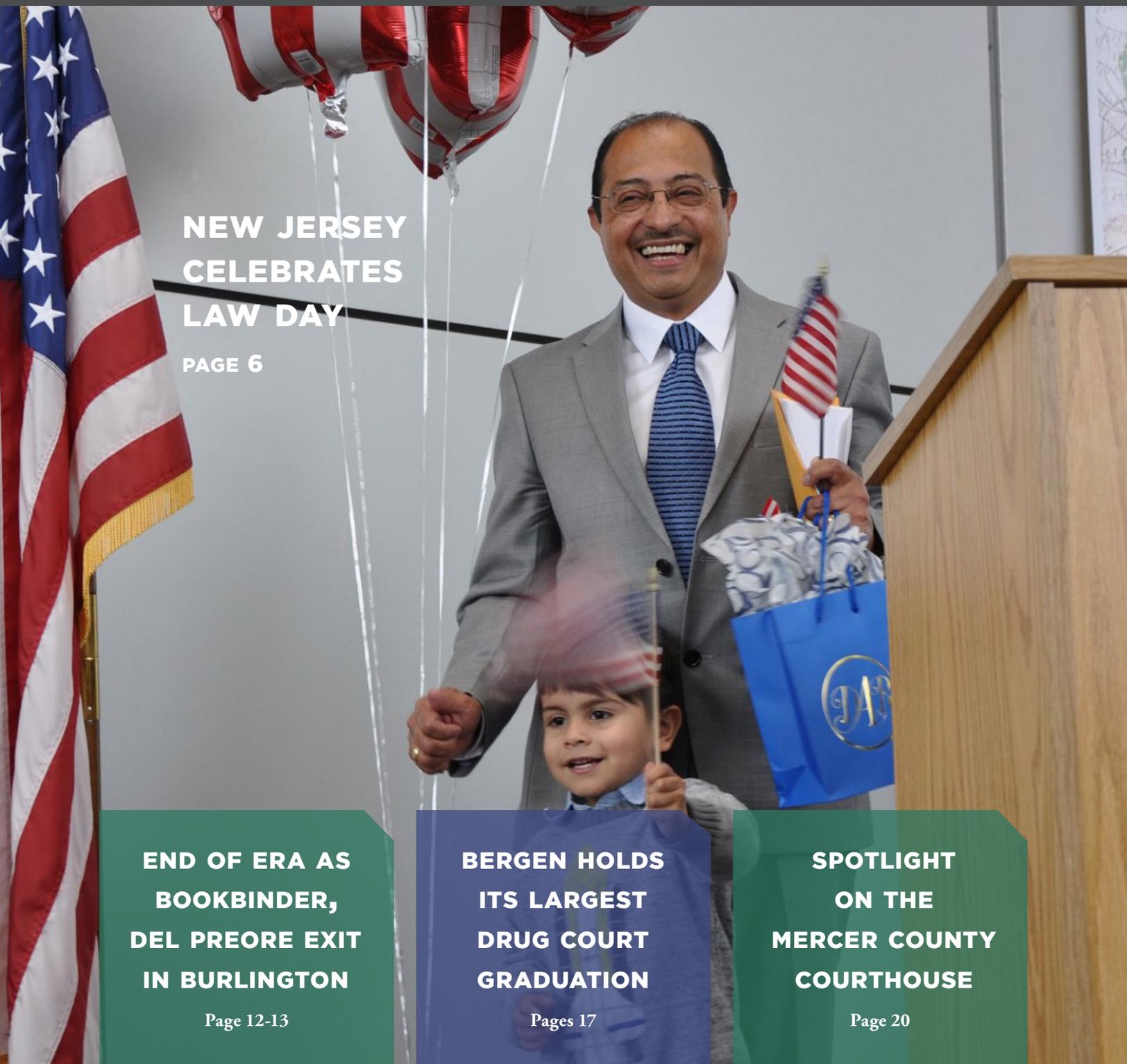


JUDICIARY TIMES

A Publication of the New Jersey Courts | Summer 2019



Administrative Office of the Courts | Trenton, NJ



NEW JERSEY CELEBRATES LAW DAY

PAGE 6

**END OF ERA AS
BOOKBINDER,
DEL PREORE EXIT
IN BURLINGTON**

Page 12-13

**BERGEN HOLDS
ITS LARGEST
DRUG COURT
GRADUATION**

Pages 17

**SPOTLIGHT
ON THE
MERCER COUNTY
COURTHOUSE**

Page 20

There's more to courts than resolving cases

By Judge Glenn A. Grant
Acting Administrative Director of the Courts



Judge
Glenn A. Grant

While the Judiciary is perhaps the least understood branch of our government, I maintain that the work of our courts is absolutely essential to an effective society and robust democracy. Surveys have shown that members of the public do not understand the courts and how they operate. For example, a 2016 survey conducted by the Annenberg Public Policy Center of the University of Pennsylvania showed that 31 percent of Americans could not identify the Judicial Branch as one of the three branches of the federal government. When asked what happens if there is a tie vote among the U.S. Supreme Court's members (there were 8 sitting justices at the time), 32 percent said the case would have to go to the "Federal Court of Appeals" for resolution and 21 percent said the justices have to keep voting until the tie is broken.

The primary job of the courts is to help people resolve their disputes and disagreements. That, however, is only part of our mission. We also must ensure that the public recognizes and appreciates our role in sustaining this representative government called "America." Our dedicated judges and staff participate in a variety of initiatives every day to help teach the public about our court system, to form strong partnerships between the courts and schools, and to introduce youth and underrepresented individuals to career opportunities within the Judiciary. For many years, the various courthouse tour programs throughout the vicinages and central office have proven to be effective in sharing information about the courts.

Our One Judge-One School program, which began in the Atlantic/Cape May Vicinage during the 2012-2013 school year and has since expanded statewide, pairs one Superior Court judge with a middle school or high school to discuss the law and the judicial system. Students are invited to local courthouses to tour the facilities, meet court personnel, and observe court proceedings. A video about the program can be viewed here. <https://cutt.ly/MwolMQ0>

The Supreme Court Committee on Diversity, Inclusion, and Community Engagement, formerly known as the Supreme Court Advisory Committee on Minority Concerns, advises the Court on how to promote fairness in the courts. The vicinage committees are comprised of judges, court staff, and community volunteers who, in addition to their advisory roles, reach out to the community by sponsoring seminars on topics such as landlord-tenant, Criminal Justice Reform, and expungements. A vibrant democracy demands that citizens know about and understand their rights under the law and how our courts operate. We strive each day to improve our system of justice, earning the respect and confidence of an informed public.

Judiciary Times is published quarterly by the Office of Communications and Community Relations, Administrative Office of the Courts.

Stuart Rabner
Chief Justice

Judge Glenn A. Grant
Acting Administrative Director
of the Courts

Peter McAleer
Director of Communications and
Community Relations
Peter.McAleer@njcourts.gov

Mike Mathis
Editor
Mike.Mathis@njcourts.gov

Nicholas A. Mancini
Senior Digital Designer
Nicholas.Mancini@njcourts.gov

Contributors: David Beverly, Doriella Blair, Cheryl Cohen, Pauline D. Daniels, Corey DiBaise, Sarah Kyle Francis, Hatcher, Rebekah Heilman, Colleen Lore, Judge Jeffrey Jablonski, Judge Robert J. Jones, Diane Lanza, Donna Mazzanti, Janet Slocum, MaryAnn Spoto, June Zieder and the AOC print shop.

Follow us on Twitter, Facebook, YouTube, Instagram and LinkedIn



www.twitter.com/njcourts



<https://www.facebook.com/pages/New-Jersey-Courts/92569242329>



www.youtube.com/njcourts



www.instagram.com/njcourts



www.linkedin.com/company/new-jersey-courts

The future of tech through kids' eyes

By Mike Mathis
Judiciary Times Editor

The earlier, the better. That's the philosophy the New Jersey Judiciary has employed to encourage youth to consider careers with the courts.

Through a partnership with The Children's Home Society of New Jersey, students from Joyce Kilmer Middle School in Trenton spent several weeks this spring learning about the courts and the role technology plays in court operations.

The after-school sessions included an overview of the Judiciary, a presentation on information security, a visit to a courthouse, and a project in which students built their own Raspberry Pi Micro PCs, installed the operating system and selected a coding project to build a functional application.

Mercer Vicinage IT Division Manager Jessica Barraco, Monmouth Vicinage IT Division Manager David Gonzalez worked with the Judiciary's EEO/AA Unit to complete the project.

The vision for the initiative came from Judge Glenn A. Grant, acting administrative director of the courts, who was inspired after he attended a seminar on the effect of the digital divide on inner city youth. The goal is to give these students exposure to the tools they will need to succeed in the fast-growing information technology field.

"Students who were apprehensive about how IT plays a major part in the judicial system became really intrigued on the field trips to the Mercer County Courthouse and the Richard J. Hughes Justice Complex," said Louise McCants, director of school-based services for The Children's Home

Society of New Jersey. "The students had a great experience coding, and we are looking forward to introducing coding through the Judiciary lens to the students in Trenton Public Schools."

"Collaborating with the New Jersey Courts was a great experience for the students and myself," said teacher Davon Rodgers. "Overall, the entire program was very rewarding to the students and they were able to gain appreciation of the role IT plays in the judicial process and some of the students became interested in careers in courts."

Tonya Hopson, Chief Judiciary EEO/AA Officer said court staff who participated in the program and others like it enjoy contributing to the development of younger generations.

For several years, the Judiciary's EEO/AA unit has partnered with ITO and other divisions to participate in the New Jersey Institute of Technology's Capstone Program, which enables students to gain experience working on a variety of IT projects with organizations such as the Judiciary.

"It's an invaluable experience for our employees who have an opportunity to participate in initiatives like this," Hopson said. "It serves as a reminder of our core values and shows how there are a variety of ways to demonstrate them."

"We are pursuing additional opportunities statewide to achieve Judge Grant's goal to positively impact these students and work towards narrowing the digital divide," Hopson said.



Jessica DeSousa (second from left) of the Judiciary's EEO/AA unit, poses with kids who participated in the IT initiative.



Judge Glenn A. Grant, acting administrative director of the courts, with several students following the final presentation of their project.

Chief Justice names Morris/Sussex Judge Catherine I. Enright to Appellate Division

By MaryAnn Spoto
Communications Manager
Administrative Office of the Courts

Superior Court Judge Catherine I. Enright has been temporarily assigned to the Appellate Division. Chief Justice Stuart Rabner announced the appointment on July 8. The Appellate Division of the Superior Court is New Jersey's intermediate court.

Judge Enright had been temporarily assigned to the Appellate Division from April 15 through June 23. She sat in the family part and the criminal part in the Morris/Sussex Vicinage prior to her Appellate Division assignment. Judge Enright had served as the presiding judge of the family part in the Morris/Sussex Vicinage since 2012 and was president of the New Jersey Council of Juvenile and Family Court Judges.

She is a member of the Supreme Court Committee on Diversity, Inclusion, and Community Engagement and was a member of the Supreme Court's Subcommittee on Juvenile Justice and the Family, the Subcommittee on Dissolution, the Supreme Court Ad Hoc Committee on the Arbitration of Family Matters and the Supreme Court Family Practice Committee. A graduate of Seton Hall University and Villanova University School of Law, Judge Enright was appointed to the Superior Court by Gov. Jon Corzine in 2009. She received tenure in 2016.



Judge Catherine I. Enright

Before joining the Judiciary, Judge Enright was a partner at the law firm of Simon & Enright in Morris Plains, where she primarily practiced family law for 24 years. "It has been a privilege to work with the talented judges and staff of the Morris/Sussex Vicinage," Judge Enright said. "I look forward to serving the residents of New Jersey in the Appellate Division and I am grateful to Chief Justice Rabner for this opportunity."

Mercer Vicinage Superior Court Judge Ronald Susswein appointed to Appellate Division

By MaryAnn Spoto
Communications Manager
Administrative Office of the Courts

Superior Court Judge Ronald Susswein has been temporarily assigned to the Appellate Division. Judge Susswein had been temporarily assigned to the Appellate Division from April 15 through June 23. He sat in the civil and criminal divisions and the family part in the Mercer Vicinage prior to his Appellate Division assignment. A graduate of American University and Georgetown University Law Center, Judge Susswein was appointed to the Superior Court by Gov. Chris Christie in 2016. He is eligible for tenure in 2023.



Judge Ronald Susswein

Before joining the Judiciary, Judge Susswein was an assistant attorney general and a deputy attorney general with the New Jersey Division of Criminal Justice for more than 25 years. He also worked as an assistant counsel in the governor's office and an assistant Union County prosecutor. He was a member of the Supreme Court Working Group to Review the Judiciary's Procedures for Responding to Courthouse Arrests of Undocumented Persons and of the Supreme Court Committee on Model Criminal Jury Charges.

"I am very honored the chief justice provided me the opportunity to serve in the Appellate Division. I have been so impressed by the dedication and skill of the judges with whom I have worked since my appointment to the Superior Court," Judge Susswein said. "I look forward to the challenge this new assignment brings and wish to extend my gratitude to the judges and other professionals in the Mercer Vicinage who provided such wonderful guidance, mentoring, and support."

Burlington places first in Juvenile Olympics

By Cory DiBaise
Vicinage Assistant Chief Probation Officer
Morris/Sussex Vicinage

Ready. Set. Go!

Burlington County captured first place in the 32nd annual Juvenile Olympics, held July 26 at the Passaic County Technical Institute in Wayne.

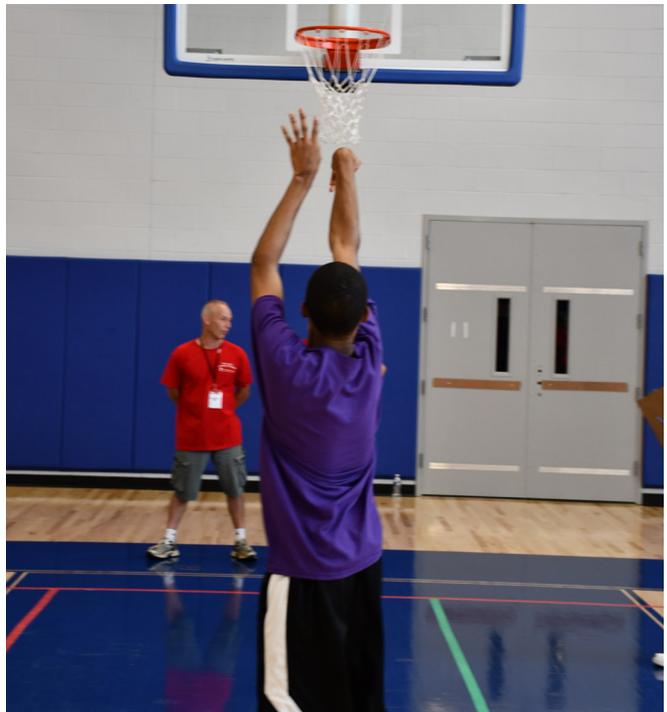
Morris County placed second and Bergen County captured third place in the competition, in which 223 youth and 105 probation staff participated. Youth who are supervised through probation services in all counties, including those in the Juvenile Intensive Supervision Program, were invited to compete for gold, silver and bronze medals in track, long jump, an obstacle course, basketball, football free throws, a tug of-war, and a jump rope competition.

The goal is not winning, it's to establish an environment where youth who are doing well on probation can have

fun and compete in a healthy way. Probation is using evidence-based approaches of rewarding desired behavior with positive experiences, and teamwork and a sense of belonging can provide confidence and increase self-esteem.

Passaic Vicinage Assignment Judge Ernest Caposela, Bergen Vicinage Assignment Judge Bonnie Mizdol and Bergen Vicinage Trial Court Administrator Laura Simoldoni presented the awards. One could hear the cheering and see the high fives as each the winner stepped forward to have a medal placed around his or her neck.

The event was hosted by Juvenile Probation Services' Positive Interventions Committee (PIC), which is composed of juvenile probation officers from throughout the state who identify and implement activities and training designed to assist in the rehabilitation of young offenders.



Feature stories about court programs and newsworthy profiles about judges and court staff are welcome.

Submissions can be sent to Mike.Mathis@njcourts.gov.

NJ Judiciary celebrates Law Day

Instituted by the American Bar Association (ABA) 61 years ago, Law Day is observed each year throughout New Jersey by the Judiciary in partnership with county bar associations. A special day set aside to focus on the American heritage of liberty under law, Law Day was officially designated by a joint resolution of Congress in 1961. The event has grown over the years, with many counties hosting activities throughout May. This year's theme was "Free Speech, Free Press, Free Society."

Administrative Office of Courts

Judge Glenn A. Grant, acting administrative director of the courts (right), administered the oath of allegiance to 38 new U.S. citizens during a naturalization ceremony at the Richard J. Hughes Justice Complex in Trenton on May 1.

The ceremony was part of the Judiciary's annual Law Day celebration.



Atlantic/Cape May

As part of the vicinage's weeklong celebration of Law Day, a naturalization ceremony was held at the Egg Harbor City Community School. The school was decorated with artwork created by students. The local fire department parked in front of the school, extended the ladder and hung a large American flag from the top. A local flower shop donated flowers, and a bakery made individual sized apple pies.

The Oakcrest High School Air Force Junior ROTC Color Guard presented the colors as the Cedar Creek High School Select Choir sang the national anthem.

Assignment Judge Julio L. Mendez and Judges Nancy L. Ridgway and James P. Savio spoke about how their families migrated to America. Judge Mendez presided over the naturalization ceremony and Judges Ridgway and Savio administered the Oath of Citizenship.

The eighth grade valedictorian of the Egg Harbor Township Community School led the first Pledge of Allegiance with the new citizens. The closing musical selection was sung by Genna Garofalo, Judge Patricia M. Wild's law clerk.

A total of 36 people became naturalized citizens. They hailed from Canada, China, Colombia, Dominican Republic, Ecuador, Egypt, El Salvador, Grenada, Haiti, India, Israel, Kenya, Mexico, Pakistan, Peru, Philippines, Poland, Romania, Russia, South Korea, Ukraine, United Kingdom, and Vietnam.

Continued on page 7

Bergen

The Bergen Vicinage, in partnership with the Bergen County Bar Association, Bergen County and the vicinage Minority Concerns Committee, joined the nation in celebrating Law Day on May 1. The ceremony was held indoors in the auditorium of the new county building at 2 Bergen County Plaza.

Judge James J. Guida, chair of Bergen’s Law Day program, addressed the crowd with welcoming remarks and a brief history of Law Day. An impressive rendition of The Star Spangled Banner was sung by Kali Trahanas, who was a Bergen Vicinage law clerk from 2014 to 2015.

State Sen. Joseph Lagana delivered the keynote address. He told the crowd he is “the son of immigrants” who “had dreams for their children that could only be achieved in this country.” The senator described the United States as “a beacon of hope across the world” as he discussed this year’s Law Day theme.

Presiding Civil Division Judge Robert L. Polifroni administered the Oath of Citizenship to the new citizens. “You remind us all of the privilege of being a citizen of this

great country,” he told them urging them to embrace the responsibilities of voting and serving on a jury. The Mock Trial Competition Award was presented to Northern Highlands Regional High School. The Bergen County poster contest awards were presented by Bergen County Clerk John Hogan. Songs were performed by the Ridgefield Park High School chorus.



State Sen. Joseph Lagana delivers the keynote address to the new citizens at Bergen Vicinage’s event.

Burlington

Then-Assignment Judge Ronald E. Bookbinder read a proclamation declaring Law Day in Burlington County on May 1. Rancocas Valley High School students sang the national anthem and JROTC cadets from Pemberton Township High School presented the colors.

Following the proclamation, the Burlington County Bar Association presented a panel discussion on this year’s Law Day theme in the context of *State of New Jersey v. Vonte Skinner*, a Burlington County case that went to the New Jersey Supreme Court. The case examined the use of rap lyrics in a criminal prosecution. Panelists included Supreme Court Justice Jaynee LaVecchia, current Assignment Judge Jeanne T. Covert, Alexander Shalom of the American Civil Liberties Union, and Assistant Burlington County Prosecutors Erin Deitz and Jennifer Paszkiewicz. First Assistant Public Defender Kevin Walker moderated the discussion.

The court’s Courtroom to Classroom series featured the One Judge, One School program. Judges Edward Hoffman and Terrence Cook visited Bordentown High School and Willingboro High School, respectively. The program focused on American civics, this year’s Law Day theme, as well as Criminal Justice Reform. The Juror for a Day program featured this year’s mock trial developed by the law clerks, *Metroville v. Mr. Incredible and Frozone*. More than 160 seventh- and eighth-grade students were summoned to serve on jury duty for the trial during which students learned first-hand about their civil obligation and responsibility to serve as a juror.

Law Day events continued throughout May. Community outreach programs included participating in a Senior Expo and Willingboro’s Community Day. Seminars were offered on the expungement process, Date Safe, and adult civics. Each event offered the court the opportunity to educate the community on Criminal Justice Reform as well as provide information on Judiciary programs and services.

The month-long activities culminated with an art contest award ceremony. Fourth- and fifth-grade students were honored for the artwork on the Law Day theme. The vicinage’s goal to inform, educate, unite and inspire, reached more than 1,600 county residents.



Burlington Vicinage Assignment Judge Jeanne T. Covert and Supreme Court Associate Justice Jaynee LaVecchia (center) were among the panelists who debated a criminal case centered around about rap lyrics.

Continued on page 8

Camden

A total of 75 students from various schools in Camden County attended the vicinage's Law Day celebration on May 10 at the Hall of Justice in Camden. The students attended Camden County Technical Schools (Pennsauken and Sicklerville campuses), Creative Arts, Morgan Village, HAAC Youth Build Program, Lawnside Public School, the Sigma Beta Group, and Voorhees Middle School.

After Trial Court Administrator Colleen Lore greeted the students, Judge Morris G. Smith explained the theme of the day and spoke about Criminal Justice Reform. Lore then introduced a video in which Chief Justice Stuart Rabner discussed the Law Day theme and its importance. The students then participated in an interactive discussion with a panel that included Judge Smith; Louis Moffa, a partner with Montgomery McCracken Walker & Rhoads LLP; Assistant Camden County Prosecutor Chris Whelan and Deputy Public Defender Felicia Felder. Lloyd Freeman, an attorney at Archer & Greiner, moderated the discussion.

Freeman discussed the time from the British rule to present, highlighting free speech, free press, and social media. Whelan discussed the right to peacefully assemble and petition, using the Me Too and Civil Rights movements and women's voting rights as examples. Felder discussed the Confederate monument and touched briefly upon the Civil Rights Movement. Moffa discussed May Day and Law Day and the significance of each, as well as the reason why Confederate monuments are political issues.

Judge Smith ended the discussion by giving everyone something to think about. "If freedom of expression is



Superior Court Judge Morris G. Smith (left) was among the panelists discussing the Law Day theme in the Camden Vicinage.

protected by the First Amendment, does it protect the right of people who sympathize with the old Confederacy to express their views, even though it may be offensive to many people around the country? The First Amendment, does it work both ways?"

Judge Smith invited the students to his courtroom to debrief and Judge Charles W. Dortch provided thought provoking closing remarks. The day ended with lunch provided by The Association of Black Women Lawyers of New Jersey, the Camden County Bar Association and the Camden County Bar Foundation. The Law Day 2019 activities were co-sponsored by the New Jersey State Bar Foundation and made possible through funding from the IOLTA Fund of the Bar of New Jersey

Essex

In the month of May, Essex Vicinage celebrated Law Day 2019 with a mock trial program, writing and poster contests, and a student awards ceremony. As in previous years, the dedication of those involved in planning made for a successful program, in which more than 3,200 students from Essex County schools enthusiastically participated.

An awards ceremony recognizing students who submitted outstanding entries to the writing and poster contests was held in the courtroom of Civil Division Presiding Judge Thomas M. Moore, in the Historic Courthouse on May 3. Members of the Law Day Committee, Customer Service Committee, Vicinage Advisory Committee on Diversity, Inclusion, and Community Engagement and vicinage staff reviewed and voted on the winning entries. Dan Bowens, three-time Emmy Award winning reporter of Fox5 New York, provided timely and relevant remarks that effectively connected this year's theme with current events.

Assignment Judge Sallyanne Floria and Trial Court Administrator Amy K. DePaul presented medals and

certificates to the winning students. The Historic Courthouse's rotunda halls were converted into a gallery displaying colorful student contest entries and notable submissions. First place essay and poem winners Shirley Sanchez and Tairi Johnson recited their entries.

Superior Court judges, along with sheriff's officers and attorneys, visited local schools to facilitate a mock trial with students on May 31. This year's case, *Ima Wright v. Mountain Board of Education*, was developed by the Essex Law Day Committee and focused on free speech, social media, and a principal's authority to enforce discipline. This year's fact pattern was based on current discussions surrounding professional sports teams and their association with indigenous ethnic groups. Students and teachers expressed their appreciation to judges and volunteer attorneys for taking the time to help this fictional case come to life and the opportunity to actively participate in the mock trials. The Essex Vicinage Law Day 2019 activities were co-sponsored by the New Jersey State Bar Foundation and made possible through funding from the IOLTA Fund of the Bar of New Jersey.

Continued on page 9

Hudson

Free Speech. Free Press. Free Society was celebrated by more than 200 hundred students, parents and teachers who joined with 30 Hudson Vicinage judges and various local dignitaries in the rotunda of the Historic Brennan Courthouse in Jersey City on May 1 to celebrate Law Day 2019.

After a stirring rendition of The Star Spangled Banner and a stunning interpretation of Cindy Lauper's True Colors by the Judiciary Voices in Unity, Hudson County's choir, students shared their ideas and insights through essays, poems, rap, and art presentations on a common topic: Free Speech, Helpful or Hurtful. Students were awarded plaques and gift cards for their accomplishments.

Certificates of achievement were presented to fourth graders from the James F. Murray Elementary School as the mini-mock trial winners and to students of the Union City High School as the county's high school mock trial champions. Professor John Wefing, an author and distinguished professor of law at Seton Hall Law School, received the 2019 Liberty Bell Award for his service in the legal profession and for his efforts to strengthen the system of justice in Hudson County and New Jersey.

"Our Law Day ceremony recognizes and honors the rule of law and its importance in our adult society," Assignment Judge Peter F. Bariso Jr. said. "More importantly, however, our celebration here in Hudson County focuses on the children for whom the fundamental right of free expression is designed both to favor and to empower. These extraordinary students have an abundance of enlightened ideals."

Judge Bariso complimented the three keynote addresses delivered by Madeline Lozano, an author and junior at

North Bergen High School; Gianna Giocoli, a sophomore poet from Bayonne High School and Daniel Cruz, a sixth-grade rap artist from McKinley Elementary School in North Bergen.

In what was widely considered the highlight of the event, the speakers emphasized the importance of the right to free expression to the nation, the state, and each individual.

"Silenced or free" said Giocoli, "Both can be as dangerous to he or she. Either to the honor or lie, it's up to the government to decide." Cruz rapped, "Now some people say it's wrong/some people say it's right/ but whatever they say, they won't give up without a fight."

"Younger generations are constantly observing and taking in knowledge," noted Lozano. "If suddenly the country decides that stating an opinion is unconstitutional, what type of message would they be sending to the youth?"

The Hudson Vicinage partnered with the New Jersey state and Hudson County bar associations and foundations to present the annual celebration. With appreciation, Judge Bariso acknowledged "my colleagues on the bench who took time to judge the essay, poetry, and rap contests, and to preside over the mini and high school mock trial competitions, as well as members of the judiciary and of the Hudson County Bar Association who judged the art and photography submissions."

"This event could never have taken place without the contributions of so many in the Judiciary, and especially Judge Jeffrey Jablonski, the chairperson of the Law Day Committee, and his entire team, who time and time again step forward to volunteer their time and talent."

Middlesex

The Middlesex Vicinage conducted presentations to political science and legal studies students at two high schools in May on the Law Day theme.

Superior Court Judge Pedro Jimenez presented a program to high school students in North Brunswick Township. After showing the students the Judiciary's Law Day 2019 video featuring Chief Justice Stuart Rabner, Judge Jimenez used the Socratic Method to get students to talk about freedom of speech and the press.

The dialogue between Judge Jimenez and the students drew out ideas and explored preconceptions students had about laws related to defamation and social media use and the restrictions placed upon the press and speech.

Superior Court Judge James F. Hyland spoke to about 50 students at Piscataway High School on the importance of the First Amendment in public discourse. After showing the students the Judiciary's Law Day 2019 video, Judge Hyland provided the students with an overview of the development of First Amendment law.

Judge Hyland discussed how particular cases shaped current debates on political speech and freedom of speech within the school setting. In addition to discussing the limits on freedom of speech within schools, the students also expressed a lively interest in Judge Hyland's experiences on the bench and in careers in the legal profession.

Continued on page 10

Monmouth

The Monmouth Vicinage held its annual Law Day ceremony in the historic General Equity courtroom at the Hall of Records in Freehold on May 1. The keynote speaker was attorney Thomas Cafferty of Gibbons P.C., a noted legal scholar on the First Amendment. Cafferty addressed 150 members of the public, the bench and bar, raising the question about whether freedom of the press is synonymous with freedom of speech and providing a historical overview of clauses protecting the press in colonial constitutions. He also summarized notable U.S. Supreme Court cases on the subject of free speech, in particular *New York Times v. Sullivan*, and emphasized that the First Amendment is essential to maintaining public discourse and protecting the spirit of democracy.

Winners of the vicinage annual Art and Essay Contest were recognized at the ceremony. With sponsorship from the IOLTA Fund of the New Jersey State Bar Foundation and support from the Monmouth Bar Association, they received certificates, gift cards to Barnes & Noble and citations from the New Jersey Senate and Assembly. Assemblywoman Serena DiMaso and Senator Samuel Thompson were on hand to congratulate the winners.

The Daniel J. O'Hern Mock Trial Award was presented to Colts Neck High School for winning this year's Monmouth County High School Mock Trial Competition. Monmouth Bar Association President Brian Ansell also presented the Abraham Zager Professionalism Award to attorney Gregory Baxter. Other highlights included a patriotic song performed by vicinage employee Tarika Jean-Pierre.

The Monmouth Vicinage Art & Essay Contest Winners were:

Art Contest Winners

First Place: Kylie Philippi, a second grade student at Taylor Mills School in the Manalapan-Englishtown Regional School District and Michael Manekas, a fifth grade student at Ramtown Elementary School in the Howell School District.

Passaic

The Passaic Vicinage held its Naturalization Ceremony and Law Day celebration on May 3 at the Passaic County Administration Building in Paterson. Judge Barbara Buono Stanton, chair of the Judicial Outreach Committee, gave the welcoming address.

Assignment Judge Ernest M. Caposela, administered the Oath of Citizenship to 25 new citizens from 10 countries. The new citizens hailed from the Dominican Republic, Bangladesh, Colombia, India, Jamaica, Jordan, Mexico, Peru, Turkey and Ukraine.

Judge Sohail Mohammed, chair of the New Citizens Program, led the naturalization ceremony. He introduced

Second Place: Jocelyn Aragon Penalzoza, a first grade student at Freehold Learning Center in the Freehold Borough School District and Mischa Jain, a fourth grade student at Indian Hill School in the Holmdel School District. Third Place: Yara Cervantes, a first grade student at Freehold Learning Center in the Freehold Borough School District and Carol Abdelmalek, a fifth grade student at Ramtown Elementary School in the Howell School District.

Essay Contest Winners

First Place: Jane Cooper, an eighth-grade student at Woodrow Wilson School in the Neptune City School District and Ty Blitstein, an eleventh grade student at Colts Neck High School in the Freehold Regional High School District.

Second Place: Lauren Nagy, an eighth grade student at Howell Middle School – South, Howell School District and Claire Cush, a ninth grade student at Red Bank Catholic High School.

Third Place: Gandy Marin, an eighth grade student at Long Branch Middle School in the Long Branch School District and Michael Liddy, a ninth grade student at Red Bank Catholic High School.

As a continuation of its Law Day observance, the vicinage held a symposium on the First Amendment on June 6. Court staff and members of the bench and bar spoke to approximately 250 middle school and high school students on topics related to freedom of speech. Presentations included *Fighting For Words: Freedom of Speech and Press Throughout History*, which gave an overview of landmark cases from the U.S. Supreme Court; *Shouting Fire: When Words Become Crimes*, which described examples of when speech can result in criminal prosecution; and *The High Price of Free Speech: Civil Liability for Loose Talk*, which discussed personal injury matters related to free speech.

The symposium was sponsored by the IOLTA Fund of the New Jersey Bar Foundation and co-sponsored and organized by the Monmouth Bar Association and the Monmouth Vicinage.



Passaic Vicinage Assignment Judge Ernest M. Caposela (center) stands with new citizens after administering the Oath of Citizenship.

Continued on page 11

the guest speaker, New Jersey Attorney General Gurbir S. Grewal, who spoke on the importance of becoming an American citizen and the history of his family coming to the United States. Tamika S. Gray, deputy district director of the U.S. Citizenship and Immigration Services; Passaic County Freeholder Director John W. Bartlett; Passaic County Prosecutor Camilia M. Valdes, and Passaic County Bar Association President Jared Drill also spoke.

Shona Mack-Pollock, deputy superintendent of elections discussed voter rights and responsibilities. Passaic County Clerk Danielle Ireland-Imhof spoke to the new citizens about passports. Maria Vlahos, jury manager, spoke about jury service. The new citizens also learned how to use a voting machine.

Judge Justine Niccollai, chair of the Law Day Committee, welcomed middle and high school students to the program. The day's events included an interactive panel discussion with the students on the Law Day theme. Panel members included John Mooney, founding editor of NJ Spotlight; Richard Cowan, reporter for The Record; Talena Lachelle Queen, poet laureate for the City of Paterson; Passaic County Freeholder T.J. Best; Jason Harding, chief of the juvenile unit for the Passaic County Prosecutor's Office, and Lazaro Alvarez, assistant deputy public defender. Grewal spoke to the students about the Law Day theme and encouraged the students to follow their dreams. Passaic County Technical Institute and Clifton High School, finalists in the Law Day Mock Trial Competition, conducted a mock trial on April 11 at the Passaic County Courthouse.

Union

The Union Vicinage, along with the Union County Bar Association and the Union Vicinage Minority Concerns Committee, held its Law Day celebration on May 3 in the courtroom of Assignment Judge Karen M. Cassidy.

Each year, Law Day follows a theme around which programs and events are focused. The 2019 Law Day theme was Free Speech, Free Press, Free Society. Union County middle schools competed in essay, poster, and spoken word/rap/poetry contests revolving around the theme. Students placed first, second and third in each category. The winning schools included Florence M. Gaudineer School, Christopher Columbus School and Burnet Middle School. Jared B Weiss, Union County mock trial coordinator, presented the award for the Vincent J. Apruzzese Mock Trial Competition on behalf of the Union County Bar Association. The award was presented to Union County's Oratory Preparatory High School.

Judge James P. Wilson, chair of the Committee on Diversity, Inclusion, and Community Engagement for Union Vicinage and chair of the Law Day program, presided over the celebration. Judge Wilson led the crowd in the flag salute. Judge Wilson introduced the judges and dignitaries present,

Judges Daniel J. Yablonsky, Yolanda Adrianzen and Adam E. Jacobs presided over the mock trial and judged Passaic County Technical Institute as the winner.

Law Day activities began in January with poem, poster and video contests for middle and high school students. Students who submitted winning entries and the mock trial finalists were invited to the Law Day celebration May 3. The winners were treated to a pizza luncheon sponsored by the Passaic County Bar Association.

The naturalization ceremony and the Law Day program were sponsored by the Passaic Vicinage and the Passaic County Bar Association.



Passaic Vicinage Assignment Judge Ernest M. Caposela swears in the new citizens.

including Jeff Clark executive director of the Union County Bar Association. Musical selections were performed by the Burnet Middle School All Star Select Chorus under the direction of Terron Singletary. An information fair was held outside Judge Cassidy's courtroom and staff members from the family, criminal and civil divisions answered questions.



Judge James P. Wilson with this years contest winners.

Burlington Assignment Judge Ronald E. Bookbinder retires after 29 years of service

By Mike Mathis
Judiciary Times Editor



Judge Ronald E. Bookbinder

Attorneys and litigants whose cases were heard by Ronald E. Bookbinder over the past 29 years called him judge, as they would any jurist before whom they would appear. However, Judge Bookbinder has always been more comfortable, and perhaps best known, as Ronnie.

To Judge Bookbinder, he's always been the kid from a small town in Burlington County who never left, except to attend college. Although he served as a judge for nearly three decades and as assignment judge for 11 years, he never forgot where he came from or those with whom he grew up and worked. He left the Burlington County Courthouse for the last time as the county's top judge on June 30 - several weeks before he reached the mandatory retirement age of 70 in mid-July - but returned within days to serve on recall.

He continues to remain busy in retirement, serving in the civil, family and general equity divisions and on the Intensive Supervision Panel, an early release program aimed at helping non-violent offenders re-enter society under close supervision. He now reports to Assignment Judge Jeanne T. Covert, who has spent the past 13 years as a Superior Court judge in the Burlington Vicinage.

"I'm going to do what I want to do, and that's help people resolve their cases," Judge Bookbinder said. In a sense, the law was the Bookbinder family profession. His father, a Burlington City native, was a podiatrist, but two cousins were attorneys

who became judges and his uncle, Sidney W. Bookbinder, was a respected attorney who counted represented Willingboro when William Levitt, the developer of Levittown, began transforming the community from farmland into suburbs.

However, Judge Bookbinder didn't consider a career in the law until he attended Colgate University. "I wanted to be in public service," Bookbinder said. After he graduated from George Washington University School of Law, Judge Bookbinder worked in private practice, focusing primarily on municipal and land use matters. He represented several municipalities in Burlington County as a solicitor, a public defender, and a prosecutor. He cited Judges Martin L. Haines, Samuel D. Lenox Jr. and Edward V. Martino, all of whom became assignment judges in Burlington County, as among those who made a lasting impression on him.

"I enjoyed helping people resolve their disputes and having judges hear my cases," he said. "I thought they treated me fairly." Bookbinder also turned his attention to politics, serving as chair of the Burlington County Democratic Committee in the 1980s and working on Jim Florio's successful campaign for governor in 1989. It was then that he considered the possibility of serving as a Superior Court judge. Florio nominated Judge Bookbinder for the bench in 1990, and Gov. Christie Whitman reappointed him with tenure seven years later.

"I had a variety of options and I thought this would be the best way to serve," Judge Bookbinder said. First assigned to

Continued on page 16

Career Snapshot

As an attorney, focused on municipal and land use matters

Named to the Superior Court bench in 1990.

Became assignment judge in 2008.

For Burlington's Del Preore, a temporary job turned into a 45-year career with the courts

By Mike Mathis
Judiciary Times Editor

It seems that there wasn't a time that Jude Del Preore didn't work for the New Jersey Courts. Amassing more than four decades of service to the state's courts and attaining national recognition for his work made Del Preore a valuable resource for the many judges and staff with whom he worked. Del Preore retired on June 30, leaving a legacy of achievement and professional lives he helped shape and influence.

"Jude Del Preore's 45 years of service to the New Jersey Judiciary is emblematic of a career dedicated to service," said Judge Glenn A. Grant, acting administrative director of the courts. "He has been an outspoken champion and proponent for the continued professionalism and advancement of judicial administration.

"Equally important, he has carried out his duties with wisdom, fairness, respect for others and dedication to public service," Judge Grant said. "He leaves an indelible footprint for other court professionals to follow and his legacy will be felt not only in New Jersey but in court systems across the country." Del Preore said he wanted to retire two years ago but that then-Assignment Judge Ronald E. Bookbinder asked him to reconsider, suggesting that the pair leave the vicinage together. Judge Bookbinder also retired on June 30.

"(Judge Bookbinder) said if you've stayed this long, we might as well go out together," Del Preore said. Del Preore's said he didn't expect to make the Judiciary a career when he applied for a temporary position in the probation division of the Essex Vicinage. He wanted to pursue a career in music; he began playing in clubs on the East Coast at the age of 15. Del Preore said he decided to stay when he became adept at grant writing.

"(To get a grant), if you came up with a good acronym you could get the program funded," Del Preore recalled. "All of a sudden, it started to click. I started to like what I was doing." After Del Preore became the family division manager in the Essex Vicinage in 1983, he said he learned a valuable lesson about the courts from the late Judge June Strelecki, who, according to her 2013 obituary, was known for giving stuffed animals to the children whose cases she handled. "Behind every docket is a living, breathing person," Del Preore said. "These are real cases and real people." Del Preore also worked as the deputy trial court administrator in the Essex Vicinage before he was named chief probation officer in the Morris/Sussex Vicinage, where he served for seven years.

Meanwhile, Del Preore was honing his management skills through what is today known as the National Center for State Courts Institute for Court Management. He had rejected offers to become the chief probation officer in the Hudson



Jude Del Preore

Vicinage and to work for the federal government. Then on Saturday afternoon in 1997, Del Preore received a phone call from then-Chief Justice Robert N. Wilentz, who urged him to apply for the trial court administrator's position in the Mercer Vicinage.

"I thought it was Dave Anderson joking with me," recalled Del Preore, who worked with Anderson in the Morris/Sussex Vicinage. Anderson later served as the director of professional and governmental services at the Administrative Office of the Courts. Judge Philip Carchman, who was then the assignment judge in the Mercer Vicinage and later served in the appellate division and acting administrative director of the courts, interviewed Del Preore and hired him. Del Preore held the top administrative post in the Mercer Vicinage until 2004, when then-Assignment Judge John A. Sweeney hired him to become the trial court administrator in the Burlington Vicinage.

Continued on page 16

Career Snapshot

Started career in the probation division in Essex Vicinage

Morris/Sussex Vicinage chief probation officer

Trial court administrator in Mercer and Burlington vicinages

Hudson Vicinage hosts annual youth justice conference

By **Pauline D. Daniels**
Ombudsman
Hudson Vicinage

The Hudson Vicinage's family and probation divisions and ombudsman participated in the third annual Youth Justice Conference at New Jersey City University on June 5 by presenting a program on the juvenile justice system. More than 170 students attended.

The youth conference, sponsored by the Jersey City Youth Counsel, promotes the concept of restorative justice and engages high school students in helping to set behavioral standards for their peers through a youth court. The conference was co-sponsored by the Jersey City Youth Planning Task Force, which is supported by the New Jersey Attorney General's Office of Community Justice.

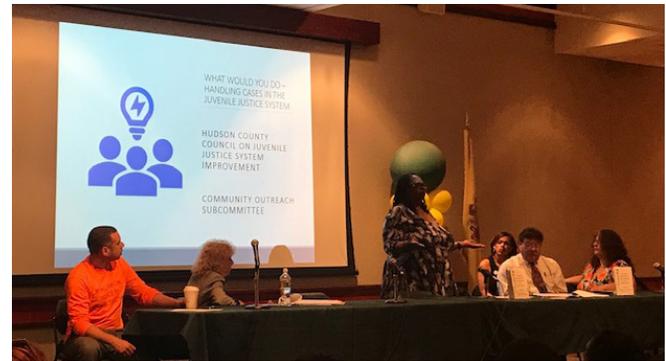
Hudson Vicinage staff were part of an interactive panel presentation that also included other local juvenile justice system representatives. The panel illustrated the juvenile justice process through videos and written scenarios.

The participants were asked for their feedback at each major decision point in the progression of the case. The teens asked tough questions and offered insightful recommendations about resources that they believed should be available to juveniles at risk.

The teens said they wanted more behavioral issues handled

in school rather than in the courts. Many students suggested psychological counseling earlier in the process and wanted to know what services were available to incarcerated youth. The teens also suggested that law enforcement become more involved with community activities to create a better relationship with youth. "This will help lessen the view that police are the enemy and should be feared," one teen offered. Many participants questioned the panelists after the presentation.

"I think they should make this presentation a mandatory assembly program for everyone," one student said. "There's so much we learn in school that I don't think I'll ever use, but this is something that is useful."



Hudson Vicinage Ombudsman Pauline D. Daniels discusses youth justice issues.

Unearthing history

It might be a little difficult to see behind the brick walls that surround the William Trent House – the colonial-era homestead of the man who founded Trenton – but a group of archaeologists is trying to unearth evidence of the past. It was before the Trent House, located across the street from the Richard J. Hughes Justice Complex, was built in 1719.

A team led by Richard Veit, professor of anthropology and chair of the Department of History and Anthropology at Monmouth University, and Richard Hunter of Hunter Research, Inc., a Trenton-based historical research and consulting firm, was at the site for several days in June and July looking for the foundation of the former residence of Mahlon Stacy. Stacy was the first permanent English settler in the area now known as Trenton, according to *A History of Trenton 1679-1929*. He arrived in the area in 1679 and owned hundreds of acres of land. He died April 3, 1704 and his son sold the land to Trent, who in 1720 laid out a settlement, which he incorporated and named Trenton. The Trent House itself has a storied past.

During the American Revolution, it was occupied by Hessian



Ryan Radice of Scotch Plains and Kelly Schuld of Howell search for artifacts during a dig at the Trent House.

forces and played a prominent role in several battles fought at Trenton in December 1776, according to a website for the house. The house also served as the official residence for two New Jersey governors. In addition to brick walls that could be the foundation of Stacy's home, the archaeological team uncovered brick walls and bottles, ceramic pieces and animal bones. Materials found will be displayed at the house, which was donated to the city of Trenton in 1929 and, after extensive renovations, opened as a museum 10 years later. The property is owned by the city of Trenton and operated by the Trent House Association. It is designated a National Historic Landmark and is listed on both the state and National Registers of Historic Places.

Drug court clients save a woman's life

By **MaryAnn Spoto**
Communications Manager
Administrative Office of the Courts

Three participants of the Judiciary's drug court program recently saved the life of a woman who collapsed during an outpatient therapy session from an apparent drug overdose.

Daniel Peace, Michael Carr and Timothy Johnson rushed to the aid of the woman during an evening therapy session on June 21 at Diamond Counseling Center in Edison, where the woman suddenly started exhibiting signs of an overdose and lost consciousness.

Some of the attendees started panicking but not Peace, Carr or Johnson.

The three men, all participants in the Middlesex Vicinage's drug court program, safely lowered the woman to the floor and then started to administer care until police arrived. Johnson, a licensed practical nurse, said his years of experience in health care instinctively kicked in. He immediately began monitoring her pulse and respiration rate.

"I have experienced many patients suffering from either some type of cardiac arrhythmia or respiratory failure rendering life-saving techniques," said Johnson, a 35-year-old Iselin resident. "Unfortunately since then, while not working as a nurse, I have encountered many overdose incidents where people have gone into respiratory arrest due to the heroin epidemic."

Peace, a 34-year-old Edison resident, administered two doses of Naloxone, but that wasn't enough to help the

woman regain consciousness. Carr gave her rescue breaths until Edison police arrived to administer a third dose of Naloxone, which revived her.

Carr, a 37-year-old Metuchen resident, said that despite having previously witnessed people in respiratory arrest and distress, "It's never something that I will get used to."

Coincidentally or not, the night before the incident, Peace happened to watch a news segment where a pharmacist explained how to administer Naloxone.

"When I saw this lady begin to fall out, the first thing I thought of was that pharmacist on television the evening before. I'm so thankful I turned on the news that night because it allowed me to feel confident taking action," Peace said. "I like to think it wasn't a coincidence and that everything happens for a reason because that night I helped save a mother, a daughter and a sister."

While the outcome was positive, the incident served as a stark reminder that even people in treatment aren't necessarily safe from the potentially deadly effects of heroin.

"I couldn't be more proud of Tim, Michael and Daniel," said Middlesex Drug Court Judge Robert J. Jones. "People sometimes shy away from getting involved when something like this happens, but they didn't. They did something amazing that night. They saved a life and they should be proud."

"I couldn't be more proud of Tim, Michael and Daniel," said Middlesex Drug Court Judge Robert J. Jones. "People sometimes shy away from getting involved when something like this happens, but they didn't. They did something amazing that night. They saved a life and they should be proud."

Middlesex County students get up-close look at drug court and related services

By Judge Robert J. Jones
Criminal Division
Middlesex Vicinage

Nearly a dozen classes from local schools visited Middlesex Vicinage drug court this year to learn about the dangers of addiction. In addition to watching court, the students heard first-hand from drug court participants, who talked about how alcohol and drug use lead to addiction and how addiction ruins lives.

The visits were part of the Middlesex County Drug Court in Our Schools program. The program began during Drug Court Month in May 2018. Back then, the program welcomed young people involved with the juvenile court.

Drug Court Judge Robert J. Jones spearheaded the idea as a way to help young people avoid the dangers associated with drug use and addiction. "We wanted young people to see the reality of addiction firsthand," Judge Jones said. "The idea was for them to learn about the dangers of drug use and addiction from people going through it. When I contacted Judge Marcia Silva, who presides over our juvenile court, she was excited to get involved, and it took off from there."

More than 70,000 people died last year from drug overdoses. The speakers, who all suffer from addiction, spoke to the students about losing friends and family to overdose and about how drug use ultimately led them to jail and prison.

Some talked about losing jobs because of their addiction, while others explained how they lost custody of their kids and how they've faced rejection from family and friends.

While the program started small, Criminal Division Presiding Judge Michael Toto wanted to see it expand. As a result, letters went out to all the schools in Middlesex County, inviting them to send students to the courthouse.

So far, the program has welcomed students from South Plainfield, Sayreville, Old Bridge, Piscataway, Carteret and New Brunswick, with some schools visiting more than once. A local youth shelter and a juvenile addiction treatment provider have sent young people to participate.

The response has been positive. Teachers and counselors report students talking about their experiences on the bus rides home and in the days after. "The consequences of poor decisions have been eye opening for our students," said two teachers from South Plainfield High School in an email following their visit. "Many students stated that this was the most relevant trip they have been on."

Sayreville Middle School Student Assistance Counselor Doreen Consulmagnano agreed. "After returning to school and debriefing on the experience, the students clearly learned a great deal from the experience. They were strongly affected by the drug [court] participant's stories, experiences and heartfelt guidance."

But it's not just the students who benefit from the program.

"People suffering from addiction benefit from giving back," explained Drug Court Coordinator Tammy D'Aloia. "The drug court participants who speak about their experiences feel good about helping their community and about doing something positive for other people. So they benefit too"

Bookbinder

Continued from page 12

the criminal bench in Burlington, Judge Bookbinder was reassigned to the family bench in 1992 and in 1995 moved to the civil bench, where he served as presiding judge from 2000 to 2002.

In 2002, he was named presiding judge of general equity and served in that capacity until Chief Justice Stuart Rabner named Judge Bookbinder assignment judge in June 2008. He succeeded Judge John A. Sweeney, who retired. Judge Bookbinder said he learned about being a good judge from the examples set by Judge Sweeney and former Assignment Judge Harold B. Wells III. "You always get to do the right thing," Bookbinder said of serving as a judge. "This has been more than I ever dreamed. It's a great group of judges I've worked with, and there are a lot of good people at the AOC (Administrative Office of the Courts)." Judge Bookbinder said he plans to spend more time with his family, including his two grandchildren. He, his wife Sylvia and their daughters Linda and Julie have visited all 50 states together.

Del Preore

Continued from page 13

Throughout his career, Del Preore has been active with regional and national associations of court management. He served as president of the National Association for Court Management and the Mid-Atlantic Association for Court Management and was inducted into the Warren E. Burger Society of the National Center for State Courts (NCSC) in 2011. The society honors individuals who have demonstrated an exemplary commitment to improving the administration of justice through their service or support to the NCSC.

"I've given back as much as I could," Del Preore said. "I was very fortunate to give back. I've always tried to teach that to people." Del Preore said he will spend more time with his grandchildren and has plans to teach court management in the Washington D.C. courts and overseas. He said he has been impressed with the commitment of those in the New Jersey Judiciary with whom he has worked. "We have some talented people here," he said. "I've been impressed with how our judges and staff are committed to the process of justice."

‘Life is good to me now’ Bergen Vicinage holds largest drug court graduation

By Cheryl Cohen
Supervisor, Human Resources Division
Bergen Vicinage

The Bergen Vicinage held its 17th drug court graduation ceremony in a courtroom full of family, friends and supporters on May 16.

The event was facilitated by drug court coordinator William Hernandez, noting that this was the largest graduation to date. A total of 22 drug court graduates were honored.

In his welcoming remarks, Judge Gary N. Wilcox told attendees, “Some people say drug court is a free ticket out of prison. It is not an easy program, but with hard work you can make it happen.”

Leslie Darcy, criminal division manager, introduced the drug court team, which is comprised of probation and criminal division staff, representatives from the prosecutor’s and public defender’s offices, as well as various treatment providers. “Drug court graduation is such a unique event,” she said.

Sue Debiak, director of the Bergen County Division of Addiction Services, delivered the keynote address. She explained that Addiction Services offers help at every level of recovery at no cost. She said she was humbled to be part of the recovery process for so many people. “Drug addiction is not a choice, but you do have the choice to become the person you were meant to be,” Debiak said.

Hernandez then introduced a video presentation by Bergen Vicinage Assignment Judge Bonnie J. Mizdol, who was unable to attend in person. Judge Mizdol told the graduates, “I’m here to remind you that your recovery is going to be a challenge. We are very proud of your accomplishments. It is a difficult journey. Your accomplishments will provide proof of your strength.”

“It is not an easy program, but with hard work you can make it happen.”
- Judge Gary N. Wilcox

Graduates were offered the opportunity to speak when they received their certificates.

Meyhar A. said, “My life is really great today. I have a nice, fancy job and a wonderful family who loves and supports me.”

Peter R. told attendees, “I never completed anything in my life. I tried doing it my way and it didn’t work. This program is not hard, but I made it hard. Then I asked for help. I got a sponsor. Drug court changed my life, and I turned my life around. Life is good to me now.”

The drug court program offers non-violent offenders with drug addictions a chance for rehabilitation instead of prison. Selected participants are strictly supervised by the drug court team and participate in varying levels of drug treatment.



Judge Gary N. Wilcox congratulates a drug court graduate.



William Hernandez, Bergen Vicinage’s drug court coordinator, welcomes the graduates, their friends and their families.

No contract? No privity? No dismissal.

This is the ninth in a series that highlights interesting complex business litigation cases. The Complex Business Litigation Program is designed to streamline and expedite service to litigants in complex business litigation. Under the program, cases are assigned either to the complex commercial case type or the complex construction case type, and are individually managed by a judge with specialized training on business issues. The Supreme Court established the program, which became effective on Jan. 1, 2015, to resolve complex business, commercial and construction cases.

Oceanview at Avalon Condominium v. Manor Hill Contracting Services, LLC, et al

At issue was defendant Manor Hill Contracting Services, LLC motion for summary judgment to dismiss plaintiff Oceanview at Avalon Condominium Association, Inc. claims of breach of implied warranty of habitability and reasonable workmanship and negligence.

The plaintiff filed suit on behalf of the condominium unit owners against the defendant, among others, alleging property damages. The defendant provided project management services pursuant to a contract it had with co-defendants, developer and seller, Cornell Oceanview, LLC and The Wright Group.

While the purpose of the agreement was a construction project for the plaintiff, the plaintiff was not identified as a party to the contract. The plaintiff had a purchase agreement, a separate contract, with the co-defendants, but Manor Hill Contracting was not a party to the purchase agreement.

The defendant argued that the Economic Loss Doctrine bars the plaintiff's claims. The doctrine bars tort theories of liability, such as the plaintiff's claims, when the relationship between the parties is based on a contract.

In this case, the plaintiff did not have a contractual relationship, or privity of contract, with the defendant. Privity of contract is a principle that provides that a contract cannot provide rights or impose obligations upon any person or

entity that is not a party to the contract. The premise is that only parties to contracts should be able to sue to enforce their rights or claim damages against one another.

The plaintiff is in contractual privity with the co-defendants through the purchase agreement, and the co-defendants are in contractual privity with the defendant through their separate contract. However, no contract exists with both the plaintiff and defendant as named contracting parties.

There are two exceptions to the doctrine. The first is where tort liability may apply when the injured party would not otherwise have a remedy. Second, a party may recover in tort when a breaching party owes a duty imposed by law independent of a duty under the contract. This includes contracts involving parties who have professional standards of care, such as doctors and lawyers. The court found that neither of these exceptions applied.

In this case, without contractual privity between the plaintiff and defendant, and without any evidence of an independent relationship between the plaintiff and defendant, the doctrine did not apply as it requires the existence of a contractual relationship.

Accordingly, the court denied the defendant's motion for summary judgment to dismiss the plaintiff's claims. The parties continue to litigate the matter.

A welcoming place

Hudson County Children in Court (CIC) opened a children's meeting room this spring to accommodate the many children who must attend hearings or accompany their parents to court. The room offers a DVD player and some fun film choices, a work/meeting table for teens, beanbag chairs, lots of books and Legos, drawing materials and a basketball hoop. The room was furnished by Hudson County CASA, marking a new collaboration between the non-profit organization and the Hudson Vicinage.



New Jersey Judiciary celebrates Probation and Pretrial Services Week

The New Jersey Judiciary marked Probation and Pretrial Services Week by celebrating the work of professionals whose efforts to rehabilitate adult and juvenile offenders also protect the safety of the community. The theme of this year's celebration, which ran July 21-27, was Restoring Trust, Creating Hope.

Community supervision professionals assist with rehabilitating adult and juvenile clients by connecting them to services such as job training, counseling, addiction treatment, mental health treatment, and housing assistance.

"Probation and pretrial services officers play an essential role in the justice system," said Chief Justice Stuart Rabner. "We appreciate their hard work and dedication to make our communities safer and value the positive changes they have brought about in the lives of countless people."

The Judiciary's division of probation services provides guidance and oversight to probation officers across the state and includes critical programs such as the Intensive Supervision Program and child support collections.

The Judiciary's 1,938 probation officers perform a number of vital roles, including supervising adult and juvenile offenders and ensuring compliance with court-ordered obligations such as finding and maintaining a job, performing community service, paying fines and restitutions, attending school and substance abuse treatment programs, and adhering to curfews.

The office of pretrial services was created in 2017 to support the operation of Criminal Justice Reform. Its staff of more than 200 pretrial services officers manage the caseloads of individuals arrested on criminal warrants, conduct public safety assessments and monitor defendants who are released on conditions imposed by the court. Pretrial services operates 24 hours, seven days a week.



Mercer Vicinage probation officers attend a National Night Out event in Trenton in August.

“ We appreciate their hard work and dedication to make our communities safer and value the positive change they brought about in the lives of countless people. ”
 - Chief Justice Stuart Rabner



Ocean Vicinage Trial Court Administrator Ken Kerwin (third from left) with several probation officers.



Assignment Judge Karen M. Cassidy swears in new probation officers.

Spotlight: Mercer County Courthouse

This story is the 12th in a series detailing the rich histories of New Jersey's courthouses.

By Mike Mathis
Judiciary Times Editor

Trenton is best known as New Jersey's capital city, and the Statehouse, built in 1790 and the third-oldest state capitol in continuous use in the country, is its best-known building. Mercer County residents likely think of Trenton not only as the state capital but also as the county seat, the place where they perform their jury service or obtain a passport.

Mercer County was created in 1838 from portions of Hunterdon, Burlington, Middlesex and Somerset counties. Among the places vying to become the county seat in addition to Trenton were Lawrenceville, Hamilton Square and White Horse. The first Mercer County Courthouse was built in 1838 at South Broad and Market streets, according to the website of the Trenton Historical Society. The site would become the location of judicial activities in Mercer County to the present day.

The building featured Corinthian columns and included a cupola with a bell that announced the opening of the courts and momentous occasions such as the death of President Abraham Lincoln in 1865. The offices of the county clerk and county surrogate were constructed on either side of the courthouse and resembled the courthouse in architecture and building material. The cornerstone of the main building was laid on April 20, 1839 and the first court session was held in 1840. As Mercer County's population grew in the late 1800s, the county freeholders determined that the old courthouse was inadequate to handle the increasing volume of court and county business and decided to build a new courthouse. The building was razed in 1901 to make room for the second Mercer County Courthouse, which

still stands on that corner. The cornerstone for the second courthouse was laid on May 14, 1902 and the building opened the following year.

An annex to the courthouse was built in 1939. Extensive renovations to the building, including the addition of two new courtrooms, jury rooms, entrance doors and the remodeling of the corridors, were made in the 1960s. Over the years, the building - where in later years mostly criminal cases were heard - fell into disrepair. Discussions to replace it began in the early 1980s but plans didn't materialize until about 30 years later.

The current Mercer County Criminal Courthouse at South Warren and Market streets opened on Jan. 14, 2013. The four-story, 142,000-square-foot building is behind the old criminal courthouse.

To address the growing needs of the courts, a separate courthouse for civil and family court matters was opened on South Broad Street in 2007.



The second Mercer County Courthouse opened in 1903.



The first Mercer County Courthouse was built in 1838 at South Broad and Market streets in Trenton.

Built: 1838

Bell rung to announce Lincoln's death

Razed in 1901 for second courthouse