Posted Date	Name of Case (Docket Number)	Type
Aug. 4, 2023	E.W. V. W.M-H. (FV-07-2446-22) The question presented to the trial court was whether the immunity statute relating to DCPP referrals found at N.J.S.A. 9:6-8.13 confers immunity to DCPP referrals made with the intent to harass a victim of domestic violence as defined under the Prevention of Domestic Violence Act, N.J.S.A. 2C:25-17 to -35. There was no prior precedent resolving this issue. In harmonizing the two statutes, the trial court found that it would be contrary to legislative intent to confer immunity in the realm of domestic violence as that would permit the weaponization of DCPP referrals as a means of perpetrating domestic violence. This matter arose out of an application for a final restraining order under the Prevention of Domestic Violence Act. At the conclusion of the trial, the only predicate act surviving was the act of calling DCPP to report allegations of abuse in order to harass the victim. The trial court noted that the Legislature intended to protect children as the primary purpose in enacting the immunity statute regarding DCPP referrals. Additionally, N.J.S.A. 2C:25-18 expressly provides that children can suffer emotionally from the exposure to domestic violence, and that children may also be a victim of domestic violence. Thus, the trial court concluded that the application of the DCPP immunity statute to allegations of harassment under the Prevention of Domestic Violence Acts fails as a matter of law under the doctrine of absurdity. Even though the trial court found that the defendant committed the predicate act of harassment by making reports to DCPP, the trial court ultimately found that the plaintiff failed to satisfy the second prong of Silver v. Silver, 387 N.J. Super. 112 (App. Div. 2006), and denied the application for a final restraining order.	Trial
Jan. 9, 2023	JOSEPH G. COLACITTI, ET AL. V. PHILIP D. MURPHY, ET AL. (L-0738-21) HELD: L. 2021, c. 17 (Chapter 17), effective February 22, 2021, was enacted to continue the local property tax (LPT) exemption afforded to nonprofit hospitals, and to extend the same exemption to a nonprofit hospital-owned satellite emergency facilities (SECs), even if areas of the hospital and SECs are used by/leased to, for-profit medical providers "for medical purposes related to delivery of health care services directly to the hospital," provided that such "portion of the hospital . . . is used exclusively for hospital services." The nonprofit hospitals and SECs should pay an annual community service contribution (ACSC) to the municipality in which the hospital beds of a nonprofit hospital are located or where an SEC is located. Chapter 17 also bars imposing assessments for tax years 2014 through 2020, which would moot those years' pending tax appeals all filed because of the alleged for-profit activity conducted by the hospital and/or the for-profit medical providers on the nonprofit hospital premises. The law was enacted to mitigate the effects of a 2015 Tax Court decision which revoked the tax exemption of a nonprofit hospital's property based on facts that the operations/activities of the plaintiff nonprofit hospital and the for-profit, private medical providers on the hospital property were too blurred. The court here found that (1) the ACSC is not an ultra-vires payment-in-lieu of tax program; (2) the ACSC is not a local property tax for purposes of the Uniformity Clause of the New Jersey Constitution; (3) Chapter 17 is facially constitutional and does not violate the Exemption Clause of the New Jersey Constitution; (4) Chapter 17 is not an invalid special legislation, thus also does not facially violate the Equal Protection Clause of the federal and State constitutions; and (5) Chapter 17's retroactivity is not manifestly unjust, thus, also does not violate the Due Process Clause of the federal and State constitutions. The court further found there are no bases for imposing an injunction against Chapter 17 under any of the factors enunciated in Crowe v. DeGioia, 90 N.J. 126, 132-34 (1983). The court therefore dismissed the complaint with prejudice.	Trial
Dec. 12, 2022	STATE OF NEW JERSEY V. R.O.-S./STATE OF NEW JERSEY V. C.C. (XP-21-0276/XP-21-1767) This case raises a question of first impression: whether the recently enacted amendment to the expungement statute, N.J.S.A. 2C:52-5.3, includes violations of local ordinances, which were amended from Title 2C violations. Petitioners, C.C. and R.O.-S. argued that the "clean slate" statute was designed to remove an individual's entire criminal history and therefore, must include local ordinances that arise from criminal offenses. The State proposed a strict interpretation of the statute, arguing that only convictions from indictable offenses, disorderly persons offenses, and petty disorderly persons offenses are included. This Court concluded that a liberal interpretation of the statute is consistent with the legislative intent. Local ordinances that arise from criminal offenses are unique in that they are accompanied by police and arrest reports, fingerprint cards, "mug shots," complaint warrants or summonses and most importantly, they are included on an individual's criminal case history or "RAP" sheet. Absent an expungement of the local ordinance that resulted from the Title 2C offense, Petitioners would be left with a criminal history. Since this is inconsistent with the intent of the "clean slate" statute, the court finds that Petitioner's convictions are eligible for expungement pursuant to N.J.S.A. 2C:52-5.3.	Trial
Dec. 9, 2022	ATLANTIC PLASTIC & HAND SURGERY, P.A. V. WILLIAM F. RALLING, ET AL. (L-3685-20) This litigation arises from unreimbursed medical expenses incurred by a twenty-four-year-old who was a named "adult child" dependent on his father's health insurance policy, pursuant to 42 U.S.C. § 300gg-14(a), of the Patient Protection and Affordable Care Act (ACA). This opinion addresses two questions of first impression under New Jersey law. First, pursuant to the Statute of Frauds, specifically N.J.S.A. 25:1-15, can a family member's oral guarantee of	Trial

	payment be enforceable where the promisor has no pecuniary interest? Based on the decades-long thread of pecuniary advantage woven through New Jersey's leading object exception precedent, the court holds that oral promises supported by familial bonds only – without any pecuniary or economic advantage to the promisor – do not satisfy the leading object exception to the Statute of Frauds. Second, can a parent, who is the insurance policy holder, be held liable for unreimbursed medical expenses incurred by an emancipated child who is a covered "adult child" dependent pursuant to the ACA? Guided by N.J.S.A. 9:17B-3, the court holds that, in the absence of any signed, written guarantee executed by the parent, the parent of an emancipated adult capable of contracting for a provider's care cannot be deemed liable for unreimbursed medical expenses, even where the "adult dependent" is covered on the parent's health insurance policy, pursuant to the ACA.	
Sept. 19, 2022	STATE OF NEW JERSEY V. KELVIN BRIGGS (18-08-0647) In State v. Kelvin Briggs, defendant moved to suppress internet protocol (IP) address data. In support of his motion, defendant argued that IP address data was akin to cell-site location information (CSLI), which is afforded protection by the United States Supreme Court in Carpenter v. U.S., ___ U.S. ___, 138 S. Ct. 2206 (2018). Further, defendant argued that like CSLI data, IP address data should be considered location data that requires a warrant. This issue is one of first impression in New Jersey. In its decision, the court distinguished between IP address data and CSLI and held that IP address data should not be afforded the same protections as CSLI. More specifically, the court observed that IP address data does not generate the same privacy concerns enunciated in Carpenter. Accordingly, defendant's motion to suppress was denied.	Trial