

**INTERVIEW WITH JUSTICE VIRGINIA A. LONG  
DECEMBER 3, 2018**

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**PART 1 OF 4**

**'We Thought the World of It:' Youth in Elizabeth, N.J. & Education to College Days**

*Justice Long describes her youth in Elizabeth, New Jersey, as the daughter of first-generation parents, an Irish-American policeman and an Italian-American secretary and Democratic Party activist. She traces her Catholic school days from Immaculate Conception School (1947-1955) to Benedictine Academy (1955-1959), both in Elizabeth, to Dunbarton College of Holy Cross in Washington, D.C. (1959-1963). She expresses the impact of various role models in her youth, talks about the jobs she had, and explains what it was like growing up in Elizabeth in the 1950s. At Dunbarton, she majored in English and pursued multiple activities, including student governance.*

**Illingworth:** This begins an oral history interview with retired Associate Justice of the New Jersey Supreme Court Virginia Long on December 3, 2018, in Lawrenceville, New Jersey, with Shaun Illingworth. Thank you very much, Justice Long, for sitting with us.

**Justice Long:** I'm happy to be here.

**SI:** All right. To begin, could you tell me where and when you were born?

**Justice Long:** I was born in Elizabeth, New Jersey, on March 1, 1942.

**SI:** For the record, what were your parents' names?

**Justice Long:** My mother was Eleanor Triana Long, and my father was John Vincent Long.

**SI:** Now, starting with your mother's side of the family, can you tell me a little bit about the family background, if there was any kind of immigration story there, that sort of thing?

**Justice Long:** Okay. Well, they were first-generation Americans. My grandfather, John Triana, was kind of a jack-of-all-trades. That's how he supported his family. My grandmother was the mother of nine daughters, and so, they lived pretty close to the vest in those years.

In 1918, my grandfather and two of the girls died in the flu epidemic, leaving my grandmother with seven girls to support. She just opened a provisions store in the front of her house, making lunches and other things for people, and that's pretty much how she supported the girls for the rest of her life. She was kind of a force of nature for them, and I think of her as the first really strong woman in my background.

[Editor's Note: Between twenty and forty million people perished in the influenza (also known as "Spanish Flu") pandemic that swept the globe from 1918 to 1919, following the end of World War I, including an estimated 675,000 in the United States.]

**SI:** Wow, that's incredible that she was able to do that. Do you happen to recall which part of the city she was in?

**Justice Long:** She was in Peterstown, which was the Italian neighborhood, on the corner of Second Avenue [in Elizabeth]. The store is still here. It's just owned, obviously, by different people.

**SI:** What about your father's side of the family?

**Justice Long:** My father's father worked the high iron [a structural ironworker known for an ability to work at heights], which was a very, very lucrative and interesting profession. He traveled all over the world. He worked on the Brooklyn Bridge and lots of other very famous bridges and, basically, sent money home to his wife and their five children. So, she ran that family, and that was the second matriarch that I had familiarity with.

She ran it with an iron hand, is the only way to describe it, but they were crazy about her. My father and his sisters and brothers, they were just crazy about their mother, because she was, of course, the stable force in the home, because their dad, Frank Long, was on the road all the time.

**SI:** Do you know how your parents met?

**Justice Long:** Yes. My parents met at a dance. My mother's friend, Louise Murphy, who she was friendly with for eighty of her ninety-four years, said to my mother, "Do not dance with that guy, because he will step all over your feet," but she did, and the rest was history. [laughter]

**SI:** Now, your mother was of Italian ancestry.

**Justice Long:** Yes.

**SI:** Your father was more English, I guess?

**Justice Long:** Irish, his mother, Mary Catherine O'Reilly, and his father, Frank Long.

**SI:** Okay. In those days, was it unusual for Italians and Irish to get together in Elizabeth?

**Justice Long:** It was, but it worked out amazingly. My mother's relationship with her in-laws was as familial as if they were her own sisters. That's the only way I can describe it. So, [it] worked out fine.

**SI:** Do you know how far in their educations they went?

**Justice Long:** Yes. They both graduated from high school.

**SI:** Now, what year did they get married?

**Justice Long:** I'm going to say probably, maybe, 1939. I'm just not positive.

**SI:** Did they have children before you?

**Justice Long:** No, nor after.

**SI:** All right, only child.

**Justice Long:** Yes, yes.

**SI:** All right. Did they ever talk about the impact of the Great Depression on their lives in particular, or Elizabeth as a whole?

**Justice Long:** They talked so much about the Great Depression that I feel like I lived during the Depression, even though I wasn't born yet. It was such a factor in everything that they thought of, in terms of saving money, getting a job that would have security. It was palpable what could happen to you, in a second, if the financial world turned upside down. It was an omnipresent thing in my upbringing.

**SI:** During World War II, did your father have to go into the service?

**Justice Long:** No, he did not, because policemen were [exempt]. They were of the necessary group that was excluded.

**SI:** What did he do on the police force?

**Justice Long:** He did everything. He started out as a foot patrolman, then, he went to the radio car. Then, he became the head of the records room, and he ultimately retired as the deputy chief, of a very large, urban police department [in Elizabeth].

**SI:** Did your mother ever work outside of the home?

**Justice Long:** She always worked. She worked--I don't even remember her not working. She worked for the March of Dimes, Democratic headquarters, Edward L. Whelan Insurance Company. Then, for many years, she was the secretary to the Director of Finance in Elizabeth.

**SI:** Did they have a lot of ties with the party, or was it mostly your mother?

**Justice Long:** Well, no, my mother mostly, and she was a Democratic committeewoman. They were just interested in politics, though. I mean, politics was discussed. I can remember them being glued to the conventions when they first went on television, and even before that. Actually, my mother attended one of the conventions when she was younger.

**SI:** So, [they would] probably be watching the '48 convention with Truman.

**Justice Long:** Yes. No, actually, the one that really sticks in my mind is Adlai Stevenson. [Editor's Note: Democratic Illinois Governor Adlai Stevenson, II, garnered his party's nomination for President in 1952 and 1956.]

**SI:** Okay. What are your earliest memories of Elizabeth?

**Justice Long:** They're idyllic memories. Now, they may not be idyllic the way you see things on television and in the movies, with the lawns and the children running across them. My backyard was concrete, but we thought the world of it.

We had a tiny garden and grew tomatoes and flowers, and I rode my bicycle in the city streets. I took the bus everywhere, and I spent all my free time in the Elizabeth Public Library, which remains, in my memory, as the most wonderful place that you could possibly imagine.

**SI:** How close was it to your home?

**Justice Long:** A couple of blocks. I used to go down there every Saturday and bring home a shopping bag full of books, and I would read them and bring them back. It was like history repeating itself, because my grandmother, my father's mother, would send him every Saturday to the library to bring home a shopping bag full of books for her.

**SI:** Growing up in this environment, first, what was the name of the neighborhood? Then, also, was it like a melting pot area, or was it predominantly one group or another?

**Justice Long:** Well, it wasn't the area so much. I lived in a four-family house, and the other people in the house were my aunts and uncles and cousins. My other cousins--as I told you, there were seven surviving girls in my mother's family, there were four survivors in my father's family--all of them, and all their children, lived within shooting distance of our house. So, that was the milieu in which I grew up.

**SI:** I'm curious. Did any of either the Irish traditions or the Italian traditions live on in your family?

**Justice Long:** Not so much. I can remember some traditions, that nobody knew where they came from. We had to eat herring at midnight [laughter] on New Year's Eve, and I'm not sure of that, why. They didn't really observe, particularly, any individual traditions, but we did have constant parties and familial events that everybody attended.

**SI:** Did religion play a role in your life growing up?

**Justice Long:** Huge, huge. My parents were extremely observant. We observed everything. I was taught by nuns from first grade until I graduated from college. I never was in a school that wasn't taught by nuns. So, it was obviously front and center in our lives.

**SI:** What was the first school you went to?

**Justice Long:** Immaculate Conception School in Elizabeth. I went from there to Benedictine Academy, which was a girls' school, also in Elizabeth. From there, I went to college, Dunbarton College of Holy Cross, which was a girls' school in Washington, D.C.

**SI:** Now, with the grammar school, which order was in charge there?

**Justice Long:** The Sisters of Charity, and it was only four classrooms for eight grades.

**SI:** Wow. So, you had two classrooms [together].

**Justice Long:** Yes, yes.

**SI:** I'm always curious, that kind of setup, people say it can detract from your education, some people say it can add to your education, because you learn about what classes ahead of you are doing.

**Justice Long:** Yes.

**SI:** What's your take on that?

**Justice Long:** Well, I loved being in the lower class and doing my work and their work. It wasn't quite as interesting when you got into the upper class, because you'd heard it already.

**SI:** Were all these institutions all-girls?

**Justice Long:** No, I had a co-ed grade school.

**SI:** What interested you the most in school, up through, maybe, high school?

**Justice Long:** What interested me? Everything but gym. [laughter] I mean, I was interested in everything, but I was definitely not an athlete.

**SI:** Do you feel like they were always pushing you towards more and more academic achievement?

**Justice Long:** The nuns?

**SI:** Yes, at school, or others.

**Justice Long:** Yes, oh, they were, and, let me tell you, they were the first highly-educated women that I came in contact with. They had master's degrees and PhDs, and so, they were role models for us, and they were always encouraging us to do more and more things.

**SI:** Tell me a little bit more about just what life was like in Elizabeth when you were growing up in the '50s, late '40s, '50s, '60s.

**Justice Long:** It was a bustling metropolis--that's the only way to describe it. There must've been six or seven movie theaters, all operating very, very successfully. There were fancy department stores, fancy individual stores for clothing. It was just, I can only say, a bustling metropolis.

It was interesting for--you asked me about religion--there were neighborhoods that were known by the church that they were in. You were in St. Genevieve's Parish, Immaculate Conception, Sacred Heart, and, in some of those neighborhoods, there was an ethnic element as well. So, Sacred Heart and St. Patrick's had the Irish. St. Anthony's had the Italians. St. Hedwig's had Polish, and there was a German contingency at St. Michael's, which is where my mother went to novena every single Wednesday for her whole life.

**SI:** Were there real rigid divisions between the groups in town?

**Justice Long:** Well, not really, not really, but you kind of knew the people at your church or at your school, and that was just the way it was.

**SI:** Did you have to work outside of the home at all?

**Justice Long:** I had a job every single summer and school vacation from the time I was fourteen on.

**SI:** What would you do?

**Justice Long:** I had some bad jobs, too. I remember the worst. I worked in City Hall--no, the courthouse--and I had to type old, handwritten deeds onto typewritten forms. Every day was like a thousand hours, is the only way to describe it.

I was not very good at it, apparently, because the boss, a woman, called me in and said, "Virginia, what do you think of this work?" and showed me a page. I said, "Well, I think that looks pretty good," and she said, "I do, too. That's Carlene's work. This is your work," [laughter] and mine had a lot of erasures and holes in it. I was not meant for that life.

I worked in the Recreation Department. I wrapped gifts in the department stores at Christmas. I always, always had a job. I was a waitress at the Shore when I was in college. I just always worked.

**SI:** Yes, I was going to ask also if you had opportunities to go outside of Elizabeth before going away to college. Would your family go on vacation, that sort of thing?

**Justice Long:** We did. We went on vacation. We always went on road trips. Every year, we always took either a friend or a cousin along, so [that] I would have a companion. We went to Canada and Florida and Vermont and New Hampshire.

**SI:** You mentioned in our talk on Friday about how Newark was also a center that you would go to.

**Justice Long:** Oh, yes, Newark.

**SI:** Were there other regional areas you would go to?

**Justice Long:** Oh, Newark was the place, because, then, all the big, big department stores--Ohrbach's, Bamberger's, S. Klein on the Square, Kresge's, Hahne's--they were all in Newark. That is where you shopped for anything that was important.

I think I told you, though, my mother loved to shop, but I would go to the newsreel theaters in Newark, which I don't even know if you know what that is.

**SI:** Like Pathe?

**Justice Long:** It's a theater in which only newsreels were shown. My father and I would go and sit in the newsreel theaters and watch news while she filled her bags with whatever, right. [laughter] I still don't like to shop.

**SI:** I'm curious. Since she was so active in politics, and you mentioned it was discussed around the dinner table, so-to-speak, would she ever take you out campaigning or helping out with things?

**Justice Long:** Well, I wouldn't say campaigning, but I know among the things that she did were to hand out leaflets and put them on cars, under the windshield wipers. She was in that contingent, and, if we were, any of the kids in the house were, around, she would drag us along, too, to do our share. I mean, this was not high-level politics--this was grassroots.

**SI:** Tell me a little bit about the Benedictine Academy. By that time, were you refining what you were interested in? Were you looking at more, I guess, liberal arts-related things or scientific things, or both?

**Justice Long:** Well, no, it was kind of being refined, but I was interested still in everything, and I kind of did everything. I was in the plays and sang solo in the glee club, and I did poetry interpretation. I was the editor of the yearbook. I mean, I just did everything that you can possibly imagine.

**SI:** Was that something internal?

**Justice Long:** Yes.

**SI:** Okay. Your parents weren't pushing you to get involved in it.

**Justice Long:** No, no. Well, they did say, "You don't just go through a school. You leave an imprint wherever you go."

**SI:** Was that also Sisters of Charity?

**Justice Long:** No, they were the Benedictines.

**SI:** Okay, all right. Everyone has stories about the discipline of the nuns--any spring to mind?

**Justice Long:** No. I mean, they were wonderful. I just loved those nuns. They were fabulous. The Sisters of Charity were tougher, tough customers, but they had boys in the classroom. That was grade school. So, I guess they felt like they had to be tougher, but they produced--Immaculate Conception produced--some amazing people who did amazing things.



In my class, there's a professor at MIT, a professor at Kean College, a professor at Georgetown. So, they did a very good job, and the Benedictines as well. Sometimes, those nuns were going for their master's degrees and PhDs at night, at Seton Hall University, and they would come in the next day and teach us what they learned. It was really an exciting experience, but I was definitely not interested in science. I was interested in liberal arts.

**SI:** One of the things we look at is, what expectations were raised for women in this era? You would have been there in the late '50s, graduated in '59?

**Justice Long:** '59, right.

**SI:** At that point, did you feel like there were certain jobs you were [barred from], you could only go into, maybe, nursing or teaching or something like that?

**Justice Long:** Yes, teaching, social work, maybe, something that they called "retail," which, I guess, was working in a department store. I can remember being a little girl and my mother saying, "Teaching is a very good thing, because, if your husband dies, you can fall back on it." I mean, planning for my husband's death when I'm eight years of age? [laughter] But everybody I knew had the same experience. You were being funneled into a couple of occupations.

**SI:** Was it always kind of expected that you would go to college?

**Justice Long:** Yes. There was never a question about it, and, at my school, at Benedictine Academy, everyone went to college.

**SI:** Did you only consider Dunbarton of Holy Cross?

**Justice Long:** No, I actually--Douglass on my list. Barnard was another school that was on my list, but the truth is that, I guess, I ended up there because everybody else I knew ended up in a Catholic girls' school, everybody, whether it was Trinity or Rosemont or Chestnut Hill or whatever. That's where everybody I knew went.

**SI:** Tell me about going down to Washington. I'm guessing this is one of the times you were really on your own for the first time.

**Justice Long:** Yes.

**SI:** What was that experience like?

**Justice Long:** Well, I mean, it was less on your own than you might imagine. We had mandatory lights-out at nine-thirty at night, and they flipped the switches, so [that] you couldn't keep them on if you didn't want to sleep. If you went out on a weekend, you'd have to be home at, like, ten-thirty, eleven o'clock. People were checking the length of

your skirt, because we were going into the miniskirt era. They were checking that. It was a pretty restricted atmosphere. So, I wasn't really on my own at all.

**SI:** Okay. You mentioned the skirt length. Did they have a dress code?

**Justice Long:** No, just the skirt length was one of the things that I do recall.

**SI:** What kind of activities did you get involved in there?

**Justice Long:** Again, everything that you could possibly imagine. I was in every play. I sang as a solo in the glee club. I wrote for the newspaper; basically, everything.

**SI:** Now, you were there when JFK's campaign got started, when he was elected. That must have been particularly exciting in a Catholic school, Irish Catholic background. What do you remember about those days?

**Justice Long:** Well, it wasn't just Irish Catholic. It was just that he seemed so different from everybody, from regular politicians. He seemed--well, he was sort of like a movie star, an idol, more than anything.

I went to the inauguration and stood out there. It was a freezing cold day, watched them go by. I went to one of the inaugural balls on that night, because--it wasn't anything too exciting--boys from the military academies came to Washington, D.C., and the girls from Dunbarton and Trinity and Georgetown Visitation were their dates for the inaugural balls.

**SI:** How far away were you from Kennedy?

**Justice Long:** Pretty far. [laughter]

**SI:** Yes, okay.

**Justice Long:** Like about as far as you could humanly, possibly be, right. [laughter]

**SI:** Did you get interested in national politics at this point?

**Justice Long:** No, not really, I mean, just as a kind of observer.

**SI:** What was your major?

**Justice Long:** English.

**SI:** Why did you gravitate towards English?

**Justice Long:** Well, I think it was part and parcel of all that reading. That is what I like to do--that is what I liked to do then, when I was five years old, it's what I liked to do

when I was seventeen, it's what I like to do now. English just was a perfect fit for that, reading every poem, every play, every novel assigned. I just loved it.

**SI:** Do any of your professors stand out in your memory?

**Justice Long:** Actually, all of them. I have to tell you, I didn't have a bad teacher in college. It was a really wonderful education. It was an intense education. It was not one of these things where everybody takes survey courses and moves on. For example, you had to choose an author, and you would spend the entire year simply writing, explicating poetry, whatever, of that author. Mine was Gerard Manley Hopkins. It was just a very deep dive into everything that we did.

**SI:** Was that like a thesis program, or you were just looking at...

**Justice Long:** No, that would be the English majors' specific program in junior and senior year.

**SI:** What were you thinking you would do at the end of college?

**Justice Long:** I was thinking--well, I thought a lot of things. I took some teaching courses, didn't like it; took some sociology courses, didn't really like it. So, I really thought I would either get a PhD in English or be a doctor or a lawyer. Those were the three things that I kind of drilled down on.

**SI:** You entered law school right after, so, you must have made your decision pretty quickly.

**Justice Long:** Right, yes.

**SI:** How did that come about?

**Justice Long:** I just did really well in the LSATs. I did well enough to get in everywhere. It struck me that I may have hit pay dirt in terms of where I should be. Plus, I wasn't really that interested in science, so, the doctor thing was pretty much pie-in-the-sky. [laughter]

**SI:** Before we leave college, did you get involved in any what you might call community activities, things maybe off the campus?

**Justice Long:** Not off campus, but we did--every school that I attended had a very intense social justice element to it, and that would be college and high school. We were always doing charitable functions. It was part and parcel of the idea of character education.

**SI:** You said earlier, in the summers, you would waitress

**Justice Long:** Yes.

**SI:** Did you have any other jobs in college?

**Justice Long:** Not at school, no, but I was really busy, always. I was on the governing body of the school for all four years. It was called the House Committee, and I just kept busy.

**SI:** What kind of issues would the House Committee deal with?

**Justice Long:** Misbehavior by people, staying out too late, whatever, academic issues, yes.

**SI:** Again, they seem to have kept a pretty tight lid on folks.

**Justice Long:** Yes, yes.

**INTERVIEW WITH JUSTICE VIRGINIA A. LONG**  
**DECEMBER 3, 2018**  
**PART 2 OF 4**

**Shattered Glass: Challenging the Patriarchy from Law School to the Judiciary**

*Justice Long discusses her studies at the Rutgers Law School in Newark (1963-1966), reflecting on her professors, including Ruth Bader Ginsberg, Thomas Cowan, Arthur Kinoy and Saul Mendlovitz. She comments on the changing role of women in the law in the 1960s, both in law school and in her earliest days in the New Jersey Attorney General's Office.*

*She recalls her experiences as a Deputy Attorney General, working in Education, Criminal Investigation, Banking and Insurance, and Institutions and Agencies. She notes the prejudices she encountered in and out of the courtroom and describes her role in the 1970 school prayer case *State Bd. of Ed. v. Bd. of Ed. of Netcong, N.J.* After a brief foray into private practice, she returned to government service in the Department of Consumer Affairs and as Commissioner of Banking (1977-78) during the Byrne Administration (1974-81).*

*After Governor Byrne appointed her to the Superior Court in Union County, Justice Long worked in the Criminal, Civil and Family Divisions. She relates the continuing challenges faced by her and her colleagues among the vanguard of female judges in New Jersey. She became the State's first female Chancery Judge in 1983 and was elevated to the Appellate Division in 1984. She then details her work on the ground-breaking Committee on Women in the Courts, established by Chief Justice Robert Wilentz.*

**Illingworth:** So, you graduated from college in 1963. You went right to Rutgers Law School then, the Newark Campus.

**Justice Long:** Yes.

**SI:** Why Rutgers?

**Justice Long:** It was a great school. It was close. I was going to stay home, which I did. I lived at home, and it was really, really inexpensive, [laughter] seriously inexpensive. My parents had been paying tuition for private school for 16 years. So, especially because of the reputation of the school, it just seemed like a great idea.

**SI:** Tell me a little bit about that first year, which always seems particularly challenging.

**Justice Long:** Well, I'll tell you the first thing--the difference between all those nuns that I had been with, all those years--first day of law school, I'm in a huge classroom, full of people. Professor comes in and I leap to my feet, because that is what you did when

the professor came in in all the schools that I ever attended. I was the only person standing up, and I was looking at him and he was looking at me. He wondered if I had something that I wanted to tell him, and I never did it again. [laughter]

**SI:** Do any of those professors, early on, stand out in your memory?

**Justice Long:** Well, Ruth Bader Ginsberg.

**SI:** Sure.

**Justice Long:** She was my civil procedure professor. We had great teachers. Professor [Thomas] Cowan, who taught us torts, was like being in a movie theater. From the beginning until the end, you were transfixed. Arthur Kinoy, who was one of the great Civil Rights lawyers, would argue cases in the Supreme Court one day and come in and talk to us about the case the next day. Saul Mendlovitz, Law and World Order, kind of got us used to the idea that we need to be looking outside of our borders as time goes by--and we see that now, even more so. I had absolutely amazing professors.

[Editor's Note: Justice Ruth Bader Ginsburg was appointed to the U.S. Supreme Court by President Bill Clinton in 1993. She served as a faculty member at the Rutgers School of Law-Newark from 1963 to 1972. Arthur Kinoy served as a faculty member there from 1964 to 1991. Saul Mendlovitz, the Dag Hammarskjold Professor of Peace and World Order Studies *Emeritus*, joined the Rutgers Law School faculty in 1956.]

**SI:** Well, I'm curious, since Ruth Bader Ginsberg, obviously, went on to the Supreme Court, any memories in particular of her and her influence?

**Justice Long:** No. She was a very quiet, kind of low-key professor, and civil procedure is not exactly a laugh a minute, I must tell you. No matter who taught it, it was going to be [dry]. It is, basically, the underpinning for everything that happens in the law, but it's pretty dry stuff. So, she did as well as could be done with it, but it wasn't a knee-slapper.

**SI:** In your three years there, would you say it was still a pretty traditional curriculum, or were they starting to move into more of the social justice aspects?

**Justice Long:** Well, Arthur Kinoy probably changed things to some extent, because he and William Kunstler both taught at the school, and there were Civil Rights matters that were taught. So, I think it was on the move, maybe, but it was still a pretty traditional place. The men wore jackets and ties, and we wore dresses and heels to law school. Well, if you went over there today, you would not be seeing that, I can assure you.

[Editor's Note: Kinoy and Kunstler served as partners in the same Civil Rights law firm, helped co-found the Center for Constitutional Rights and worked on many prominent cases together, including the trial of the Chicago Seven.]

**SI:** How many women were in your class?

**Justice Long:** We had the breakthrough class--twelve women started, four women finished. Several dropped out to have babies and finished later.

**SI:** I've heard from other law students from this era that, at some schools, they would have a women's day, where they would have the women in the class go onstage and answer questions from everybody.

**Justice Long:** No.

**SI:** Did that ever...

**Justice Long:** No, no, but I know that there were women ahead of me--for example, I remember, Judge Loftus, she was alone in her class. She would've been about four years ahead of me. She was called on every single time. That is what [they did], and professors liked to do that, yes.

[Editor's Note: The Honorable Marilyn H. Loftus served in the Attorney General of New Jersey's Office from 1961 to 1973, including as First Assistant Attorney General from 1969 to 1973 and as Acting Attorney General, becoming the first woman to hold those positions. She joined the Superior Court in Essex County in 1973 and was elevated to the Appellate Division in 1994, serving there until her retirement in 1997. She served as the first Chair of the New Jersey Supreme Court's Task Force on Women in the Courts in 1982. The National Association of Women Judges created the National Task Force on Gender Bias in the Courts in 1985 and named Judge Loftus as its first Chair.]

**SI:** Do you think there was any additional prejudice towards the female students?

**Justice Long:** It wasn't really prejudice. I mean it was really fun. The people that I met there, I'm still friendly with. So, it wasn't a big deal--but there were a number of people, professors and students, who said, "You should not be here, taking the place of a man who is going to be a breadwinner, because you're not going to keep on working." So, that was that.

**SI:** Any other classes that stand out in your memory as being something that influenced you later, or affected your thoughts about your career path?

**Justice Long:** No, I don't think so. I actually did like administrative law, and then, I ultimately went to the AG's [New Jersey Attorney General's] Office, so, that was probably a little part of the attraction.

**SI:** Did you get involved in any activities, like *Law Review*, that sort of thing?

**Justice Long:** Yes, I did. In those days, you had to be in a certain percentage in your class, top ten percent, top something--I don't know what it was--and then, you would be invited to compete for *Law Review*, which I was, but, then, I went into the moot court competition. I won that- best speaker and best brief. The judges in the finals were Justices Francis and Schettino and Judge Gaulkin. I became the captain of the moot court team. I dropped out of *Law Review* and did that instead.

**SI:** What did you find most interesting about moot court?

**Justice Long:** Arguing. I loved being on my feet, and I loved the brief writing.

**SI:** What did you do in the summers in-between?

**Justice Long:** After my first year, I clerked in a large law firm in Plainfield, McDonough and Sullivan, private law firm. The second year, I clerked in the AG's Office, and that's what set me on my career path, because I loved it.

**SI:** What were you doing that summer in the AG's Office?

**Justice Long:** I was writing memos on various legal issues involving state matters, and I just liked it very much. I liked that kind of collegial atmosphere among the lawyers.

**SI:** Any other memories of law school that stand out, that you want to share?

**Justice Long:** Well, I made friends in law school who are still my best friends today. The first day of law school, I borrowed money for the coffee machine--I didn't have the right change--from the woman sitting next to me. We were in each other's weddings, her son clerked for me on the Supreme Court, and we are as close today as we were then. That's fifty-some years later. [Judge Miriam Span, Superior Court, Union County]

**SI:** Wow. You graduated in 1966.

**Justice Long:** Yes.

**SI:** You talked about how there was this notion that women shouldn't be in the field, taking the place of a man, that sort of thing. I would imagine that would be amplified in the actual job search.

**Justice Long:** It was. We couldn't get--most women could not get--clerkships. The judges came right out and said, "My wife would not like it if I were working closely with a woman." Private law firms were pretty much foreclosed. I think we talked the other day about an article in *The Wall Street Journal*, it was in '63, and basically came right out and said, "Women are the least wanted associates in any law firm, on any subject, regardless of their status in law school," just not wanted. So, it was not a very welcoming atmosphere.



**SI:** You also mentioned there were a lot of gender politics related to appearance and that sort of thing, when you would go out on the job hunt.

**Justice Long:** Well, when you finally got a job, yes, it was just part of the territory. Everybody commented on what you were wearing, how you looked, said that you were pretty.

I was sworn in on November 1, 1966. On November 2nd, I had to go down to Monmouth County to do some appeals from DWI [Driving While Intoxicated] cases. I had four of them. My adversary was a great DWI lawyer, well-known and a very nice man. He called me, through the entire four cases, "The beautiful Deputy Attorney General," "The lovely Deputy Attorney General," "The adorable Deputy Attorney General." He would say things like [Justice Long adopts a condescending tone], "Now, there's a way that the adorable Deputy Attorney General can get that evidence in, but she's not doing it right."

So, what he was doing was--first of all, it was kind of embarrassing to be called that--but he was objecting to my question and not giving me any information as to what I was doing wrong. I didn't really know that much about courtroom procedure at the time. I have to tell you, I was in tears during that day, from all perspectives, but I got a tougher skin as time went on.

I went up to Union County, stood up, and the adversary said, "I object to her being here," and the Judge said, "Why?" He said, "I don't know, but this cannot be right."

**SI:** Wow.

**Justice Long:** A judge said to my friend, in open court, in front of a jury, "Every time I look at you, I think of Shirley Temple, *On the Good Ship Lollipop*," and those are just anecdotes, but everybody, everybody experienced them--and I know that because I knew everybody who was a woman lawyer at that time. There were so few of us.

**SI:** I want to come back to that, but we skipped over the bar exam. Tell me a little bit about that.

**Justice Long:** Oh. Well, it was grueling; that's the only way I can describe it. We had the bar review courses, and I roomed with two other women, who actually became judges as well, later on, Judy Yaskin [Superior Court, Mercer County] and Miriam Span [Superior Court, Union County]. I still had dreams about failing the bar long after I had passed it, if you can imagine that. It was such a traumatic experience, because everything that we had done for those three years was riding on that day. Then, we had skills and methods, which they don't have anymore. It was a tough summer.

**SI:** What was skills and methods?

**Justice Long:** It was just a practice series you had to do. After you took the bar, which is, like, at the end of July, then, in August, they would teach you how to go about doing various tasks in the law, procedural stuff.

**SI:** You're sworn into the bar. I'm thinking of a story that Justice Coleman told, how, when he was sworn in, you had to go sign the book. I don't know if that was still the case.

**Justice Long:** Yes.

**SI:** But, in his case, he could see how few African-American lawyers there were. Was it the same regarding women?

**Justice Long:** Ah, absolutely the same. Everybody, each person, got to walk across the stage in the War Memorial Building, and you could see there were only a few women in that group. I mean, most of them were my classmates, so, the four women that I graduated with, and then, I can remember maybe two or three others, maybe five or six in all.

[Editor's Note: Justice James H. Coleman, Jr., served on the New Jersey Supreme Court as an Associate Justice from 1994 to 2003. He was the first African-American to serve on the Supreme Court.]

**SI:** Your first job was with the AG's Office.

**Justice Long:** Yes.

**SI:** Tell me about getting that, and what your initial assignments were.

**Justice Long:** Okay. My salary was fifty-five hundred dollars a year, and a man in my law school class, who didn't do as well as I did, got sixty-five hundred dollars a year, because he had a family and I didn't. That was just the way it was.

My first assignment –I think it was the Department of Education, for a little period of time. Then, I was in the Criminal Investigation section. I represented the Department of Banking and Insurance over time, and that's where I met Justice Clifford, because he was the Commissioner of Banking at the time. I did work on legislation, and that's where I met Chief Justice Pierre Garven, because he was Counsel to Governor Cahill at the time. I was counsel to Institutions and Agencies.

[Editor's Note: Justice Robert L. Clifford served as an Associate Justice on the New Jersey Supreme Court from 1973 to 1994. Chief Justice Pierre Garven joined the New Jersey Supreme Court as an Associate Justice in March 1973 and was elevated to Chief Justice upon Chief Justice Weintraub's retirement on September 1st of that year. He died after suffering a stroke seven weeks later.]

I did a lot, but you've got to remember the expansiveness of these assignments. There were fifty Deputy Attorneys General for everything. There are five hundred now. So, if you were to say to a Deputy Attorney General today, "Well, you're going to be representing Education, Higher Education and the Department of Institutions and Agencies," they'd quit, because it would be just way too much work.

In addition to all that, we represented the State Police in all DWI cases and radar speeding cases, everywhere in the State of New Jersey. So, we had to divvy up among the young deputies, because they're the ones who did it, the night trial work, which we did as well. So, it was pretty [busy]. It was a lot of work, but it was really fun.

**SI:** Now, early on, this would have been during, I guess, the Hughes Administration?  
[Editor's Note: The Honorable Richard J. Hughes served as Governor of New Jersey from 1962 to 1970, then, as Chief Justice of the New Jersey Supreme Court from 1973 to 1979.]

**Justice Long:** Yes.

**SI:** In that first year, there was the Newark riots, the Plainfield riots. Did those affect your experience at all?

**Justice Long:** Well, yes. I was sent with another Deputy Attorney General to Newark, to work in the Essex County Prosecutor's Office, to help them try the riot cases, because they were shorthanded. That's where I met Brendan Byrne, who ultimately appointed me to everything.

[Editor's Note: The Newark riots lasted from July 12 to July 17, 1967. The Plainfield riots, also called the Plainfield Rebellion, occurred from July 14 to July 17, 1967. Governor Brendan T. Byrne served as Governor of New Jersey from 1974 to 1982. In 1959, Governor Robert Meyner appointed Byrne as the Essex County Prosecutor and he served in that office until 1968.]

**SI:** Any memories of that period?

**Justice Long:** Well, it was kind of anxiety-producing. I had never tried a jury [trial]; I had never been before a jury. I had to learn on my feet, pretty much. So, I'd take that train to Newark every morning, and they'd just hand me a file and I'd go to a courtroom and pick a jury. It was wonderful experience. I'm not saying I was Clarence Darrow, but it was a great experience. [laughter]

**SI:** Well, again, you did a variety of jobs, but I was wondering if maybe we could try to find an example from some of these different areas--like, is there a particular case when you were working in education that stands out?

**Justice Long:** Oh, yes, the Netcong school prayer case. The Board of Education of Netcong, despite what the United States Supreme Court had said, instituted a voluntary

moment of school prayer. They used the prayer from *The Congressional Record*. The Attorney General and the Commissioner of Education, Carl Marburger challenged them in court under the Establishment Clause.

It was a very, very dramatic set of proceedings. I had to have a State Policeman pick me up in the morning and stay with me at all times, because of the tempers that were running extremely, extremely high there. It was a little bit scary at times. They were sending out leaflets in which they referred to me as, "The mini-skirted Deputy Attorney General," which wasn't really true, but that's what they said.

They also said--and it would tell you the tenor of the times--they said I was Jewish, Attorney General Sills was Jewish and Carl Marburger, the Commissioner of Education, was Jewish, and that was why we were doing this. When I say the feelings ran high, they ran extremely high.

[Editor's Note: In the late 1960s, the In God We Trust Committee convinced the School Board of Netcong, New Jersey, to allow voluntary in-school prayer sessions. In September 1969, the Board further yielded to the Committee's wishes by making the sessions mandatory. In February 1970, Justice Long appeared for the plaintiff in *State Board of Education v. Board of Education of Netcong*, 108 N.J. Super. 564, 262 A.2d 21 (Ch. Div. 1970), which resulted in an injunction against the school board. Arthur J. Sills served as Attorney General of New Jersey from 1962 to 1970. Carl L. Marburger served as New Jersey Department of Education Commissioner from 1967 to 1974.]

**SI:** Would you get calls at home?

**Justice Long:** Yes.

**SI:** What about when you went to the criminal investigations? You must have been dealing with a lot of cases there--any that were memorable?

**Justice Long:** No, not really. I mean, honestly, most of what we did was look into complaints that were being filed about public officials by citizens.

Mostly what I did in Criminal was write, prepare a handbook, for the State Police and for local police, on search and seizure. I did it with another Deputy Attorney General, and we spent most of our time on that during that period. The upshot of that was that we were both supposed to teach at the Police Training Commission, but I was not permitted to do so because they said the policemen would not like that.

**SI:** It's interesting how often this prejudice...

**Justice Long:** Reared its ugly head, right.

**SI:** Yes, wow. Then, you went into Banking and Insurance. Was that your longest tenure?

**Justice Long:** Assignment?

**SI:** Assignment, yes.

**Justice Long:** No, no, because, then, after that, I became the Deputy Assistant Attorney General in Charge of Appeals. So, then, I was reviewing briefs, and arguing and writing briefs in every single area.

**SI:** What year did you become the Deputy Attorney General?

**Justice Long:** Assistant.

**SI:** Assistant.

**Justice Long:** I'm going to say--so, I got there in '66--I would say maybe '70. So, I did that for a couple of years.

**SI:** Any of those appeal cases stand out?

**Justice Long:** No, not really. It was just arguing cases in the Supreme Court and the Appellate Division on a regular basis. Most lawyers don't get to the Supreme Court ever in their careers. It was just an extraordinary experience. And the Supreme Court is still frozen in my memory, despite the fact that I've been on the Supreme Court myself. It is that Supreme Court, with Chief Justice Weintraub, when somebody says Supreme Court, that's the Supreme Court that I think of. [laughter]

[Editor's Note: The Honorable Joseph Weintraub joined the New Jersey Supreme Court as an Associate Justice in 1956, then, from 1957 to 1973, served as Chief Justice of the New Jersey Supreme Court.]

**SI:** I was curious, what did you learn as a lawyer appearing before the Supreme Court about how it operates?

**Justice Long:** Well, I was just--I mean, both the Appellate Division and the Supreme Court were unbelievably impressive, obviously in their writings, but in their performance on the bench. They knew the cases. It's called a "hot court." They knew what questions to ask, and you needed to be really ready. You needed to be on your toes with them.

**SI:** Then, in 1973, you briefly went into private practice.

**Justice Long:** Right.

**SI:** Why make that move then?

**Justice Long:** I just thought it was time for a change, basically. I wanted to see what private practice was like. As it turned out, it was a wonderful firm. They were wonderful people, but it just was not for me. I really loved the public sector.

**SI:** During that time, were you appearing in court, representing clients, or doing other kinds of law?

**Justice Long:** I was mostly carrying someone else's bag.

**SI:** Oh.

**Justice Long:** I did some writing, but, basically, in a private law firm, you are not going to get--I came from the top, where I was arguing in the Supreme Court and the Appellate Division every other week. In a private law firm, that is never going to happen.

**SI:** Was there a gender element to that?

**Justice Long:** No, I don't think so. I think all the associates were pretty much doing the same thing.

**SI:** Then, you went back into the Division of Consumer Affairs in 1975.

**Justice Long:** Yes, yes.

**SI:** What were you doing there?

**Justice Long:** Well, at Consumer Affairs, this was the heyday of the consumer movement, because states were starting to enact consumer laws. Every TV network had a consumer affairs person, Betty Furness. In addition, the Department was in charge of all the professional boards, which would be Medical Board, Dental, etc. So, it was a pretty heavy responsibility, pretty interesting, too. I did a lot of TV and radio spots during that period of time. So, it was kind of fun. We also eyeglass and drug price surveys, which resulted in advertising being permitted for the first time.

[Editor's Note: Actress Betty Furness served as Special Assistant for Consumer Affairs to President Lyndon B. Johnson from 1967 to 1969. In the 1970s, she served as first chair and executive director of the New York State Consumer Protection Board, led the New York City Department of Consumer Affairs and began reporting on consumer issues for NBC, particularly on *The Today Show*, which she continued into the 1990s.]

**SI:** I would imagine less appearances in court.

**Justice Long:** Oh, none, because I had a lawyer. I mean, there was a lawyer assigned to the agency. I was just an administrative person there.

**SI:** Then, you went into the Department of Banking.

**Justice Long:** Banking, yes, that's right. I became the Commissioner. I was there for about a year and Governor Byrne's Counsel, who was Jerry English, called me in and asked if I was interested in becoming a Superior Court judge. Well, was I interested? Of course, I was interested. That was always what I wanted to do. So, the rest is history. [Editor's Note: Jerry F. English served as Legislative Counsel to Governor Byrne during his first term. Later, she was named as Commissioner of the Department of Environmental Protection and a commissioner on the Board of the New York-New Jersey Port Authority.]

**SI:** Any memories about your time as Commissioner of Banking that stand out?

**Justice Long:** No, not really. It was the heyday of branch applications. There was no major initiative, other than that we were looking into redlining, at that point. [Editor's Note: Justice Long served as Commissioner of Banking from May 1977 to February 1978. Redlining refers to the practice of denying services, such as financial and insurance products, to residents of specific areas on a discriminatory basis.]

**SI:** Okay. Had it been a priority before then?

**Justice Long:** No, it had not, but the Governor was interested in what was happening there, and we were doing some investigations on that score.

**SI:** Would it mostly be cracking down on people using that practice, or trying to develop policy?

**Justice Long:** Well, the intention was to try and end that policy, so that inner-city people would not be redlined out of the possibility of getting mortgages. I know that the Governor did work on that after, and the subsequent Commissioners did work on that.

**SI:** Tell me about the transition to the bench. You go on the Superior Court--where were you first assigned, that sort of thing?

**Justice Long:** Well, let me tell you something before that. I went before the State Bar Committee. They asked me if I was having any more children, and who was going to take care of them if I was going to become a judge. Okay, so, what we talked about before pervaded everything.

I don't know if I should say this, but I will. So, when they said, was I having any more children? I said no--even though I was five months' pregnant. So, I've always wondered over these years if that was going to come back to haunt me, but it hasn't. [laughter]

**SI:** What about those first few weeks and months, getting into this new role?

**Justice Long:** Well, it was different, but one of the things that was interesting to me was that court attendants, court clerks, went to the Assignment Judge and said, "Do not put me in that courtroom, because I could never work for a woman, never." So, they had to beat the bushes to get somebody who was willing to come, [laughter] but, honestly, I loved every second of being a trial judge. Every assignment that I had--Criminal, Civil, Family--there wasn't one day that I didn't love.

**SI:** Do they have a method for preparing you, or was it just based on your own experience?

**Justice Long:** Well, no, that was the problem. [laughter] It's much more organized now than it was then. Then, there was a "baby judges' school," once a year. If you didn't hit that just right, you might be appointed, which I was, say, in March and not get to "baby judges' school" until August. So, up to that point, you're pretty much on your own, but let me tell you how collegial these judges were.

My first assignment, was to Matrimonial, the Matrimonial judge (Judge Dreier) had me to his house to spend the day on Sunday, before Monday, to go over everything. My next move was to Criminal, two Criminal judges (Judges Beglin and Brody) had me over to spend the day and just go through everything, so [that] I wouldn't be walking in blind.

When you're first appointed, you also sit with another judge. So, I sat in Civil with Harry [V.] Osborne, [Jr.], I sat in Matrimonial with Bill Dreier, and I sat in Criminal with Warren Brody. That was a way to kind of get your feet wet.

[Editor's Note: Judge William A. Dreier joined the Appellate Division in 1983 and served as a Presiding Judge from 1994 to 1998. He was appointed to the Superior Court in 1973. Judge Warren Brody first served on the Union County Juvenile and Domestic Relations Court in 1973 and was appointed to the Superior Court in 1978. In 1992, he became a Presiding Judge in the Appellate Division, serving there until 1995.]

I mean, juries still were, like, aghast at the sight of me. That's the only way I could describe it. [laughter] Even though there were women judges on TV at that time--I would walk out into that courtroom and it would be, "Gasp," like that.

**SI:** Wow. You mentioned, when we talked on Friday, that, at that point, they were saying there would only be one female judge per vicinage.

**Justice Long:** Oh, right, yes. The belief was, during that period of time, that there would be only one woman anything in any particular location. So, if there was going to be a woman partner in a law firm, that was the end of it for everybody else. If there was a woman judge in a vicinage, it was believed that would be the end of it for everybody else. So, actually, in one instance, where there were two very qualified women in a county, one of them just moved to a different county when the first one was appointed to the bench, because that was the way it seemed it was going to unfurl.



I wish I could say to you, "We stood up to this scourge and we fought it," but that wouldn't be the truth. We took it as just part of the territory. We just faced it, and we just outworked everybody else, because we knew that we were going to cast a long shadow on anybody who came after us. How we did--the first women commissioners, the first women judges--how we did was going to matter to the future of all the women who were behind us.

**SI:** Were there either formal or informal networks [of women], either on the bench or before, when you were a lawyer, or in the government?

**Justice Long:** I wouldn't call it a network. It's just that there were so few of us, we all knew each other. We met for lunch, or we'd meet for dinner. If you call that a network, that's what it was--and the other thing is this: no other mothers--for example, in the schools that my children went to--worked.

I, and all the other women that I knew who worked, felt compelled not to let their children wear bought Halloween costumes and not to bring Dunkin' Donuts to teacher appreciation day. We felt compelled to bake everything from scratch, just to show that we could "stack up" with the stay-at-home mothers, which was, I guess, a self-imposed issue, but it was [there]. I do not even know how we did all that we did. That's all I can say.

**SI:** Where you were living at this time?

**Justice Long:** Westfield, because I was in Union County at the time.

**SI:** By the time you were on the bench, you had at least one child--or more?

**Justice Long:** Well, we had adopted two children in November of 1977, and I had another baby in July of 1978. So, we had a full house quickly.

**SI:** All right. Now, we talked about the growing role of women in the legal profession. What about people of color, particularly women of color? When do you remember the first, maybe, African-American, or another person of color, on the bench in your area?

**Justice Long:** I'm trying to remember who the first ones would've been--maybe Shirley Tolentino, Renee Jones Weeks. These were women I knew from the Attorney General's Office and they were just behind me, but they were, I think, the first women of color on the bench. Every study, even today, about women still not being treated equally in the profession says that women of color are worse off, still, than white women. So, it's been a continuing issue.

[Editor's Note: In 1984, the Honorable Shirley Tolentino became the first African-American woman to serve on the New Jersey Superior Court, where she sat for twenty-six years. In 1976, she had become the first African-American woman on the Jersey City Municipal Court and, in 1981, its first female African-American Presiding Judge.

She served as President of the National Association of Women Judges from 1996 to 1997. She served as a Deputy Attorney General from 1973 to 1976.

The Honorable Renee Jones Weeks served on the Superior Court in Essex County from 1989 to 2009. She became the first African-American woman to preside over the State's General Equity and Probate Court, and the first African-American from Essex County to serve on that court. She served in the New Jersey Attorney General's Office from 1973 to 1975. She became co-founder and first President of the Association of Black Women Lawyers of New Jersey in 1975.]

**SI:** Tell me a little bit about presiding over some cases, maybe an example--you don't have to give names--but what experiences you remember from having your own courtroom now.

**Justice Long:** Well, the experiences are more generic than a particular case. I found, for example, a criminal trial, where the actual details of the crime are being testified to--policemen running after suspects, jumping over fences--I found those utterly fascinating. Even though they were the same crime over and over again, just that element of--it was almost like a camera, a movie camera, that was showing the details.

Family law, if you ever want to experience the human condition, you become a judge in a family court. You've got them at the point at which all of those dreams, all of those backlit silhouettes in the wedding photographs, have been dashed and the only true love that they will ever have in their lives, the love they have for their children, is at issue. You get the people at their worst, and it is just a fascinating slice of life.

So, that was those two assignments, and civil, you're looking at negligence cases, malpractice cases. They're just fascinating in themselves. There was not a day that I did not love being a trial court judge. I sat in Union, I sat in Middlesex during that period, I sat in Monmouth, and I was the commitment judge at Marlboro Psychiatric Hospital, which goes to the lowest judge on the totem pole. I loved that assignment, too. I met the most interesting people. The patients were really interesting.

**SI:** How would that go? Would they usually have a lawyer?

**Justice Long:** Yes. They have a lawyer. The doctor will testify as to the condition of the patient. Patient can speak, and the patient is also represented by counsel. These are, like, periodic reviews. Anybody who is involuntarily committed to a psychiatric hospital, or at least then, had to have a periodic review, in the first, maybe three, then, six months, and then, if they're there longer, probably every year. So, that is what I did. Now, nobody wanted that assignment, but I am telling you, it was really, really interesting.

**SI:** In the '80s, I think 1986, was when you moved up to the Appellate Court.

**Justice Long:** No.

**SI:** 1984, sorry.

**Justice Long:** In '83, I left Union County and went to become the Chancery Judge for Mercer, Somerset and Hunterdon. Now, a chancery assignment was then, and still is, *the* plum assignment--there'd never been a woman who was a chancery judge before. So, that was something that was new and unusual, and that was so interesting for a lot of different reasons.

It was Mercer, so, all the State cases came there. The first day that I arrived was a case about whether or not Judge Pressler's Judiciary Committee hearing for her second term after seven years, could be held *in camera* or not, quietly. That's what they wanted to do. So, right from the get-go, it was exciting.

[Editor's Note: Governor William T. Cahill named Judge Sylvia Pressler to the Bergen County Court bench in 1973. Governor Brendan T. Byrne appointed her to the Superior Court three years later, and she was elevated to the appellate division in 1977. Judge Pressler was named presiding judge of administration for the appellate division in 1997. She retired in 2004 and died on February 15, 2010, at the age of seventy-five. Among Judge Pressler's lasting contributions to the law was her annotation of the book *Rules Governing the Courts of the State of New Jersey*, which she had done since 1969. The book sets the standard for court practice for every legal professional in the state.]

The interesting part of the Chancery assignment is, people think of this as, "Oh, big business," but it's also sisters and brothers fighting over their mother's jewelry, it's people fighting over their driveways, because Chancery is the court in which people are not there for money damages. They're there for other kinds of relief, like injunctions or mandamus.

So, those were interesting. I also had all the cases involving Jehovah's Witnesses, who would not allow their children to receive blood transfusions, and then, the hospital would come in. I'd have to make that decision. I had a couple of cases--I had two cases where a patient had gangrene and was refusing amputation. I had to go to the hospital and observe **because the** patient was saying he didn't have gangrene.

They were just fascinating. That's all I can say. I was only there a year, though. I then went to the Appellate Division in '84.

**SI:** By this time, in the early to mid-'80s, were attitudes changing much towards the role of women in the bar?

**Justice Long:** I think so. In '83, the Committee on Women in the Courts was established by Chief Justice Wilentz. He said, "Look and see how women are being treated in the judicial system, by all the players." [Editor's Note: Chief Justice Wilentz established the Task Force on Women in the Courts in 1982, which issued reports in 1984 and 1986. In 1990, the Task Force became a standing committee.]

I was on that committee, and we made a report at the Judicial College in 1984 and said, "They're not being treated that well," because that was what we got back. All the surveys said the same thing, that they're called by their first names, judges make comments about their looks, their clothing--*still*, this was now in '83--that there was an atmosphere of misogyny.

I remember one woman responded in the survey, said, "I expected them to pass out the brandy and cigars when we got into chambers. They were talking about their golf game and when they were going to see each other on Saturday at the tennis matches."

When we made that [report] the interesting part is that women responded completely differently than men. Males said, "Nothing's going on, nothing's wrong. Everything's fine--don't worry about it. There is nothing to even talk about," whereas the women reported what I just said.

So, we prepared this report, and we went around to various bar associations, before the Judicial College, to tell them the results of the surveys. Now, I did not have this happen to me, but one of the judges who went there had rolls thrown at her. People were booing and hissing, because they thought the idea that there was differential treatment of women was a bunch of baloney.

So, the Chief Justice put us on the program at the Judicial College, and the judges were really up in arms. They didn't think there was a problem either. They were threatening to boycott, but the Chief said, "Anybody who doesn't show up at that meeting will have to answer to me," and the place was jammed.

We gave our report, and, after that, things actually did start to change. That committee is still in effect today and is working today on the problem of women of color. It seems like a lot has changed--no, it doesn't just seem like it--much has changed. Women are really, fully integrated into the practice at this point. So, that was our venture into the world of sociology.

**SI:** Chief Justice Wilentz really seemed to tackle these issues during his tenure.

**Justice Long:** Yes.

**SI:** I want to ask about your other committee work. You were on a lot of the Supreme Court committees, and we maybe won't get into every one. I also wanted to ask about your reflections on the Chief Justices you had contact with before you joined the Court.

**Justice Long:** Well, Pierre Garven was a complete and utter gentleman. I knew Chief Justice Hughes from mutual friends. He was a prince. I never sat with either of them as a Chief.

Chief Justice Wilentz was my Chief Justice during most of my tenure. I respected him more than I could even tell you, the way that he ran the judicial system. The Justices that I actually sat with were Chief Justice Poritz, Chief Justice Zazzali and Chief Justice Rabner, but every Chief Justice is different. They used to say that Chief Justice Vanderbilt was a team player--but only if he could be captain. They also said that Chief Justice Wilentz was never pushy, but he could keep a conversation going until you came around to his point of view, if it took all night--but the Chiefs that I sat with were not like that at all.

[Editor's Note: The Chief Justices of the New Jersey Supreme Court mentioned above served the following terms: Arthur T. Vanderbilt, 1948-1957, Richard J. Hughes, 1973-1979, Robert Wilentz, 1979-1996, Deborah T. Poritz, 1996-2006, James R. Zazzali, 2006-2007 and Stuart Rabner, 2007-Present.]

They recognized they were one of many, and they were so collegial. Chief Justice Poritz always looked for common ground. That is how she ran the Supreme Court, and that's how Chief Justice Zazzali, the most collegial person that you can meet, except for Chief Justice Rabner--these are people who understand how a collegial body has to operate.

**SI:** I'm curious. From your perspective then, as a member of the Superior Court, and then, the Appellate Division, there's obviously a lot of traditions and standards inherent in this court system. How are those, I guess, transmitted to the rank-and-file of the bench from, say, a figure like Wilentz, or just from the past? How do the institutional practices and culture get soaked in?

**Justice Long:** Well, the actual practices are just taught as you become [a judge]. I told you what happened in the trial court, how the judges would try and help you just understand what you should be doing in your assignment. The Appellate Division judges themselves would train "the newbies" as to the way things were to proceed, but, in terms of attitude, whatever you want to call it, it always has to come from the top.

With Chief Justice Wilentz and with those who have followed him, the idea of judicial independence, always acting in an independent way, not having any discussions about cases, not allowing politics to enter at all, that is repeated and repeated and repeated enough that I think it is internalized by the judges. Again, as far as process or procedure, when you get on to a court, when you're assigned, you become an Appellate Division judge, you learn by doing.

I think you've heard from other Justices who sat on the Appellate Division that it's very different from the Supreme Court. There we would get the cases weeks in advance, read them, exchange memos about them, saying, "I agree with what the trial judge did. I disagree. I'm on the fence on this. Let's discuss it." We would then discuss it again the morning of the argument. We then would have argument, and then, we would decide the case on the spot.

The Supreme Court is not at all like that. It is a ritualized methodology that was put in place by Chief Justice Vanderbilt. The cases are never discussed in advance, so that we have open minds during oral argument. They are not even discussed on the day of oral argument after the argument. The thought is that there should be a week of reflection, and then, we would come back a week later and the Chief would call on somebody to recite. Then, we would vote, but, as I say, no interrupting--I mean, totally different.

The Appellate Division was like sitting around discussing important issues of the day with your friends over coffee and doughnuts. This was different from that, and the no interrupting part, whew, very hard for me. [laughter] No matter what any Justice said, no matter what that person said, if you had disagreed with that Justice, including "and" and "the," you couldn't interrupt. It really is a very civilized way of operating, I must say.

I took Justice Handler's seat, and so, I read a retrospective of his career when I was coming up. It said he had written 240 opinions in twenty years on the bench. I said, "Man, this is going to be easy," because I wrote twenty-five hundred opinions in my fifteen years on the Appellate Division. I just had no idea at all about the intensity of the work on the Court. Between cert. petitions, the actual appeals, rulemaking, discipline, lawyer discipline, it was a 24/7 job.

[Editor's Note: Justice Alan B. Handler served as an Associate Justice on the New Jersey Supreme Court from 1977 to 1999.]

I can only say that the spouses of the Justices are the saints in all of this. When I say 24/7, I mean that. I never had a day that I didn't work, including on a cruise ship, where I was emailing back and forth to my law clerk versions of an opinion that I was writing. I never drove anywhere with my husband without a box of cert. petitions at my feet, so [that] I could [read them]. There could never be any downtime in this job, and the people, the wives and husbands of the Justices, all deserve the gold stars, because they're the people who had to put up with this over all these years.

**INTERVIEW WITH JUSTICE VIRGINIA A. LONG**  
**DECEMBER 3, 2018**  
**PART 3 OF 4**

**Blazing a Path: Experiences & Cases on the New Jersey Supreme Court**

*Justice Long outlines her work as an Appellate Court Presiding Judge from 1995 to 1999. In 1999, she was nominated by Governor Christie Whitman to the N.J. Supreme Court. She describes the intense workload of the Court and compares her role and opinion writing as Associate Justice to her earlier service on the appellate bench. Justice Long then recalls cases in several areas of the law, including: LGBT rights/child welfare, *V.C. v. M.J.B.* (2000); torts and damages, *Smith v. Fireworks by Girone, Inc.* (2004); political procedure, *N.J. Democratic Party, Inc. v. Samson* (2002); education, *Abbott v. Burke*; and the application of the death penalty.*

**Illingworth:** So, continuing with your time on the Appellate Division, you became a Presiding Judge in 1995.

**Justice Long:** Right.

**SI:** Does that change the job for you?

**Justice Long:** The only real change in the job is that you have to really look at the cases quickly at the beginning, in order to determine if they're going to be two-judge or three-judge cases and who on the panel is going to be assigned. That's the real difference, and then, of course, the Presiding Judge assigns the opinions for writing.

For the Appellate Division, I think I said to you before, we had to write at least four opinions a week during my tenure on that Court. Therefore, there was no room for perseverating over things. You needed to be a type-A personality, and you needed to get to the work immediately after the oral arguments. Speedy disposition was actually a particular value in the Appellate Division, and that is really less so in the Supreme Court.

**SI:** How do you develop your approach to opinion writing? Do you have a particular philosophy regarding it, that sort of thing?

**Justice Long:** Well, I do. I believe that it's really important that the opinion is not--and I think some scholar once said this--is not, "Just a single ticket for a ride on the train." It needs to have value beyond that. Now, less so in the Appellate Division, because you're moving such a huge number of cases, but, for Supreme Court opinions, they really need to be teaching devices.

They need to explain procedures, so that the public and lawyers can order their lives. They can't do that if you're just going to dash something off and say, "Well, you win and you lose." So, I think explication is a really important part of opinion writing. I think history is an important part of opinion writing. "Where did this come from? Where did this principle come from? What kinds of cases did it develop in? Are we actually applying it as we should be, given the history of the term?"

**SI:** Now, was there a high turnover in the judges that you would work with?

**Justice Long:** In the Appellate Division?

**SI:** Yes, yes.

**Justice Long:** Well, yes, it changed. Every year, you were on a different panel.

**SI:** Okay.

**Justice Long:** So, I was there fifteen years and I sat, then, with forty-five judges as my side judges during those periods--oh, and they were all just great.

**SI:** Again, we keep coming back to this question, but did the number of women, in that group of forty-five, did that increase over time?

**Justice Long:** Oh, gosh, I'm trying to think. When I came on, there was only one woman on ahead of me--no, two--Sylvia Pressler and Julia Ashbey, then me. That was it for a couple of years, but, at that time, that was three out of, say, twenty-four. Now, there are thirty-two judges on the Appellate Division. I believe there are thirty-two, and at least 20 percent of them are women.

[Editor's Note: Judge Ashbey was sworn in as a judge on June 15, 1976. She served on the Juvenile and Domestic Relations Court in Monmouth County until June 30, 1978, when she began serving on the Monmouth County Court. She became a Superior Court judge on December 7, 1978, and was elevated to the Appellate Division on September 1, 1985. She retired on January 1, 1992. In 1995, of the 402 judges sitting on the Supreme, Appellate, Trial and Tax courts of New Jersey, sixty-six (16.4%) were women. Within the Appellate Court, seven out of thirty-two (21.9%) were women.]

**SI:** We come up to 2000. When do you first learn that you are potentially...

**Justice Long:** '99.

**SI:** ...In contention? '99.

**Justice Long:** '99, okay. The Attorney General and Governor's Counsel, John Farmer and Rick Mroz, came over to speak to me, kind of out of the blue, and said that I was in



contention for this. This was on a Thursday, and then, I got a call that I would meet the Governor on Friday morning at Morven.

[Editor's Note: Christine "Christie" Todd Whitman, a Republican, served as Governor of New Jersey from 1994 to 2001. John J. Farmer, Jr., served as Governor Whitman's Chief Counsel from 1997 to 1999, when she nominated him to become New Jersey Attorney General, where he served until 2002. The Morven Museum and Gardens served as the New Jersey Governor's Residence from 1944 to 1981.]

I had a great meeting with her, and, after it was over, she said, "Stick around over the weekend, in case I need to reach you." Okay, so, I can tell you that my cabinets were never cleaner than that weekend, my towels were color-coordinated, because there was no way that I was going to leave that house over the weekend, no matter what.

I didn't hear. So, by Sunday night--I think it was Sunday night--I had given up the ghost. I thought, "Well, somebody else got it, because I thought she was going to call me," but she called on Monday morning. I believe it was Monday morning, and said, "I'm going to make the announcement tomorrow at ten o'clock," and that was that.

I was totally flabbergasted by this whole state of affairs. Honestly, it never occurred to me that I would be in that, in the pack even, for that kind of an appointment. So, it was pretty exciting.

**SI:** Do you remember the press conference, any of that type of stuff?

**Justice Long:** I do. The thing about the press conference was the question, "How does it feel to be appointed to the dream job of every New Jersey lawyer?" I said, and it was the truth and it remains the truth, "I never had a job I didn't like in the Judiciary, ever. I never had a day that I wasn't happy being a judge. I loved the people that I worked with. I respected them. That was the gift, and being named to the Supreme Court was just the icing on the cake," and that is how I feel to this day.

Not that I didn't adore the Supreme Court--I did--but imagine the luck of having a career in which you are excited to get out of bed every day and go to work. That's how I felt about everything I did as a judge.

**SI:** What about the process of going through and meeting with the Judiciary Committee and preparing for your appearance?

**Justice Long:** Well, as is traditional, I went to the office of each of the Senators on the Judiciary Committee, and they asked me various questions, but, honestly, that first run-through was a lovefest. There was nothing, except for one, one Senator who didn't like an opinion that I had written in the Appellate Division. He said a couple of things, but, generally, everybody was affirmative.

It was a quick run-through--which is not what happened on my reappointment, because, by that time, they had seven years of my opinions on the Supreme Court to persevere over. That was a much more contentious hearing, but all's well that ends well.

**SI:** What about your swearing-in ceremony? What stands out about that?

**Justice Long:** Oh, my mother was ninety years old and she was there. All my friends, all my colleagues on the Appellate Division were onstage. It was just a really warm and wonderful event.

**SI:** We have talked about the incredible workload. Was that something you knew about beforehand, have any inkling?

**Justice Long:** No. When I heard that Justice Handler wrote 240 opinions in twenty years, I thought it was going to be nothing. I could hit the ground running, because I'd written two thousand opinions. So, I was not going to have trouble with the opinion writing aspect of this job, but I didn't realize how many cert. petitions had to be reviewed, how many rules and regulations had to be enacted, how many lawyer discipline cases there were.

I also have to say that satisfying seven people with an opinion you write is a lot harder than satisfying two others, or else just writing for yourself, which is what you do in the trial court. You're the master of all you survey. It was hard getting consensus, very often, and it took a lot of time, but it was just an amazing, fascinating experience. The Justices that I sat with, were smart, people of goodwill, trying to do their very best for our fellow citizens, just trying to agree.

**SI:** Did you do anything, like observe the Court, before you went on it, or anything else to prepare?

**Justice Long:** No, no. Not only did I not observe it, I was really kind of floored the very first day, because the Justices were called upon by the Chief to do a full recitation of cases--and she called upon them randomly. I hadn't prepared anything like that. I read all the cases, but I didn't do a full outline.

**SI:** Which session was that, 2000 or '99?

**Justice Long:** That would be '99, September session.

**SI:** Okay, all right. Well, it wouldn't be long before you got into some really big cases. We want to try to approach this in terms of subject area.

**Justice Long:** Okay.

**SI:** The first subject area I wanted to talk about kind of deals with family law. Let me get the letters right...

**Justice Long:** V.C.?

**SI:** V.C. v. ...

**Justice Long:** M.J.B.

**SI:** ... *M.J.B.* [*V.C. v. M.J.B.*, 163 N.J. 200, 748 A.2d 539 (2000)] case--any memories of that case in particular, or that subject matter in general?

**Justice Long:** Yes, it was a really, really interesting case. A lesbian couple, through artificial insemination, had twins while they were together. The non-biological parent functioned as a parent to the twins. Then, they broke up, and the biological parent said, "Well, you're not going to have any visitation, and you're not going to have any custody over these children, because I am the parent. I'm a biological parent, and, therefore, I have the right to decide how my children will be raised."

It is true, as a general proposition, that there is a zone of autonomous privacy for parents. They get to decide who their children are going to meet with and how they're going to be educated, etc. However, in *V.C. v. M.J.B.*, the Court limned the doctrine of psychological parenthood. That means that if you have served as a psychological parent to a child, even if you're not related to that child, you're going to stand in the shoes of a biological parent when the issue of custody and visitation has to be decided.

We established the requirements for psychological parenthood: you had to live in the same home as the child. You had to function [as a parent], carry out parental functions. The relationship between the third party and the child had to have been countenanced by the natural parent and a bond had to have formed. Those were the elements.

But the important underpinning in the case was to avoid harm to the child, and that was the leitmotif that basically ran through all the children's cases.

**SI:** Do you think, in terms of how you would get assigned cases to write the opinions, it was a matter of what you expressed interest in, or what you had prior experience in?

**Justice Long:** You mean on the Supreme Court?

**SI:** Yes.

**Justice Long:** Well, first of all, you have to be in the majority to be assigned the opinion. So, if there's a split among the Justices, say 4-3, then one of those four has to be assigned the opinion. I would have to say that I got a lot of the family law opinions because they knew that I liked to write them, and, honestly, other people didn't like them as much. That was the same in the Appellate Division. I did a huge amount of family cases, again, because people were perfectly happy to have me assigned them.

**SI:** Going back to an issue we talked about earlier, in light of the Netcong case, where it was very controversial, struck a lot of chords between what you might call the liberal and conservative spectrums of the political dial, in something like *V.C. v. M.J.B.*--I got the letters right.

**Justice Long:** Yes.

**SI:** That was very controversial, regarding rights for the LGBT communities.

**Justice Long:** Yes.

**SI:** Did you face any hate mail, any kind of backlash, as a result of that?

**Justice Long:** No, not that I can recall. I don't believe that there was any backlash. I had written an opinion in the Appellate Division recognizing the doctrine of psychological parenthood [*Zack v. Fiebert* 235 NJ Super 424 (1989)], but, of course, we weren't the court of final resort in the Appellate Division. So, I think that the ground had been laid for the notion, and it just really made sense in this context.

**SI:** A case like this is also where critics of the Court will say, "The Court's being activist," that sort of thing. What are your thoughts on that notion of "activist judges," or any kind of political aspect?

**Justice Long:** Right. Well, look, in this case, this wasn't activism. This was the case that was before us. This was the case that we had to decide, and what it shows, I think, is that kind of spirit of progressivism of the Court, ready to develop new remedies to deal with situations that nobody thought were ever going to occur in the past. I mean Chief Justice Poritz wrote a decision on splitting up the embryos when a family breaks down [*J.B. v. M.B.*, 170 N.J. 9, 783 A.2d 707 (2001)]. Nobody would ever have thought that the Court was going to have to deal with an issue like that, but what we did, and what we did in *V.C. v. M.J.B.*, was find a remedy for a situation that simply hadn't occurred before.

Most people don't really understand what the judicial function is. It is not judicial activism to enforce the provisions of the Constitution. The problem is that it feels anti-majoritarian to people who say, "Well, this is a democracy. I voted for my senator. He's my representative. He passed that law, and that's the end of it," but that is not the end of it.

We're a constitutional democracy. The Constitution lays out the rights and responsibilities of our fellow citizens. When a law is enacted that trenches on those rights, then, it's not judicial activism for the Court to step in. That's the core judicial function. That's exactly what we do. So, when people say "judicial activism," they sometimes forget that we have no choice but to decide what is before us and to carry out the provisions of the Constitution.

**SI:** Another case that kind of plays along those lines would be the Torricelli [*N.J. Democratic Party, Inc. v. Samson*, 175 N.J. 178, 814 A.2d 1028 (2002)] case, where people, again, claimed that the Court was leaning one way or the other.

**Justice Long:** Yes. That was such an interesting case. To me, that was not even a close case. First of all, the law on replacing a candidate on a ballot, and I forget the amount of time that they said (was it fifty-two days before an election in order to change the name on the ballot?) that law was enacted at a time when it took fifty-two days to change the name on the ballot and to get the ballots printed and out to the soldiers and to the people who had asked for absentee ballots. That's how long it took.

We had the election officials into the oral argument. They were parties in the case. They told us they could do that overnight. So, that notion, the full underpinning of the fifty-two days, didn't even exist anymore. So, what we were left with then was to look and see what had been decided previously. We looked at all the prior case law, and every single prior case basically said this, "The most important thing that you can do is give voter choice."

So, that combination of things led us to the conclusion that they should be allowed to substitute the candidate, but the important thing, at the end of that opinion, and Chief Justice Poritz wrote that, she said, "And, if we're wrong, tell us." It's eighteen years since this case was decided, and the Legislature took no action whatsoever. So, I'm going to presume that it was correct.

I understand that the public said, "Fifty-two days is fifty-two days." Well, [Eighteenth Century French political philosopher and judge] Montesquieu said that, too. He said, "Well, all you need to interpret a statute is your eyes," but that's not all. It just isn't always the case, and this was one of those classic cases in which it didn't quite work out that way.

[Editor's Note: Democrat Robert G. Torricelli served New Jersey in the U.S. Senate from 1997 to 2003. In the 2002 Senate race, he dropped out after it was revealed that his campaign had illegally accepted funds from a Chinese businessman with ties to North Korea. Following this court case, he was replaced on the ticket by former U.S. Senator Frank R. Lautenberg, who defeated his Republican opponent Doug Forrester.]

**SI:** Maybe we'll break from the cases. If you could, just talk a little bit more about [the Court]; you mentioned it's a very collegial group, but, also, it seems like you really only discuss matters of law. The politics, other issues, don't really come into it at all.

**Justice Long:** No. We are basically there to decide the cases. There's a pretty well-established decisional rationale that applies in every single case, and it is, "Politics doesn't play a part in it, friendship doesn't play a part in it--the cases are decided on their merits."

We try to adhere to precedent, and the reason we try to adhere to precedent is because, if we just decided, willy-nilly, "Oh, we're going to change this," or, if every time a new Justice came on the bench and it changed the vote in a case, the law would change, then, there would be no way for the public and for lawyers to order their affairs. So, we do try to adhere to precedent, but we don't always adhere to precedent.

If a really good reason is given to us why things should change, we do change it, because, as a wag once said, "Precedent, or *stare decisis*, requires us to be as wrong today as we were yesterday." We do not trade votes. We don't say, "Oh, Justice So-and-So, if you vote for me in this case, I will vote with you in that case," because, then, there would be no uniformity or predictability in our decision-making. We try to effectuate the intentions of the Legislature as much as possible, because we respect the tripartite structure of our government, but, again, as I say, it's not always that easy.

It's not that easy for a lot of reasons, two of which I can think of off the top of my head—one--the frailty of language. On that one, an old cartoon from *The New Yorker*, has two panels. A yacht is sinking, and the yachtsman says to his dog, "Lassie, get help," and, in the second panel, Lassie is laying on her psychiatrist's couch. Now, that's the frailty of language. The second reason is the nature of the legislative process. Sometimes, the Legislature has to just leave something out, because, otherwise, the law will not be passed. They kind of leave it to the Court to fill in the interstices.

Sometimes, they just haven't thought about the situation that has arisen. One example of that, I think, is that *Smith v. Girone* [*Smith v. Fireworks by Girone, Inc.*, 180 N.J. 199, 850 A.2d 456 (2004)]. A municipality had a fireworks display. Afterward, everything was supposed to be picked up. A child came into the park the next day--I think that's when it was--picked up a firework and, eventually, brought it home and blew his fingers off.

The question was whether there could be a suit under the Tort Claims Act, which requires a dangerous condition of public property when the injury occurs. So, if you were to look at that literally, because the public property was no longer dangerous at the time that the injury occurred, there would be no ability to bring a case, but we held that the foreseeability of the injury should be taken into consideration. We were satisfied that that met the intentions of the Tort Claims Act, if not the actual verbiage of the act. That's why I say that Montesquieu and everybody else who says, "You just have to look at an act and that's all you need," they're not always right.

We also try to be progressive, and that's what I mentioned about *V.C. v. M.J.B.* The Court is always ready to modulate, to modify, the remedies that it has previously limned in order to meet new issues that it never foresaw. That's pretty much the same in every single case. All of these decisional rationales come into play. Maybe not all of them in every case, but all of them are the guiding principles.

Lots of really closely-divided opinions are not good, for the public or for lawyers. It's better, really, if we could reach a consensus, and we have, mostly, people agreeing and

that requires a lot of collegiality. It may require a Justice to say, "Look, I'm not going to get my first opinion on this, but I can get my second," and we all agree on the outcome. That's essential. I don't know how seven people could decide what to have for lunch if there were not some sense of the need for collegiality, and they are the most collegial bunch that you've ever met, really.

**SI:** One of the areas where I think you wrote a number of dissents was the capital cases.

**Justice Long:** Yes.

**SI:** Could you tell me a little bit about your work in that field and your philosophy there?

**Justice Long:** Yes. Well, I came open-minded to the Supreme Court on this subject, in the sense that I had never had a capital case, because capital cases don't go through the Appellate Division. I'm going to confess to you, since most of the opinions--some of them were two hundred pages long--I actually didn't spend a lot of time reading the jurisprudence, because it was never going to affect me on the Appellate Division. So, I had to start from scratch when I got to the Supreme Court.

The Court, I can tell you, bent over backwards to try and get this area right so that everything would be as fair as possible. They developed methodologies, they used social scientists to do all kinds of work on it. Ultimately, I familiarized myself with it. As I went through the cases, as we dealt with them, it just seemed clear to me that there was no way to guarantee proportionality in the imposition of the death penalty and that there was a randomness, or a freakishness, in the way that it was applied that shouldn't stand.

I saw the cases again and again, and I didn't write because I wanted to hear myself talk. I wrote so that, in the next case, the Court might consider what I had said and, maybe, courts down the line would move into the position of the dissent. What I found in practically every case where proportionality review was involved--is that there was no way to justify that everybody who perpetrated a gas station robbery and murder got twenty years, except for "X," who got the death penalty. There was just no way to explain it.

So, that continued to be an issue for me during the time that the death penalty was in effect, and I wrote a number of opinions. I think it's really important to know that proportionality review issues don't involve "just desserts." It is not a judgment that this person, say Jesse Timmendequas, who killed Megan Kanka, that he doesn't deserve the worst penalty as an abstract matter. The question that the Court was delving into was, "When you look at Jesse Timmendequas against all of the cases in his cohort, was his penalty proportional to theirs?"

[Editor's Note: On July 29, 1994, Jesse Timmendequas, a previously convicted sex offender, raped and murdered seven-year-old Megan Kanka in Hamilton Township,

New Jersey. Later in the year, the New Jersey Legislature passed "Megan's Law," which became a model for federal sex-offender-registry legislation passed in 1996.]

So, often, I was asked, "Well, you mean to tell me you didn't think that Mr. Wakefield deserved the death penalty?" or, "You didn't think that Mr. Whoever deserved the death penalty?" That was never the issue. The issue is whether it was randomly applied or freakishly applied, and that was what my conclusions basically were.

Of course, there were other kinds of death penalty cases - Ambrose Harris. His pre-trial publicity was absolutely the worst that you could possibly imagine. Therefore, I would not have imposed the death penalty simply because you could never get a fair, a truly fair, jury under those circumstances. Those were very difficult cases, and the Court wrote incredibly principled opinions. Hopefully, my dissents were principled as well, and it was just a different way of looking at it, but, ultimately, the issue was taken out of our hands in 2007, when the death penalty was removed.

[Editor's Note: On January 18, 2001, Brian Wakefield robbed and murdered an elderly couple in their Pleasantville, New Jersey, home. Ambrose Harris raped and murdered artist Kristin Huggins in Trenton, New Jersey, on December 17, 1992.]

**SI:** I know a lot of the research, at least today, focuses on racial elements, that there's a disproportionate amount of African-Americans who receive the death penalty. Was that a factor at that point?

**Justice Long:** Well, yes, and it was interesting. One of the questions that I actually grappled with is that the Court said that, in order to show a racial element in the imposition of the death penalty, the defendant had to "relentlessly" document it. That's a very, very high burden. My view was that any evidence that race played a role in it should be the end of the inquiry, and, of course, you do have an inordinate number of African-Americans still on death row across the country.

To me--now, I'm the Co-Chair of the Conviction Review Committee that's studying unjust convictions. When we know, from DNA, how many mistakes have actually been made, people who have been on death row or been given life sentences, and we know from DNA that they were not the perpetrators, I mean, how on Earth could we be reinstating the death penalty, which some people are actually discussing now.

[Editor's Note: In April 2018, New Jersey Attorney General Gurbir S. Grewal created a panel, headed by Justice Long and Paul Fishman, a former U.S. Attorney for the District of New Jersey, to determine whether the state should develop units designed to investigate cold cases and conduct conviction reviews. The adoption of the panel's recommendations to create these units was announced by Attorney General Grewal in April 2019.]

**SI:** I'm obviously not a lawyer, I'm looking at it from an amateur perspective, but, in reading through some of your opinions, there was one where--I think it was the



*Wakefield* [*State v. Wakefield*, 190 N.J. 397, 921 A.2d 954 (2007)] case, I may be wrong--you called for a moratorium on the death penalty. Is that unusual?

**Justice Long:** Well, I don't know if it was unusual, but we were in a holding pattern at that point. It seemed to me that there was room for some study. I was not suggesting that all death penalty cases be reversed, but only, "Let's hold on them until we can get a fix on things."

In 1987, in *State v. Ramseur* [106 N.J. 123, 524 A.2d 188 (1987)], the Supreme Court held the death penalty Constitutional, in part because it was in line with the common morality of the day. I wasn't sure if it was still in accordance with common morality, because of sociological studies that said that people were not as enthused about the death penalty as they had been. We couldn't answer that question, but we could study the question more. That was all that I was interested in.

**SI:** The *Abbott v. Burke* case series [see Appendix II] has been going on for many years. It's become one of the most celebrated and controversial cases of the New Jersey Supreme Court. You were involved in several during your tenure. What are your thoughts in general on the *Abbott v. Burke* series?

**Justice Long:** Well, I think the most important thought I have about it is that *Abbott v. Burke* is misinterpreted as judicial activism, when, again, it is simply the exercising of the core judicial function. Our Constitution promises "a thorough and efficient education" to all children. The *Abbott v. Burke* cases are simply vehicles in order to carry out that Constitutional promise.

I recognize that people feel that we became too involved, if you want to call it, in the educational process, but there basically was no other way than to do that in order to guarantee the "thorough and efficient" education that our Constitution promises, and the same in *Mount Laurel* [*S. Burlington Cty. N.A.A.C.P. v. Twp. of Mount Laurel*, 67 N.J. 151, 336 A.2d 713, cert. denied, 423 U.S. 808, 96 S. Ct. 18, 46 L. Ed. 2d 28 (1975) (*Mount Laurel I*) and *S. Burlington Cty. N.A.A.C.P. v. Twp. of Mount Laurel*, 92 N.J. 158, 456 A.2d 390 (1983) (*Mount Laurel II*)].

Again, the *Mount Laurel* cases, there was all this hue-and-cry about activist judges, but, again, the guarantee that people can live and work anywhere in the State of New Jersey and cannot be barred from doing so, it's part of our Constitution. All that the *Mount Laurel* cases did was to make that guarantee into a reality. So, they were two very good examples of where the public thinks we were engaged in activism when, again, we were only exercising that core judicial function.

**SI:** When you're looking at the *Abbott v. Burke* cases, how do you decide what's fair, essentially, for the students? Is it simply based on what's presented by the plaintiff?

**Justice Long:** Yes. It can be based on that if it is uncontroverted or it could be a special master. I know that Pat King was a special master--he was a fabulous Appellate

Division judge, retired. So, we had a full record before us on which to make the decisions. I mean, I know some people think that, "Oh, they just pulled this out of the sky," but that, of course, would not be the truth. We had full records, and, if we didn't have a full record, we asked for a full record, through a special master.

[Editor's Note: The Honorable Michael Patrick King served in the Superior Court Appellate Division from 1977 to 2005. Judge King held his hearings regarding the *Abbott* mandates beginning in 1996 and issued a report in 1998. The report called for full-day pre-K and kindergarten programs, summer remedial programs, health and social services within schools for underprivileged children, improved physical and technological infrastructure and access, school security and the implementation of accountability measures.]

**INTERVIEW WITH JUSTICE VIRGINIA A. LONG**  
**JANUARY 15, 2019**  
**PART 4 OF 4**

**'An Honor to Have that Life:' Reflections on the Court & Post-Bench Career**

*Justice Long continues to share her memories regarding cases in various areas, such as: marriage equality, *Lewis v. Harris*; child welfare, *Moriarty v. Bradt* (2003), *In Re D.C.* (2010), *Baures v. Lewis* (2001); and freedom of speech, *Green Party v. Hartz Mountain Industries* (2000). She reflects upon the leadership styles of the Chief Justices she served under, her 2006 re-appointment proceedings and retirement from the Court in 2012. She ponders the changing role of women and minorities over the course of her career, as well as other issues, such as the impact of technology. She describes her post-bench practice at the Fox Rothschild Firm and her service on various legal profession related boards. She concludes by expounding on the role her family has played in her life and career.*

**Illingworth:** This begins an interview with Justice Virginia Long on January 15, 2019, in Lawrenceville, New Jersey, with Shaun Illingworth of the Rutgers Oral History Archive for the New Jersey Supreme Court Oral History Program. Justice Long, thank you so much for having me here again.

**Justice Long:** Well, thank you for doing this. I think it's a wonderful, wonderful venture, and, hopefully, people who come after us will benefit from it.

**SI:** All right, thank you. To begin, I wanted to talk a little bit about some of the cases you might recall. One of the most prominent you were involved in was the *Lewis v. Harris* [202 N.J. 340, 997 A.2d 227 (2010)] case. Could you tell me a little bit about what goes into a case like that?

**Justice Long:** Now, *Lewis v. Harris* is interesting from many, many perspectives-- obviously, substantively. So, there, you had lesbian and gay couples who sued to have the marriage laws declared unconstitutional, because they treated those couples entirely differentially from heterosexual couples. The Court unanimously agreed that it was unconstitutional for that differential treatment to exist.

The case broke down in terms of a majority and a dissent over the question of remedy. So, four people on the Court, led by Justice Albin, said, "Well, we'll give the Legislature 180 days to *either* adopt new marriage laws or to adopt a civil union statute." The dissenters, of which I was one, felt that the mere existence of differential treatment, that is, a different name, civil union versus marriage, even with all of the equal accoutrements, was essentially unequal. Chief Justice Poritz wrote our dissent, and, basically, her point was, "Words matter."

Now, what's important about *Lewis v. Harris*, in addition to the substance, is the fact that it is a classic Supreme Court case. It tells us how difficult Supreme Court cases are, because there are two or more principled outcomes that the Court could reach. It's not the kind of situation where you say, "Oh, you did something wrong, you did something right. You win, you lose." These are judgments that the Court has to make, and it makes decision-making very difficult.

Another reason that Supreme Court decisions are difficult is because they are pitting rights of various segments of our population against each other. In *V.C. v. M.J.B.*, which is what we talked about before, the biological mother had the child by artificial insemination with her partner, they then broke up. The biological mother says, "I don't want you--not only don't I want you to have custody, I don't even want you to visit the child anymore."

So, there is an autonomous right of privacy of parents to decide who their children are going to associate with. However, what we were balancing there was not the right of the biological mother versus the third party. We were considering the right of the child, *the child*, to continue a relationship with somebody who had existed as a psychological parent to the child. What we adopted as the standard there was avoidance of harm to the child, and that is exactly how we decided cases similarly, that is, the conflict between two very important rights.

*Moriarty v. Bradt* [177 N.J. 84, 827 A.2d 203 (2003)], grandparent visitation--grandparents, whose daughter has died, her husband now says, "You may no longer see your grandchildren. I just don't like you that much anymore," and the grandparents sued. So, we were, again, balancing the right of autonomous privacy of the father to choose who his children would associate with, again, not against the right of the Moriartys, who are the grandparents, but with respect to the child's interest. We held the child deserved to be connected to his mother through her parents, deserved an extended family, and it was to avoid harm to the child that we acted on behalf of the Moriartys.

In *D.C.* [*In re D.C.*, 203 N.J. 545, 4 A.3d 1004 (2010)]--siblings wanted to visit their brothers and sisters who were adopted by another family, who did not want them anywhere in sight. Now, these siblings had lived with the child who was adopted. So, again, it wasn't balancing off the right of the siblings versus the adoptive parents--it was looking at the interest of the child. That is pretty much the way that we operated throughout, but that shows you why the cases are not just that simple to decide.

Another one in that vein is *Baures v. Lewis* [167 N.J. 91, 770 A.2d 214 (2001)], which is the removal case. That is where a mother wanted to move her child to, I think it was Minnesota, to live near her parents, so [that] they could help her raise him. The father didn't want that to happen. Under the prior jurisprudence, it was very difficult for somebody to move under those circumstances, but--and this is important for another principle--all of the social science research, one hundred percent at that time (that was

fifteen years ago) said that, "The happiness of the child is inextricably bound up with the happiness of the custodial parent," in that case, the mother, "so that if she's happy, she gets to follow her star, the child is going to be happy."

So, we loosened the standard and said, "The only reason you shouldn't be able to go is if there's going to be harm to the child if you move." Now, why that case is important is because, fifteen years later, the social science has completely changed. Now, all of the social science, unlike what it was then, says, "It is most important for a child to have both of his or her parents and have their involvement in her life. The idea of one parent being able to follow her star is not in the best interest of the child."

So, the standard, again, was changed, just last year, by the Supreme Court, where it said the ultimate issue is going to be the child's best interest. [*Bisbing v. Bisbing* 230 NJ 309 (2017)] What's also important about that is, that's an example of when we don't abide by *stare decisis*. When we don't stand with an older decision, it's because things have somehow changed.

**SI:** It's interesting. It brings up something you mentioned earlier, that you don't just decide--I may be getting the words wrong--but you don't just decide for this case, but thinking about the cases down the road.

**Justice Long:** Right.

**SI:** It must be very difficult in the case of children, where you have to think of the specific child's wellbeing, but, then, the principles involved.

**Justice Long:** Yes, but, if you always keep the child's welfare as your North Star, which is what the Court has always done, I think it just keeps you in the right direction, that you don't let any other extraneous issues take the place of that. Of course, that's the most important thing. The Court is, *parens patriae* to children in New Jersey—their interest is paramount. What I was talking about, what got us here is, why is *Lewis v. Harris* paradigmatic? It's because there is more than one principled outcome.

What other hard things are there that we do? We have to be always alert to cutting-edge issues. I think we talked the last time about the frozen embryos. We wrote several decisions on PTSD when I was on the Court, recognizing the various iterations of it, which could form the basis of either occupational or accidental disability or workers' compensation.

In the same vein, we decided, for the first time, that to get an accidental disability pension, you didn't have to have a physical impact, that you could have an emotional impact that caused emotional damage and that that would be recognized. We had recognized, in the workers' comp field, a policeman held his dying partner, who had been shot, and that was recognized as an accidental [instance].

It caused him terrible mental problems and was recognized as an accident for comp purposes. The same thing for accidental disability, we gave as examples, "Supposing somebody is held as a hostage, or sees a shooting," those kinds of things. These were all based upon the psychiatric literature on post-traumatic stress disorder and how it should be dealt with. So, again, these are cutting-edge issues. They're just more difficult than just going back over old ground.

In *Green Party* [*Green Party v. Hartz Mountain Indus., Inc.*, 164 N.J. 127, 752 A.2d 315 (2000)], again, we reaffirmed that "the mall" is now "the town square." It wasn't fifty years ago and therefore, the right of the private owner--and they do have the right to decide how their property is going to be used--had to give way to First Amendment rights. *Citizens Against the War* [referring to *N.J. Coalition Against War in the Middle E. v. J.M.B. Realty Corp.*, 138 N.J. 326, 650 A.2d 757 (1994)], for example.

**SI:** I wondered if you could also share with us your thoughts on the various Chief Justices that you served with.

**Justice Long:** I would love to. I was thinking about them lately, and it's interesting to me how much they are alike and how much they are different. I will tell you this much--they're not like Chief Justice Vanderbilt is alleged to have been. They don't have to be "the captain of the team" in order to participate. They are the most collegial bunch that you've ever met.

They are the same insofar as they are smart, they are hardworking, they are respectful of the views of others. They're collegial, and they're humble enough to acknowledge the possibility that what they're thinking at any given moment may not be the final word. But they were completely different in the way that they operated.

Chief Justice Poritz was a professor, and she was professorial in her role. She was the best editor you can possibly imagine. She made everybody's opinion better. She used those English skills. She often talked about "crafting an opinion." She was a great writer. That's exactly what she did, and she was also a great laughter. Chief Justice Zazzali was an artist at heart. Every conversation, every opinion he wrote, was shot through with references to art and music and literature, philosophy, Greek and Roman allusions, religion. They were used as teaching devices, and he was always looking out for the little guy. He also had the ability to dissipate any tension in a room by telling the most God-awful jokes, and, oh, puns, you cannot even imagine how bad they were, [laughter] but it definitely lightened up the room.

Chief Justice Rabner is kind of a little bit of both. He is the most glitteringly intelligent person that you can possibly imagine, but he's also a natural-born leader. He leads by example. People want to follow his direction. He is, as you know, the child of Holocaust survivors, and he is always deeply aware of the injustices in society. He has done amazing things, systemically, in the judicial and legal system.

Each one of them was gifted in his or her own way. It was just an honor, really, to serve with them.

He is a great laugh, too. When I say great laugh, all three of them were great laughers. A Russian novelist once said that, "You can tell a lot about a person by the way he laughs," and I think that's absolutely true about those three. These were not cynical, mean-spirited laughs. They were the kind of laugh that you really want to join in. "Generous laughing" is the only word I can use to describe it. They were wonderful people. I felt very fortunate to serve under each one of them.

**SI:** After your first seven years on the Court, you obviously had to be reconfirmed. Do you have any memories of that process?

**Justice Long:** Yes. I was grilled during that process, which, I had mentioned before, that the first [time], my original appointment, was sort of a lovefest, but, this time, Senator Adler had just taken over the Judiciary Committee. He made clear, long before my application came before him, that he felt that the Judiciary Committee hadn't been doing its due diligence and that it hadn't been hard enough on looking at the candidates. So, I was the test case there.

[Editor's Note: John H. Adler served as State Senator from the 6th District (Camden County) from 1992 to 2009 and served as Chair of the Judiciary Committee.]

I mean, I have to tell you --there was nothing unfair about the process at all. He even sent me a list of the cases I had decided on the Supreme Court that bothered him. They had seven years of opinions on the Supreme Court to look at. He said, "I'm concerned about all these opinions. I don't like them," for whatever reason.

I went in, and I had a two-and-a-half-hour grilling by the various Senators, but I guess I held my own, because, in the end, I went through, I think with maybe one dissent. I'm not even sure, but it was a new day, because, after me, everybody was grilled. I think the next person was Justice LaVecchia, and she had the same thing. It's probably a good thing, you know? That's what the Judiciary Committee is there for.

**SI:** In addition to the reconfirmation clause in the law, the other thing that comes up often is the mandatory retirement age at seventy, which affected you, obviously. What are your thoughts on that?

**Justice Long:** Well, I think I told you before that I would've died with my boots on, and that's absolutely the case. I think they would've been dragging me out of here when I was ninety-five years old, which is the way the Supreme Court of the United States operates, and even federal courts. They can stay as long as they want. There's no mandatory retirement.

I understand the arguments for and against it. First, the argument against it is that seventy isn't what it was at the time the Constitution embedded it in its provisions, but I

do understand the other side of the argument, which is that it gives an opportunity for new blood, new thinking. So, I took my bat and ball and went, went on into the world of private practice. [laughter]

**SI:** I want to ask you to reflect on some of the major changes you've seen over the course of your time on the bench and before. The first would be the role of women and how that's changed. The enrollment of women in law schools has obviously become majority female, I think.

**Justice Long:** Right, yes.

**SI:** Yes, and that has shaped the profession. What are your thoughts on how things have changed?

**Justice Long:** Well, I think that it's a great step in the right direction, that women and minorities and members of the (LGBTQ) community are all fully embraced within the profession now. As you point out, there are more women in law school than men. Women are being reflected now in boardrooms, in the judiciary, in law firms, in relation to their presence in the profession.

Not so much for minorities--they still have a way to go, and I think that the Committee on Women in the Courts is working now, on minority women's issues, because they have not made the same strides as non-minority women, but, overall, it's a wonderful thing for people to be able to look at a judiciary that reflects them.

**SI:** What about any other changes to the system that you want to reflect on, like in technology or just the culture of the law?

**Justice Long:** Well, technology has been astonishing, in my estimation. The three Chief Justices have worked to make the Judiciary accessible to the public, and they have done an amazing job. This afternoon, I am going to watch the Supreme Court, a Supreme Court argument that I have an interest in, at three o'clock on the website, which gives everyone access to the Supreme Court in ways that they never had before.

I used to, in the old days, before there were these webcasts. I would say, "You've got to go there and you have to sit in the courtroom and watch them and listen to them and get the sense of how they operate." Now, they can sit in their own offices and watch Supreme Court arguments from morning until night, and figure out who's who, who might think in a particular way on their argument. That alone, to me, has been extraordinary.

Filing, electronic filing--in my day, people were banging on the door of the courthouse at five and one second to get in, to get their papers filed, so that they wouldn't have lost out on the statute of limitations. Now, all of that-- and there were always constantly messengers messengering this and that--I mean, those kinds of things have made the Judiciary just a more friendly place, for lawyers and the public.



**SI:** After you retired, you came here to Fox Rothschild. How did that decision come about?

**Justice Long:** Well, probably, the primary reason is my husband's been a partner here for thirty years. So, I'm very familiar with it. I knew them, and it's an absolutely wonderful firm, with a fabulous reputation. So, there was no reason for me not to come here, and it's turned out great. The people are friendly and smart. I've just been welcomed here as though I've been here forever.

That's been a very easy transition. The harder transition is not being on the Court, very honestly, and, if I had my way, I would be back on the Court, but I'm doing other kinds of things, preparing people for oral arguments, helping them do their Petitions for Certification. I do arbitrations and mediations. So, I basically keep legally busy.

**SI:** Now, you've also continued to do some work on committees.

**Justice Long:** Oh, yes.

**SI:** Do you want to share any memories of that?

**Justice Long:** Sure. Well, right now, I'm co-chairing the Committee on Conviction Review. I recently chaired the Committee on Judges' Use of Social Media. I'm on the Board of Editors of *The New Jersey Law Journal*, on the New Jersey Law Revision Commission. I'm on the Board of Legal Services. I have served on the Board of Centurion Ministries, which is an actual innocence organization, and Deborah Hospital. Generally, I manage to keep fairly busy with a public schedule.

**SI:** Just to pick one thing out, what is the mission of the Social Media Committee and what issues do you tackle there?

**Justice Long:** The mission is to set--was, and it's been done now--to set forth a template for judges to follow in terms of their use of social media. One of the reasons why this came up is--I'm also the Chair of the Advisory Committee on Judicial Conduct, which deals with ethical issues by judges--we were seeing a lot of difficulties emerging out of judges' use of social media. Issues were coming up about recusals based upon Facebook relationships.

The problem of judges' use of social media was emerging in that context, in the ethical context, and as a result of that, the Supreme Court commissioned us to take a look and see what we could come up with. We did, and, ultimately, our determination was, "You have to abide by the same rules that govern your interactions with people that are not on social media." When you look, drill down on those rules, they really give the judges pretty much all the information that they need.

**SI:** Any other memories of your time on the bench that you want to share, that come out as you look back?

**Justice Long:** Well, I don't know if it's a memory so much as, basically, how I feel. I feel that the time that I spent on the Supreme Court was really the greatest honor that I've ever been accorded.

I was able, and all the Justices there were able, to live in the world of the mind, which is a gift to begin with. We had wonderful relationships among ourselves. We held the lives and fortunes of our fellow citizens in our hands. We had the opportunity to do good every single day. We could help protect the poor, the disaffected, children, the disabled, and even the most despised of our citizens. We were able to stand guard over them.

I can only say that it was an honor to have that life, and it is a life. It wasn't a job. I always say it was more of a calling than a job, because, if you were to calculate what I earned, and what the Justices earned, in terms of the number of hours that they worked, we earned about a dollar an hour, [laughter] but it was the capacity to do good things, every single day, that just made the job extraordinary.

**SI:** All right. Is there anything else you'd like to discuss? I think we may have covered what I wanted to cover; anything you'd like to add?

**Justice Long:** No, I don't think so. I mean, I talked, last time, about my inspiration, my parents, who were my inspiration.

**SI:** Oh, yes, your greatest influences.

**Justice Long:** And they were, they were, because they believed in public service. They believed in the power of the government to help people who needed help. They believed that we're all in this together and I believe that as well. I think I told you, they never once, in all their lives--my mother lived to be ninety-five--never once complained about paying their income tax, because they saw that as part of the social compact and they believed in me.

**SI:** You mentioned before, humility was also a big part of the culture.

**Justice Long:** Yes, oh, my gosh. I think, yes, we talked about this. In my home, in my school, you didn't talk about yourself. You didn't brag, you didn't say things were going too well, because the powers in the universe might look down at you and give you the evil eye, but all of those things, I mean, that kind of helps you to recognize, when you become a judge, for example, that it is a cross and not a crown. It is a duty, a series of duties and obligations, that you take on. It doesn't make you the king or queen of the universe, and I think that background really was helpful.

**SI:** Obviously, you've had a stellar career, but your family has also grown by leaps and bounds, let's say, over the course of the same time. Can you tell me a little bit about that?

**Justice Long:** Well, my husband and I have been together for forty-five years, kind of a partnership of equals. We both try to do our share. We have three children and seven grandchildren and one great-grandchild, and they all live in New Jersey, so, we see them regularly.

My youngest daughter is an Assistant Prosecutor and my other two are teachers. We spend a lot of time together. We took an Alaskan cruise as a family last year, which was really fun, with the little ones. I mean, they are the most important thing in our lives.

We are movie buffs, for ourselves, when we're alone. I love cooking, and we do a lot of cooking together, but the focus, our focus, basically, is the kids, and we are just joyful to have them. We had them all for Sunday dinner, and it was just a wonderful day.

**SI:** It's interesting one of your children went into the family profession.

**Justice Long:** Right.

**SI:** When each of your children was coming up, deciding what they want to do in their educations or careers, was there any trying to push them one way or the other, or just let them decide?

**Justice Long:** No. We never tried to push them, but it was obvious that there was, like, a genetic strand in here. Jonathan is a lawyer, I'm a lawyer. His sister and brother-in-law are lawyers. Our cousins and nieces and nephews are lawyers. So, I mean, we'd come from a new generation of lawyers, but, to me, the interesting part is, the one who became a lawyer swore her whole life she would never become a lawyer, but I guess genes will [win] out in the end, right. [laughter]

**SI:** All right, thank you very much. I appreciate all your time.

**Justice Long:** You're welcome, I'm sure.

**SI:** Thank you.

## Appendix I

During her tenure on the New Jersey Supreme Court from 1999 to 2012, Justice Virginia Long served with the following Chief and Associate Justices:

<b>Name</b>	<b>Years of Service</b>
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### **Chief Justices**

Deborah T. Poritz	1996-2006
James R. Zazzali	2006-2007
Stuart Rabner	2007-Present

### **Associate Justices**

Barry T. Albin	2002-Present
James H. Coleman, Jr.	1994-2003
Marie L. Garibaldi	1982-2000
Helen E. Hoens	2006-2013
Jaynee LaVecchia	2000-Present
Daniel Joseph O'Hern	1981-2000
Roberto A. Rivera-Soto	2004-2011
Gary Stein	1985-2002
Peter Verniero	1999-2004
John E. Wallace, Jr.	2003-2010
James R. Zazzali	2000-2006

**Appendix II**  
**Select School Funding Case Citations**

***Abbott v. Burke Series***

*Abbott I*, 100 N.J. 269, 495 A.2d 376 (1985)  
*Abbott II*, 119 N.J. 287, 575 A.2d 359 (1990)  
*Abbott III*, 136 N.J. 444, 643 A.2d 575 (1994)  
*Abbott IV*, 149 N.J. 145, 693 A.2d 417 (1997)  
*Abbott V*, 153 N.J. 480, 710 A.2d 450 (1998)  
*Abbott VI*, 163 N.J. 95, 748 A.2d 82 (2000)  
*Abbott VII*, 164 N.J. 84, 751 A.2d 1032 (2000)  
*Abbott VIII*, 170 N.J. 537, 790 A.2d 842 (2002)  
*Abbott IX*, 172 N.J. 294, 798 A.2d 602 (2002)  
*Abbott X*, 177 N.J. 578, 832 A.2d 891 (2003)  
*Abbott XI*, 177 N.J. 596, 832 A.2d 906 (2003)  
*Abbott XII*, 180 N.J. 444, 852 A.2d 185 (2004)  
*Abbott XIII*, 182 N.J. 153, 862 A.2d 538 (2004)  
*Abbott XIV*, 185 N.J. 612, 899 A.2d 1063 (2005)  
*Abbott XV*, 187 N.J. 191, 901 A.2d 299 (2006)  
*Abbott XVI*, 196 N.J. 348, 953 A.2d 1198 (2006) (inadvertently withdrawn from bound volume but reposted at 203 N.J. 157, 1 A.3d 299 (2006))  
*Abbott XVII*, 193 N.J. 34, 935 A.2d 1152 (2007)  
*Abbott XVIII*, 196 N.J. 451, 956 A.2d 923 (2008)  
*Abbott XIX*, 196 N.J. 544, 960 A.2d 360 (2008)  
*Abbott XX*, 199 N.J. 140, 971 A.2d 989 (2009)  
*Abbott XXI*, 206 N.J. 332, 20 A.3d 1018 (2011)