty: Marc Sigal, Esq.  
Defendant's Atty: Rodd Dewitt, Esq.  
L-2777-15 Jury

VERDICT: No Cause (1/10/18)  
Case Type: Auto Negligence  
Judge: Steven Polansky, J.S.C.  
Plaintiff's Atty: Dean Owens, Esq.  
Defendant's Atty: John Dingle, Esq.  
L-3416-15 Jury

VERDICT: Liability Verdict: \$8,000 100% Defendant  
(1/8/18)  
Case Type: Auto Negligence  
Judge: Michael J. Kassel, J.S.C.  
Plaintiff's Atty: Andrew Wenker, Esq.  
Defendant's Atty: Robert Nicodemo, Esq.  
L-150-16 Jury

VERDICT: No Cause (1/18/18)  
Case Type: Auto Negligence  
Judge: Anthony M. Pugliese, P.J.Cv.  
Plaintiff's Atty: Jeffrey S. Simons, Esq.  
Defendant's Atty: Thomas J. Murphy, Jr., Esq.  
L-4746-15 Jury

VERDICT: No Cause (1/18/18)  
Case Type: Auto Negligence  
Judge: Donald J. Stein, J.S.C.  
Plaintiff's Atty: Alyssa K. Poole, Esq.  
Defendant's Atty: Beth Csontos, Esq.  
L-981-14 Jury

VERDICT: Liability Verdict: \$1500 100% Defendant  
Liberty Mutual Insurance Company  
(1/18/18)  
Case Type: Uninsured Motorist  
Judge: Michael J. Kassel, J.S.C.  
Plaintiff's Atty: Paul Santangini, Esq.  
Defendant's Atty: Catherine A. Schmutz, Esq.  
L-1168-16 Jury

VERDICT: Liability Verdict: \$25,000 100%  
Defendant Allstate (1/25/18)  
Case Type: Auto Negligence  
Judge: Michael J. Kassel, J.S.C.  
Plaintiff's Atty: David Cuneo, Esq.  
Defendant's Atty: Raymond Danielewicz, Esq.  
L-1103-16 Jury

VERDICT: No Cause (1/24/18)  
Case Type: Auto Negligence  
Judge: Donald J. Stein, J.S.C.  
Plaintiff's Atty: Thomas McTear, Esq.  
Defendant's Atty: Rodd Dewitt, Esq.  
L-3377-15 Jury

VERDICT: No Cause (1/31/18)  
Case Type: Auto Negligence  
Judge: Francisco Dominguez, J.S.C.  
Plaintiff's Atty: Jeremy M. Weitz, Esq.  
Defendant's Atty: Tanja Rottot-Seybold, Esq.  
L-4497-15 Jury

VERDICT: No Cause (1/31/18)  
Case Type: Auto Negligence  
Judge: Michael E. Joyce, J.S.C.  
Plaintiff's Atty: Marc Sigal, Esq.  
Defendant's Atty: Brooke A. Bonett, Esq.  
L-4339-14 Jury

VERDICT: No Cause (1/31/18)  
Case Type: Auto Negligence  
Judge: Steven J. Polansky, J.S.C.  
Plaintiff's Atty: Jeffrey Simons, Esq.  
Defendant's Atty: Rahad Allan, Esq.  
L-3740-15 Jury

# Law Offices of Andrew Ballerini



**Andrew A. Ballerini**

Certified Civil Trial Attorney  
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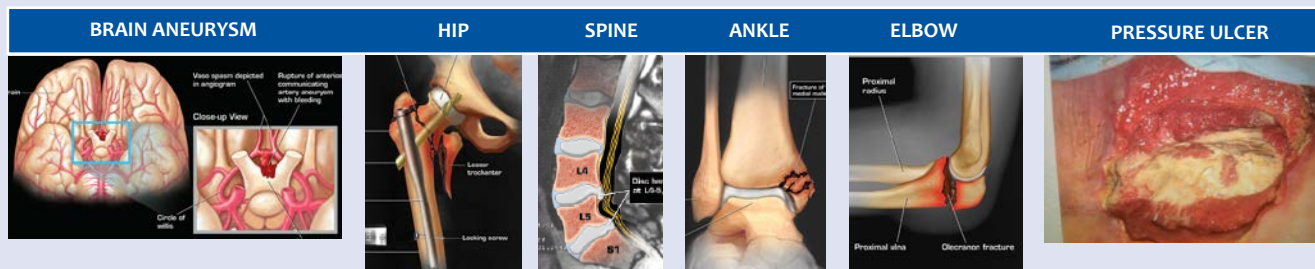
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- \$990K Nursing Home & Assisted Living Facility Neglect-Multiple Pressure Ulcers
- \$400K Recovery-Pain & Suffering for Fatal Fire (Verdict of \$375K plus \$25K Settlement)
- \$500K Jury Verdict-Excess Over Remainder of \$100K CSL Policy Against Allstate Insureds with Offer of Judgment for Policy-Herniated Discs
- \$500K Nursing Home/Hospital Neglect - Pressure Ulcers
- \$750K Nursing Home Neglect During Rehab Admission-Infected Pressure Ulcer-Surgery
- \$950K Nursing Home Neglect-Failure to Recognize and Act Upon Signs of Stroke
- \$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
- \$1 Million-Nursing Home Neglect/Violations of Rights-Pressure Ulcer and Fracture

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# WINE & FOOD

By Jim Hamilton

On the heels of extolling the virtues of Alsace wines, I thought we might continue the theme of shining a spotlight on underappreciated wine regions by venturing into Austria. While the choice of theme for this issue may seem alphabetical (with apologies to Australia), it really was inspired by tasting recently a bevy of Austrian wines and being particularly taken by a number from the exceptional 2017 vintage. I spoke with several Austrian winemakers/owners, and all were almost giddy with enthusiasm for the quality of wine they were able to produce. Indeed, so eager were some to show off their 2017s that they brought barrel samples of the not yet bottled wines to the Skurnik Wines tasting I attended in New York City.

If there is one grape variety most people think of when (or if) they consider buying an Austrian wine it is Grüner Veltliner. Not only is this white varietal the most widely planted grape in the country, but there really is not a lot of Grüner Veltliner growing in other countries, so the association of grape and country is an easy one to make. Like one of the more noted grapes of Alsace, Gewurztraminer, Grüner Veltliner owes some of its DNA to the Traminer grape variety. However, unlike Gewurztraminer, it typically does not display the spicy qualities of that "spicy Traminer." Rather, Grüner Veltliner is often known for its white pepper quality that, along with its dry, piquant fruit, makes it a versatile food partner.

Perhaps because Grüner Veltliner is not viewed by most as a "classic" grape, it is a wine to search out as an affordable purchase.



**2017 Setzer Grüner Veltliner** offers exceptional value, sold as many entry level Grüns are in 1000 ml. bottles (750 ml. is the standard volume). The wine exhibits refreshing lychee and pear fruit with chalky edges moderating the wine's invigorating acidity. The **2017 Setzer Grüner Veltliner Vesper** is another high-toned wine, but with more green apples and green beans, accompanied by the white pepper I did not find in the liter bottling. The Setzer winery was founded in 1705 and enjoys a relatively privileged location on an elevated former seabed. The vines are densely planted, which stresses them to naturally reduce yields to increase quality.

**2017 Glatzer Grüner Veltliner** is a pretty wine that offers a more perfumed nose, with a floral quality that leads to fruit that resembles Thompson grapes mixed with barely ripened pears. There is a vein of celery root that runs through to add another dimension.

(Continued on Page 13)



## Camden County Bar Association Continuing Legal Education

### Career Development Series



The Career Development Series (CDS) is an series of practical skills CLE programs designed to assist junior to mid-level attorneys in their professional development and serve as a refresher for more seasoned practitioners, which allows you to easily complete your annual CLE requirement without travelling outside of Camden County. Program faculty includes a number of local jurists and experienced Camden County practitioners who have practical knowledge on the topics, and are familiar with the local court rules and customs, and the behaviors to avoid.

Wednesday, September 13<sup>th</sup> • 4-6:15 pm  
**Drafting, Pleadings & Motions**

Thursday, October 12<sup>th</sup> • 4-6:15 pm  
**Effectiveness & Professionalism in  
Brief Writing & Oral Advocacy\***

Thursday, January 25<sup>th</sup> • 4-6:15 pm  
**Taking & Defending Depositions\***

Thursday, April 12<sup>th</sup> • 4-6:15 pm  
**Basics of Civil & Criminal Trial Advocacy\***

Thursday, February 15<sup>th</sup> • 4-6:15 pm  
**Marketing for the Legal Professional  
& Law Firm Advertising\***

Thursday, March 8<sup>th</sup> • 4-6:15 pm  
**Fundamentals of Federal Court**

Thursday, March 15<sup>th</sup> • 4-6:15 pm  
**Avoiding Pitfalls on Appeals**

Seminars are pending approval by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 16.8 hours of total CLE credit. Of these, 4.0 qualify as hours of credit for ethics/professionalism.

\* Ethics/Professionalism Credits

# WINE & FOOD

(Continued from Page 12)

**2016 Glatzer Grüner Veltliner Dornenvogel** displays greater ripeness with fruit that is more citrus in nature, with subtle iodine and white pepper notes framing the fruit.

A leader of the liter brigade in Austria is Erich Berger, who as always was a delight to speak with as he poured his wines. **2017 Berger Grüner Veltliner** is his 1000 ml. bottling and once again represents reliably good value. The medium weight fruit is round and clean, with grapefruit notes, lentil beans and white pepper nuances. A step up in complexity is the **2017 Berger Grüner Veltliner Lössterrassen Kremstal DAC**. This wine conveys a steely, mineral edge and chalk-dusted fruit of apple and pear, all delivered with a medium body and a fine precision.

While limitations on tasting time and column space do not allow me to expand on the many worthwhile Grüner offerings, may I suggest that from past experience producers that acquit themselves nicely with this grape while also delivering good value include Hirsch, Hiedler, Domaine Wachau, Nigl, Schwarzböck (again, a fine liter bottling choice), Hofer (another liter producer), Salomon and Donabaum.

Let's change our focus to a more famous grape, Riesling. While it is natural to think of Riesling as the grape used to make sweet German wine, it is far more versatile both in geography and style. **2017 Schloss Gobelsburg Riesling Schlosskellerei Gobelsberg** is a mouthful in more than just its name. This is a laser sharp wine exhibiting

tart peach fruit with a gentle salinity buttressed by lively acidity. Given its pedigree, Austrian Rieslings often are priced beyond the value reach of many readers, so rather than talk about some of the nice offerings of Alzinger or Nikolaihof from the Skurnik portfolio, or F.X. Pichler, Jamek or Knoll, who also are top flight Austrian wineries, let's finish our white wine discussion by identifying a few grape varieties that are produced in sufficient quantity in Austria that some may find their way to area shelves and arouse your buying curiosity. Among them are Welschriesling, Weissburgunder (a/k/a Pinot Blanc), Müller-Thurgau, Muskateller and Roter Veltliner.

Austria also produces its share of red wines, so let's identify a few. **2016 Glatzer Blaufränkisch** is an entry level wine offering blackberries, blueberries, slate and loam in a tightly wound package. The **2015 Glatzer Blaufränkisch Reserve** is a point or two better if you are willing to pay several dollars more. It displays deeper black fruit deftly balanced with a brambly character and with healthy acidity nicely buried beneath the fruit. **2015 Erich Sattler Zweigelt** is a good representation of a wine made from the most widely planted red grape in Austria. While Zweigelt often communicates a black pepper quality and can display a degree of rusticity, particularly at the value end of the spectrum, this wine demonstrates an almost elegant take on the grape. The fruit is mostly blue with some blackberry support, the body is supple and modestly broad, and the balance between

the gentle minerality and the round fruit is deft. **2015 Ecker Zweigelt** Is another of the liter bottlings that is pleasingly priced and enjoyable to drink. Again, the fruit is black and blue, with pepper largely serving to add a dimension to a toasty sourdough bread impression. While it is tempting to connote elegance with class, in and outside the world of wine, Zweigelt often strikes me as an Austrian alternative to a Zinfandel, a nice pizza wine (which however left-handed is meant as a compliment).

Zweigelt and Blaufränkisch, which is second only to Zweigelt in acres planted in Austria, are the red Austrian wines you most likely will encounter. If a different grape variety muscles its way onto the limited shelf space dedicated for Austrian wines, it may be St. Laurent. This grape, while not widely planted, has become increasingly popular among winemakers seeking to find Austria's answer to Pinot Noir, from which the grape is thought to have evolved.

Whether you think of Grüner Veltliner as *Groovy* (as one winery, taking off on a name many may struggle to pronounce, sells it) or as something a bit too foreign for your comfort, it and other Austrian wines merit your consideration. Most will be dry and will pair well with a variety of dishes. If you search out the entry level wines from quality producers, you stand a very good chance of inexpensively enhancing a meal, which certainly is an important wine buying goal to achieve. Cheers!

## SEMINAR



**Marketing for the Legal Professional & Law Firm Advertising** was the latest CLE program in the Association's Career Development Series at Tavistock Country Club. Program participants included **Mike Dennin**, Law Office of Vincent J. Ciecka; **Victoria Schall**, Law Offices of Adam Kotlar; Faculty/Moderator **Craig Becker**, Craig David Becker-Attorney at Law; **Jonathan Korn**, Blank Rome LLP.

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## FINANCIAL FORENSICS

# Employers—Consider Discussing this with your Employees

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

## Abo and Company Suggests a Bigger Bang with Employee Reimbursement Bucks

Here's the rub. Effective January 1, 2018, an employee no longer can deduct any of his or her unreimbursed employee business expenses. You'll need to read on to see how a slight modification to the arrangement can leave more after-tax dollars in the employee's pocket while costing the employer nothing (and even saving a few dollars).

Most law practices, like other companies, cover their employees' business expenses by reimbursing them for their actual expenses or by paying a travel or mileage allowance. Such arrangements are subject to strict tax rules concerning what qualifies as a legitimate reimbursement arrangement and what is treated (at least for tax purposes) as additional compensation to the employee.

According to the tax rules, the key distinction between a true expense reimbursement and disguised compensation is whether the employer's payments are made in accordance with what the IRS calls an "accountable plan." (Such a plan basically requires employees to substantiate all reimbursed expenses and return any advances in excess of expenses incurred.)

Here's our scoop. An employer can operate an accountable plan that reimburses employees for the actual amount of their business-related expenses. Alternatively, an accountable plan can pay predetermined allowances for designated expenses. Either approach is OK with the IRS, as long as the applicable rules are followed.

- **Tax Impact of Accountable Plan.** When the Practice's expense reimbursement or allowance arrangement qualifies as an accountable plan, the firm can deduct the payments made under the plan for federal income tax purposes (meal reimbursements still subject to the 50% disallowance). Thus, the payments under an accountable plan are basically treated the same as tax-free employee fringe benefits. This is beneficial for employers and employees alike. Everybody's happy!
- **Tax Impact of Nonaccountable Plan.** The accountable plan rules must be met on an employee-by-employee basis. If reimbursements or allowances paid to an employee fail to meet the accountable plan rules, the payments should be treated as wages. This nonaccountable plan treatment generally results in 100% deductibility for the firm because the 50% disallowance rule for meals expenses doesn't apply to the employer for amounts reported as wage compensation to an employee. Even so, employer clients may still come out on the short-

(Continued on Page 15)

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- Business interruption claims
- Business valuations
- Critique of other expert reports and Interrogatory assistance
- Matrimonial litigation
- Document requests & productions
- Fraud investigations
- Arbitration and Mediation
- Tax related valuations
- Lost earnings from wrongful death, termination or personal injury claims

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## Employers—Consider Discussing this with your Employees

(Continued from Page 14)

end because it must pay the employer's half of the FICA tax, Medicare tax and the Federal and State Unemployment Tax on amounts treated as wages.

1. For the employee, wage treatment is clearly disadvantageous because wages are subject to:
  - (1) federal income tax (including FIT withholding) and
  - (2) withholding for the employee's half of the FICA and Medicare tax.
2. Typically, only the tax collector is happy with the results under a nonaccountable plan. That's why we think meeting the accountable plan rules is important.

### Abo and Company Suggests your Accountable Plan Should meet the Following Basic Requirements

1. Business Connection Requirement. The plan should provide reimbursements or allowances only for business expenses that are paid or incurred by an employee in connection with the performance of services. The reimbursements or allowances must be clearly identified as such when the employee is paid.
2. Substantiation Requirement. The plan must require substantiation of the employee's expenses via an expense report, diary, log, trip sheet, or similar record that identifies the specific nature of each expense so that the employer can conclude whether it is a legitimate business expense.
3. Requirement to Return Excess Payments. An accountable plan generally should require employees to return reimbursements or advances that exceed actual substantiated business expense amounts.
4. Reasonable Time Requirement. The proper substantiation of expenses and the return of excess payments should occur within a "reasonable" period of time in order for an expense reimbursement or allowance arrangement to qualify as an accountable plan.

To have the most chance for success, the firm should ensure they have a written plan or an agreement with their employees, that the terms of the agreement are actually followed, and that the reimbursement or rental payments are reasonably related to the employee's actual expenses (i.e. perhaps equal to the average expenses of the employee in the last year or two). It can only help to indicate a business reason (besides the payroll tax savings) for why the reimbursement arrangement is being set up.

Just give us a shout if you'd like a copy of the Abo and Company agreement we've used and so recommended similarly in the past for clients which, effective January 1, 2018, takes on heightened significance for many. Let us know if you need us to explain the pros and cons of such an arrangement to your firm (typically the "cons" are mostly the administrative or "headache" factor, especially for larger practices).

*Abo and Company, LLC and its affiliate, Abo Cipolla Financial Forensics, LLC, Certified Public Accountants – Litigation and Forensic Accountants are Partners in Progress of the Camden County Bar Association. The above article was retrieved from the "E-mail alerts" disseminated to clients and friends of the firm. With offices in Mount Laurel, Morrisville, PA and Franklin Lakes, NJ, tips like the above can also be accessed by going to the firm's website at [www.aboandcompany.com](http://www.aboandcompany.com) or by calling 856-222-4723.*



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## A Devine Celebration!

Association members, friends and family members came to Woodcrest Country Club in Cherry Hill for the 2017 Hon. Peter J. Devine, Jr Award Presentation to celebrate and honor **Past President Brenda Lee Eutsler** who received the Association's highest honor.

Established in 1981 in honor of the popular Judge Devine who served as president of the Camden County Bar in 1967-1968, Brenda was chosen this year's recipient in recognition of her long record of distinguished service to the Bar Association and legal community. The Association congratulates Brenda on receiving this recognition and high honor, and extends its gratitude for her many years of dedicated service.



*Jim Herman & Benda Eutsler with Greg Eutsler, Sandy Brown, Bob Incollingo, Mike & Ronni Kucharski*



*Briele Hass & Kristen Schmid*



*CCBA President Eric Fikry, Sam Asbell, David Gelman*



*Immediate Past President & Devine Committee Chair Lou Moffa & Abe Tran*



*Mike Dennin, Matt Rooney, Abe Tran, Craig Becker*



*Foundation President Jen Fowler, Shayna Slater, Michelle Badolato*



*YLC Chair Tom Hagner & Rachael Brekke*



*Past Devine recipient Mike Kulzer, Zola Bryan, Jim Herman, David Gelman, Brian Herman, Sam Asbell, Judge Polansky*



## A Devine Celebration Continued



*Bob Harbeson & Frank Allen*



*Jules Lieberman, Mark Jacobs, Brenda Eutsler,  
Past Devine recipients Marci Hill Jordan & Al Schwalbe, Lauren Tavinsky*



*Past Devine recipients Joe McCormick & Mike Kulzer, Frank Allen*



*Joseph Connell, Sr., Dan Mellor, Craig Becker*



*Dean Solomon, Past Devine recipients Judge Fox & Allen Etish*



*Carol & Judge Wells*





By Andrew Kushner

# Spinning My Wheels

## Questo è una Bellezza!

I knew that it was actually just a matter of time. I have driven my leased VW GLI for about 21 months now and can confirm that it is generally well made, mostly free of faults and more than simply serviceable. Cost (including no anticipated repair costs) were the overarching criterion in choosing the Vdub after something of a financial debacle with my last 22 year old car purchase. As I recollect below, it is true. You can't go home again. At least, you can't expect to always arrive there when driving a car that qualifies for classic license plates. No, when selecting the VW, I mostly focused on the only real benefit of leasing a car, besides lower monthly payments: One must revisit the decision at the end of the lease term. While I am currently 14 months away from that decision, it does not stop me from contemplating my next (and if I may be somewhat realistic for a moment, perhaps my next-to-last car).

I have reached the stage in my life where I should be able to make decisions such as these grounded mostly in desire, not need, but alas, reality intervenes. Do I limit or avoid monthly lease/loan payments by purchasing an older but desirable vehicle outright or do I leap back into the new car market? The answer is not yet clear. However, anticipating even the possibility of a new car when the time arrives, I have made a short list of those attributes which would reasonably avoid the situation where the purchase is made and I come to the realization shortly thereafter that I have made a terrible error.

What better choice for me than to re-engage my relationship with that storied marque, Alfa Romeo? Those readers of this column may recall my last encounter with the brand—the purchase of a lightly used but 22 year old example, purchased sight unseen from a seller in the wilds of the Idaho mountains and trucked here at no small expense. At the time, Alfas were somewhat like that old cliché about the value of real estate: They aren't making any more it, so it is priced accordingly. Despite paying more than was reasonable to acquire and transport my last Alfa, that excess was only exceeded by the dollars spent on fettling it when it arrived and then supporting my mechanic in my quarterly visits to repair or replace something or another which had gone wrong. You can't drive an old car daily no matter (or sometimes because of) the low mileage. After two years and much more money than anticipated, I found some other benighted soul on the West Coast who wanted the car almost as much as I had and was willing to pay a similarly stupid amount of money to acquire it.

Since my last foray into Alfa, they have returned to our shores several years ago after

more than 20 years. They are sold as the more expensive brother to Fiat. Both are made by that mish-mash named manufacturer Fiat Chrysler. Alfa now has three models on sale in the US: the two seater 4C sports car, the newly introduced Stelvio SUV and, more to the point for me, the mid-sized Giulia. I took some time on a Saturday afternoon recently to visit the Alfa dealer in Maple Shade and explore the Giulia both for this column and for more selfish reasons.

I was greeted at the door by Hezekiah, a two year veteran of the dealership. I made it plain that I was not a buyer today but did allow that my lease had about 1 year until expiration and, perhaps more importantly, I might be shopping for my *eighth* Alfa Romeo. I assume that the last point made me unique amount American car buyers and it is doubtful that such words are uttered with any regularity. Hezekiah acted duly impressed by my provenance and we talked generally about the car in its various iterations.

Alfa has brought the Giulia into this country in two basic configurations: a model equipped with a 2.0L turbocharged four cylinder engine making a prodigious 280 bhp and connected to an 8 speed automatic transmission. Configured with all-wheel drive and some other reasonable options and you have a list price in the mid-forty thousand dollar range. The size and price competes head on with the BMW 3 series, Audi A4, Mercedes 250, Jaguar XE as well as some other domestic and Asian alternatives. The horse power of the Alfa is between 33 and 90 more than its competitors, all using a 2.0L turbo engine. This is the version drove. The other model the Giulia Quadrifoglio, is a "reasonable priced" supercar with a turbocharged six cylinder Ferrari based engine with 505 bhp a bunch more performance items and a base price of about \$73,000. Not in my ballpark.

I selected an AWD model with typical options for the two of us to take for a spin. For reasons not quite clear to me, sales people don't include a stretch of Route 295 on their test drive and they mumble something about management directives and safety. I do not understand how one can adequately determine the feel for a car at 40 miles per hour. Nevertheless, his test route included what he thought would be a piece of some curvy road. This amounted to a short tour of a local residential area bordered by a lake with a 25 mph speed limit. Even as I exceeded the limit briefly by a factor of two, it was unhelpful in getting a true feel for the car. A more expansive test of the car, that didn't involve residential areas and the possibility of the local constabulary

lying in wait to pounce, would have made the drive much more enlightening. However, even under such restrictions, I could easily see that the power produced and channeled through the transmission were seamless and the suspension was a delight.

Exterior and interior styling are always a personal choice. I prefer Italian *panache* to Teutonic starkness or Asian offerings, which, in fairness have been markedly better of late. The Giulia's size is roughly equivalent to its rivals, likewise, the pricing. Although I think that the Alfa might be a bit less expensive comparably equipped. While I did not talk "out the door price" with the salesman, a quick check of the internet indicated that Alfa dealers were "dealing" on these cars.

So, what of the return of Alfa to the US. Can they make it this time around? Has enough time elapsed to erase the bad memories of Italian cars? My easy and somewhat objective answer is a lightly qualified "yes." Fiat, the owner of Alfa Romeo, is now a world player and has stepped up its game both in product and quality to be essentially the equal of its competitors. The days of car engines or transmissions failing prematurely are mostly in the past although I must opine that the extended oil change intervals most manufacturers tout seemed more designed to play to the customer's sense of cost, rather than considering long term durability. Such failures are much more the exception. Build quality and materials are generally up to measure and, in some instances, are better.

The problem remains that long term ownership of any car, even (especially?) an Italian one, no longer implicates the power train of the car, but rather the array of electronics that permeate today's cars. In this Alfa is not unique. Failure of any sophisticated system outside of the four year warranty period will almost certainly cost a bundle no matter the car. Those who don't want to deal with these issues will continue to lease and replace their cars at lease end, almost as disposable goods. However, if you want to be a long term owner, investigation of an extended warranty policy (be careful with the vendor, please!) or at least a reserve against repairs is essential.

It is hard to believe that \$45,000 buys one only an entry level luxury car today. That kind of money was for supercars thirty years ago. On the other hand, performance and features of today's cars far exceed the supercars of that time. When it is new car time and you are thinking of a midsize sedan from Germany, the UK or elsewhere, put Alfa on your list. You can thank me later.

## OUT AND ABOUT

## DEVINE AWARD



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Past Devine recipient Judge Fratto  
& Judge PolanskyJen Fowler &  
President-elect Ron Lieberman

Judge Delaney &amp; Brian Herman



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**Rich Shakarjian**

856-858-8118

[RShakarjian@1stcolonial.com](mailto:RShakarjian@1stcolonial.com)

**Carol DeGrace**

856-885-2021

[CDeGrace@1stcolonial.com](mailto:CDeGrace@1stcolonial.com)

**Richard DeGrace**

856-885-2022

[RDeGrace@1stcolonial.com](mailto:RDeGrace@1stcolonial.com)

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