

WLIB NEWSLETTER

WOMEN LAWYERS IN BERGEN

Volume 11

Fall 2022

I am proud and happy to be the new president of Women Lawyers in Bergen. I am also extremely grateful that COVID restrictions are pretty much over and that we were able to get together in person for our annual dinner on June 13th. It was a wonderful event with many judges, lawyers, friends and colleagues attending at Seasons where we socialized, installed new officers, heard speeches, made speeches and listened to a crazy and wonderful Elvis impersonator. It was a thrill to be all together without masks and be able to shake hands and hug each other.

Because I am so excited to be able to do things in person and because we've had two years of COVID stagnation, on July 15th I held a lunch meeting at the Sidebar Pub on Main Street in Hackensack. It was very well attended and I was thrilled to have members of the Bergen County Prosecutor's Office and Bergen County Public Defender's office join our organization. They also seemed happy to attend live events and be able to network with colleagues.

I am in the process of forming committees and hope you have responded to my email asking you to sign up for the committees on which you are interested in working.

WLIB members and friends enjoyed our second annual Whale Watching trip on August 26. It was well attended and everyone had a good time. We enjoyed a bumpy ocean with dolphins and whales jumping and frolicking. It was a perfect opportunity to relax, have a few drinks,



sit down and hang out with friends and colleagues.

Our esteemed WLIB member Laura Van Tassel has organized a golf clinic. As I frequently say we should network like the men. Golf is the perfect world of athleticism, strategy, socializing & networking and I have fallen in love with it and hope other members do too. Our clinic began in September and will last for four sessions at the River Vale Country Club. Look for the sign up information on the WLIB website.

We are also planning a CLE on September 19th featuring someone who I've admired and known for 40 years, Patricia Baglivi. Patricia Baglivi is a former First Assistant Prosecutor and head of Major Crimes. She has been retired for several years now but has quite a story to tell of her 24 years as an Assistant Prosecutor trying murder cases, sex crimes cases and every other kind of criminal cases against the best

defense lawyers in the State of New Jersey. This will qualify for one ethics credit and best of all it will be situated at Fresh and Fancy Farms and include dinner, wine and dessert provided by Patty's home bakery business.

Other events we are having include a breast cancer event on October 28th on the Green. I, being a breast cancer survivor and having lost my sister Susan to breast cancer, want to commemorate breast cancer month in October with an event that involves the Bergen County Courthouse. I am open to suggestions and recommendations for sponsors and committee members to work on this event. It may be quite a bit of work and I would love to hear from people regarding their thoughts on it.

We are also looking forward to our annual Law Clerk Reception (virtua) and our annual Judicial Reception (in person) honoring new female judges. My main goal as president is to foster a sense of camaraderie among members of WLIB after our two year hiatus from socialization. It is important we network, we support

continued on page 16

WLIB Membership

To renew or begin your membership with WLIB please go to www.womenlawyersinbergen.org.

If you have any questions regarding membership, please contact Cathe McAuliffe, Esq., Membership Chair at 201-488-2030 or cathemcaul@aol.com.

INSIDE:

- Federal Arbitration Act - 3
- Elder Abuse - 4
- Book Review - "A Minute to Midnight" - 6
- Restaurant Review - "Domani" - 6
- Diane Lucianna, Esq. - 8
- Fall 2022 Legislative Update - 10
- Covid Escapes - "Twin Cities of MN" - 12
- Whale Watching Photos - 15
- Jean Robertson Update - 16
- Announcements - 16
- Summer Organization Luncheon Photos - 17
- Young Lawyers Corner - 17
- WLIB Committees - 24-25
- Calendar of Events - 26

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Federal Arbitration Act (FAA) No Longer Preempts The New Jersey Law Against Discrimination Section 12.7 With Regard To Sexual Harassment And Sexual Assault Cases

By: Sheila O'Shea-Criscione, Esq.

New Jersey courts have long recognized a strong public policy favoring arbitration as a means to resolve disputes. Bruno v. Mark MaGrann Assoc., 388 N.J. Super. 539, 545 (App. Div. 2006); Atalese v. U.S. Legal Services Group, L.P., 219 N.J. 430 (2014); Hojnowski v. Vans Skate Park, 187 N.J. 323 (2006). See also, N.J.S.A. 2A:24-1 et seq. Embedded in this policy is an acknowledgment that arbitration is generally quicker and less costly than litigation through the courts. Accordingly, courts in New Jersey will uphold arbitration agreements unless they violate public policy.

In this regard, New Jersey is in lock-step with the federal government, which has its own statute endorsing arbitration agreements. See, the Federal Arbitration Act (FAA), 9 U.S.C. 1 *et seq.* The FAA dates back to 1925 and was enacted to reverse the existing judicial hostility to arbitration agreements. Gilmer v. Interstate/Johnson Lane Corp., 500 U.S. 20 (1991).

The question became whether forcing employees to resolve their employment disputes through arbitration violated public policy. Specifically, courts were presented with the question as to whether it was a violation of the public policy of eliminating discrimination in the workplace to force employees to waive their ability to litigate through a jury trial or administrative hearing their discrimination claims pursuant to the Law Against Discrimination (LAD), N.J.S.A. 10:5-1 et seq. In a series of decisions in the 1990s, courts concluded that employees may knowingly and voluntarily waive statutory remedies in favor of arbitration and be bound by that agreement. Young v. Prudential Insurance Co. of America, Inc., 297 N.J. Super. 605, 617 (App. Div.), cert. denied, 149 N.J. 408 (1997); Alamo Rent-A-Car, Inc. v. Galarza, 306 N.J. Super. 384, 389 (App. Div. 1997). It was determined that arbitration agreements contained within employment manuals or employment agreements did not violate public policy.

This conclusion was reached after some disagreement at the trial court level. In Alamo, the trial court noted the existence of an arbitration provision but determined that, given the State's "compelling responsibility and statutory mandate" to protect citizens subject to discrimination, arbitration would not be compelled. In other words, the trial judge placed the public policy of eradicating discrimination over the public policy favoring arbitration. In reversing, the Appellate Division reasoned that nothing in the LAD indicates that members protected by that statute cannot agree to waive their rights to bring a claim pursuant to that statute in favor of arbitration. Thus, the Appellate Division essentially placed the competing public interests on equal footing.

For the Appellate Division in Alamo, the only question became whether the employee in the case had knowingly agreed to waive her rights to litigate her LAD claims when she signed her

employee manual. Applying contract principles, the court found that the employee agreed only to resolve all disputes regarding the employment manual through arbitration. However, the court was concerned that the arbitration provision did not specify that claims arising outside the terms of the employment manual, *i.e.*, based on the LAD, would also be arbitrated. This, then, was not a knowing waiver of a right to proceed with a claim pursuant to the LAD outside arbitration. Consequently, the employee in Alamo was not required to arbitrate her LAD claims.

In other LAD cases, however, arbitration clauses were found to be clear, unambiguous, and broad enough to include any dispute regarding the employment relationship, including discrimination claims. In these cases, the courts compelled arbitration. Singer v. Commodities Corp., 292 N.J. Super. 391 (App. Div. 1996); Young, supra. As a result, the state of the law at the turn of this century was that, with a properly drafted arbitration clause, employees could be forced to arbitrate their LAD claims.

The New Jersey Legislature attempted to change the state of the law in March 2019 when it passed Section 12.7 of the LAD ("Section 12.7"), which prohibits the enforcement of agreements to arbitrate claims arising under LAD. Section 12.7 provides that pre-dispute agreements in employment contracts that waive any substantive or procedural right or remedy relating to a claim of discrimination, retaliation, or harassment shall be deemed against public policy and unenforceable. A later section of the LAD provides that any person claiming an unlawful employment practice or unlawful discrimination has the right to file a complaint in Superior Court to be heard before a jury. N.J.S.A. 10:5-13(a)(1)-(2).

This additional legislation now teed up the next round of disputes. In fact, almost immediately, a federal court took notice of the amendment and questioned whether arbitration of LAD disputes could still be compelled. Neith v. ESquared Hospitality, LLC, 2020 U.S. Dist. LEXIS 10096 (D.N.J. January 16, 2020). See also, Guirguess v. Public Serv. Elec. & Gas Co., 2019 N.J. Super. Unpub. LEXIS 2501 (App. Div. December 19, 2019); Hannen v. Group One Auto., Inc., 2019 N.J. Super. Unpub. LEXIS 2658 (App. Div. December 30, 2019). However, these cases did not resolve the question because Section 12.7 applies prospectively to arbitration agreements signed after Section 12.7 was enacted. Thus, Section 12.7 could not prevent the enforcement of the arbitration agreements in the cases.

Not just the courts but employers (not to mention employment attorneys) were also confused. Employers have been utilizing arbitration provisions to compel arbitration of all employment claims, based on the current state of the law, since

continued on page 22

Elder Abuse

Adapted from a presentation made on World Elder Abuse Awareness Day

by Steven Morey Greenberg, Esq.

Elder abuse is a serious problem which unfortunately is only getting worse. It is growing both in terms of incidents occurring and incidents being reported. Elder abuse cases are among the most important that come across our desks and they are often the most difficult to resolve. Elders who are the subject of abuse need our help since they are often not in a position to be able to help themselves.

Seven categories of Elder abuse are generally recognized as follows:

1. Physical (most commonly reported);
2. Financial (most common type of abuse; often includes an element of undue influence being exercised on the Elder);
3. Mental/emotional;
4. Sexual;
5. Neglect;
6. Self neglect;
7. Abandonment.

From experience, I believe that a eighth category should be recognized, *i.e.*, failure to provide the proper level of care for the Elder.

An Elder who is being abused is often subject to more than one type of abuse.

The following case of an Elder, "Ms. X," should assist attorneys in recognizing examples of abuse (please note that while the abuses being suffered in this example actually occurred, this is a composite and not identifiable as any one Elder).

Ms. X is 85 years old and living in a long term care facility (nursing home). Her husband of many years is deceased.

She has five adult children, four of whom are not local and who are busy professionals, and one of whom is a community volunteer living in Bergen County.

While Ms. X currently resides in a nursing home in Bergen County she has lived most of her life in Virginia. Ms. X has sufficient financial resources to pay for her care and other needs.

Her children agreed that due to the busy schedules of four of her children ("4 Siblings"), the fifth child who has more available time would supervise Ms. X's care on

a day to day basis.

Other than mobility issues (resulting in Ms. X using a wheelchair), Ms. X has no serious medical issues and, according to the 4 Siblings, has full legal capacity.

This 5th child, without the agreement of Ms. X or the 4 Siblings, has taken over all decision making for Ms. X.

The 5th child has cut Ms. X off from most contact with the 4 Siblings. Although with supervision Ms. X is physically able to leave the nursing home for cultural activities, light shopping, outings with the 4 Siblings and similar activities, the 5th child does not permit Ms. X to do so. The 5th child has also had orders put into effect at the nursing home that Ms. X is not to be resuscitated, not to be transported to the hospital and not to receive any medical care whatsoever.

The 5th child has commenced a proceeding to be named guardian of Ms. X.

The 4 Siblings contested the guardianship action.

Ms. X is emotionally upset with her situation and with the 5th child. Ms. X has privately voiced to the 4 Siblings that she does not want to be cared for by the 5th child and that she wants to return to Virginia where two of the 4 Siblings (who are medical doctors) live. She does not want to be subject to the restrictions placed upon her by the 5th child, she does not want a guardian and she would like to make her own decisions. Ms. X is very reluctant to voice her concerns to third parties for reasons of "peace in the family."

A forensic psychiatrist retained by the attorney for the 4 Siblings has, after interviewing Ms. X, opined that Ms. X does have full legal capacity. The psychiatrist has also discovered that the two medical doctors signing affidavits of incapacity in the guardianship action brought by the 5th child have no experience in incapacity cases. Upon further and more detailed examination of Ms. X, it was determined that Ms. X's behavior and thought processes relied upon by the two doctors are not the result of, or indicative of, incapacity but rather reflect Ms. X's life experiences. For example, the two doctors erroneously relied upon Ms. X's supposed failure to know where her granddaughter works. However Ms. X did know that her granddaughter works at the company with the "stagecoach" which is a very practical

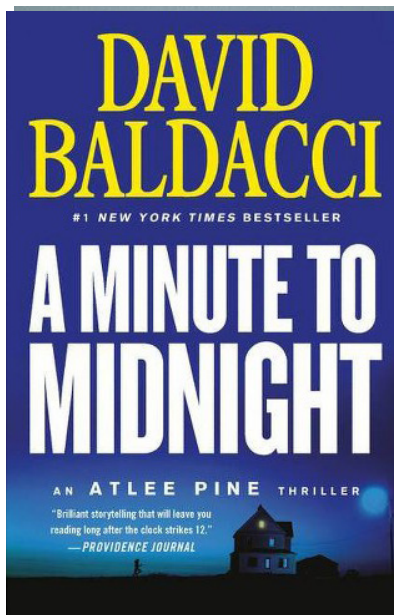
continued on page 23

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Book Review

By: Tamra Katcher, Esq.

A Minute to Midnight *By David Baldacci*

FBI Agent Atlee Pine's twin sister was kidnapped from their bedroom in rural Andersonville, Georgia when they were 6 years old. Her sister, Mercy, was never found and the FBI agent wants answers. Atlee's father

was a suspect but no charges were ever filed. After the kidnapping, the family moved out of town in the middle of the night, and her parents subsequently divorced. Her father committed suicide while Atlee was living with her mother in Texas. Then, one day, when Atlee came home from college she found that her mother had up and left.

Atlee's search for answers leads her back to rural Georgia to find that little investigation was done of the kidnapping. She also begins to learn about her family, the locals in the small town, and what may have happened to Mercy. While she is in town, however, a woman's body is discovered in an alley. The local police ask for Agent

Atlee's assistance in the investigation. While conducting her dual investigations, a male body is discovered in an old civil war cemetery, and then a boy's body is discovered dressed in a civil war costume at the museum.

The homicides started just after her arrival in Andersonville. Are they related to Atlee and her search for the truth? Atlee gets the sense that someone is keeping secrets in town about her sister and her family but she does not know why. Is her sister still alive? What happened to her mother? What really happened the day that Mercy was kidnapped?

I really enjoy Baldacci's books. I have read several of them over the years. While I was reading this book, I felt as if I was standing right next to Atlee Pine during her investigation. The book gives you a look into the small world of the rural south where everyone knows each other and their business. This is part of a series of books about Atlee Pine so I encourage you to read them in order – which I did not. The first in the series is Long Road to Mercy, then Minute to Midnight, then Daylight, and then Mercy. I read Daylight a few years ago but that did not ruin the plotline when I read Minute to Midnight. Baldacci is a great writer and there is always an interesting investigation afoot with great characters and a great story. Enjoy! 🐾

Restaurant Review

By: Kathleen A. Hart, Esq.

DOMANI RISTORANTE ITALIANO

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My husband, if you did not know, is a creature of habit. He likes to eat the same things and go to the same places. So when I got him to try somewhere new, I was happy. Tucked in a strip mall in Hillsdale is Domani. It is an unassuming Italian restaurant that you should try.

When you enter you are greeted by a hostess and there is a counter for takeout. We were seated in the dining room. There is a half-moon shaped bar where several people were sitting. The dining room was fairly full and much of the clientele were families. The booths were covered in a rich red leather with wood accents and

the walls were deep red. It gave an old school type of feel. The only thing missing was the checkered tablecloths. In nice weather, Domani does have outdoor dining.

Our server brought over bread and took our drink order while we reviewed the menu. There is something for everyone at Domani. For our appetizer, we decided to share the cranberry, romaine and walnut salad (\$10.95). The salad was more than enough for two and had a good amount of gorgonzola throughout. It was not overdressed. Other appetizers included mozzarella in carrozza (\$11.95), garlic bread (\$6.95), eggplant rollatini (\$12.95) and prosciutto di parma salad (\$13.95) which is artichokes, prosciutto, arugula and roasted red peppers served with a tangy house dressing.

For the main dish, my husband, ever the creature of habit, had the spaghetti and meatballs (\$18.95). I tried the chicken arugula (\$21.95). The spaghetti was

continued on page 16



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Diane Lucianna, Esq., the new President of WLIB

By: Laura Van Tassel, Esq.

Diane Lucianna, Esq. is the new President of WLIB. If you were unable to attend the annual dinner in June, you missed Diane's inspirational speech and ambitious agenda for our organization. Diane's President's Message on the front page of the Newsletter will give you the highlights of her speech. Diane has been and remains a dedicated member of WLIB.

I asked Diane two important questions, both of which she touched on in her speech at the annual meeting: Why membership in WLIB and why is WLIB still relevant?

Diane's response as to why be a member of WLIB is that women need to be, as a group, together to promote themselves, individually and collectively. One of the challenges faced by women lawyers (and in any profession) is that they have full time careers and may also have families, especially when they have children and are mothers. These facts make the job more difficult and we need to support one another.

The other issue is whether WLIB is still relevant in 2022. Diane indicated that approximately 45 years ago, when the organization started, there were far fewer women lawyers and judges (at any level). Today over 50% of the students graduating from law school are women and yet we have not made as many strides in representation in the courthouses and law firms as we should have given the percentage of women in the profession.

Membership in WLIB is relevant and needed to support women in the profession as well as promote women in law firms, judicial appointments and across all avenues of legal work.

Diane and I then discussed some of her plans during her tenure as President.

- Breast Cancer Fundraiser. In October, during Breast Cancer Awareness Month, Diane is planning for WLIB to sponsor a Breast Cancer Fundraiser event. The event will take place during lunchtime at the park across the street from the courthouse. Diane is a breast cancer survivor, unfortunately, her sister Susan succumbed to breast cancer. Diane's mother also had breast cancer. Diane established a foundation to assist women who are going through breast cancer to provide financial support and, when needed, legal support. The foundation is run out of her office and has zero overhead so that all of the funds she raises goes to the women. WLIB is recruiting sponsors for the event and Diane asks that anyone interested in sponsoring the event or has leads for potential sponsors contact her. Additionally, and important to our roles as attorneys and mentors, is that our members would walk with people who may need a mentor.
- Whale Watching Trip in August. This is a social event and Diane believes social interaction among our members is vital to the organization.
- CLE course in September. Diane has invited Patty Baglivi, Esq. a retired Bergen County Prosecutor to present 'war'

stories. Patty prosecuted major crime cases including, but not limited to, capital cases. Patty will also discuss misconduct by defense attorneys and Diane will cite to the RPC. This course will be offered for 1 ethics credits/CLE. The CLE and dinner following, will be held at Fresh & Fancy Farms in New Milford.

- Law Clerk Reception this fall for the new law clerks.
- Jennifer Borg, Esq. will present a CLE on the First Amendment.

By the time this article is published in the newsletter the lunch meeting of July 15th, sponsored and paid for by Diane, will be history. Diane invited members and especially new potential members to be at this organizational event. There were at least 30 people signed up to attend the event.

Diane and I discussed her recent travel and other plans for the future. Diane indicated that she is no longer taking long bicycle trips but still enjoys riding bike trails. She goes to her beach house on weekends. One of her more recent interests is golf which she took up about a year ago. Diane noted that men meet and go out on the golf course and socialize and network. We decided to reinstitute the golf lessons that stopped during Covid. The lessons are scheduled in September.

Diane has recently traveled to Arizona to Sedona and the Grand Canyon. She and her sister Nancy traveled to St. Thomas several times in the past year. Diane notes that there are some lovely bike trails on Martha's Vineyard that she is looking forward to exploring.

Diane is the mother of two children. Her son, Derek Wafer, will be starting law school at Pace University at the end of August 2022 and we wish him all the best on his legal journey. He is a student member of WLIB and has written an article for the WLIB Newsletter. Her daughter Elizabeth Wafer is an associate banker at JPMorgan Chase and resides in New York City with two "covid" dogs.

Diane discussed the challenging times facing WLIB and all of us. We were unable to have in-person meetings and events during the past several years, but that has now changed as evidenced by the luncheon in July, the upcoming CLE at Fresh and Fancy Farms and the Breast Cancer Fundraiser. WLIB is moving forward. The recently launched Facebook page is now up and running. This will allow the sharing of news and information in a wider platform and in a timely manner. The Board is working on holding CLE events this fall and the new website is up and running. Even though not everyone is ready to meet in person, WLIB is providing new opportunities to network, mentor and obtain low cost CLE credits.

Diane is a 1977 graduate of Goucher College, received her JD from Fordham University School of Law and was licensed in 1981. She works at a 'family' law practice where her 99 year old father continues to come to the office every day from 9 am to 5 pm. Diane's primary focus is in personal injury as well as some criminal defense work.

We wish Diane a successful year as President of WLIB. 🐾

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Barbara B. Comerford is a Lawline Faculty member who presents national seminars on ERISA LTD and Disability insurance claims. She has also conducted seminars throughout the country on Social Security Disability law.

FALL 2022 LEGISLATIVE REPORT

By: Carmela L. Novi, Esq., Legislation & Litigation Committee Chair, WLIB

For your information, helpful websites:

www.njleg.state.nj.us/ the New Jersey Legislature's site; enables you to find bills by subject and track where any proposed bill is in the process.

www.judiciary.state.nj.us/ the New Jersey judiciary site; includes a legislative news site that lists new laws by subject (e.g., family, criminal), bills on the Governor's desk and legislative updates. There is also a report opinions site where recent New Jersey Supreme Court and Appellate division opinions are posted.

www.ca3.uscourts.gov. The United States Court of Appeals (Third Circuit) discontinued issuing printed Slip Opinions. They are now available free of charge through the Court's website as noted.

Sampling of New Jersey State Legislature 2020-2021 Session bills (July 1 – August 12)

Abortion access

A4848, S3030 (P.L. 2022 c.____) (June 30, 2022) "Reproductive Freedom Act" NJ Supreme Court has held in Right to Choose v. Byrne and Planned Parenthood of Cent. NJ v Farmer that Art I, paragraph 1 of the New Jersey Constitution protects the right to abortion and reproductive autonomy to an extent that exceeds the protections established under the US Constitution. Every individual present in the State, including, but not limited to, an individual who is under State control or supervision, shall have the fundamental right to: (1) choose or refuse contraception or sterilization; and (2) choose whether to carry a pregnancy, to give birth, or to have an abortion.

A3974, S2642 (P.L. 2022 c.____) (July 1, 2022) Prohibits extradition of individual from another state back to that state for actions related to conduct concerning reproductive health care services lawful in this State.

A3975, S2633 (P.L. 2022 c.____) (July 1, 2022) Concerns protections with respect to nondisclosure of certain patient information relating to reproductive healthcare services and protecting access to services and procedures related to abortion for certain out-of-State persons. Restricts jurisdiction over New Jersey resident who facilitates abortion in violation of other states' laws; bars civil and criminal liability.

Tax Relief/Education

A1455/S2914 (P.L. 2022 c.____) (June 30, 2022) Establishes annual sales tax holiday for certain retail sales. The following products are exempt from the tax imposed under the "Sales and Use Tax Act," 11 P.L.1966, c.30 (C.54:32B-1 et seq.) if the products are sold to an individual purchaser for non-business use during the exemption period: (1) computers with a sales price of less than \$3,000 per item; (2) school

computer supplies with a sales price of less than \$1,000 per item; (3) school supplies; (4) school art supplies; (5) school instructional materials; and (6) sport or recreational equipment.

Temporary Worker Protections (S511, A6126) (P.L. 2022, c.____) (August 8, 2022, waiting signature by Governor Murphy) Provides certain protections and rights for temporary workers who are hired through a temporary services firm.

Introduced/In Committee/Pending

Education. (A4311), Introduced August 8, 2022. Requires placement of portable FDA-approved anti-choking devices in schools.

Sampling of Reported Decisions

Constitutional Law

State v. Darius Carter (New Jersey Supreme Court; August 2, 2021; ---A.3d ---; 2021 WL3278023; A-66-19 (083221) and State v. Miguel Roman-Rosado (New Jersey Supreme Court; August 2, 2021; A-67-19 (084074)) 1. statute governing license plates did not violate defendant's First Amendment rights. 2. 10-15% of the words "Garden State" being covered is not a violation of the statute requiring license plate to be unobstructed and therefore traffic stop on that basis is not lawful; stop by police officer where entire phrase "Garden State" was obscured was a lawful stop; officer's mistaken interpretation of the law cannot cure that stop and seizure was on mistaken basis; there is no reasonable mistake of law exception to search and seizure provision of New Jersey Constitution.

New Jersey v. Njango – (New Jersey Supreme Court; August 3, 2021; ---A.3d--- 2021 WL 3354281)

The fundamental fairness doctrine is an integral part of the due process guarantee of Article I, Paragraph 1 of the New Jersey Constitution, which protects against "arbitrary and unjust government action." The Court held that the excess time that Defendant erroneously served in prison had to be credited to reduce the period of his parole supervision. The case was remanded to the New Jersey Parole Board for a calculation of the excess time Njango served in prison and a credit toward his period of parole supervision.

Family Law

M. R.-T. v. J.R., Appellate Division; August 8, 2022 (2022WL 3147009) Defendant appealed the FRO entered against him. The parties' dating relationship ended in 1999

continued on page 20



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Covid Escapes

by Amy S. MacIsaac, Esq.

TWIN CITIES OF MINNESOTA - Minneapolis and St. Paul



If you're looking to see a different part of the country but don't want to venture too far, I recommend you visit the Twin Cities of Minnesota – Minneapolis and St. Paul. You can be in the Midwest in just about 3 hours! More than anything else, the time of year you visit Minnesota will dictate your trip experience. We've visited my brother-in-law who lives in the Minneapolis suburb of Edina in both the summer and fall and we enjoyed nice weather that allowed us to enjoy the beautiful outdoors. Even though this article will focus on the best places to see during the warmer months, winter in Minnesota is great for ski-lovers. There is plenty to do and see no matter what time of year you visit!

Minneapolis is a unique city – skyscrapers stand tall right next to gorgeous natural falls and lakes. The city has 22 lakes and over 150 parks so there are plenty of outdoor spaces to enjoy the clean and crisp Midwest air. We spent time at Lake Calhoun, one of the city's largest and most popular lakes. There are recreational activities, beaches and great walking, running and cycling trails that connect to other lakes. Minnehaha Falls lies within the Mississippi River Park and Recreation Board system and is a great spot for pictures. One of the prettiest and most iconic places in Minneapolis is the Stone Arch Bridge at Saint Anthony Falls. Saint Anthony Falls is the only natural major waterfall on the Mississippi River.

Likewise, the bridge is the only arched bridge made of stone on the entire Mississippi River. It was formerly a railroad bridge that was converted to a walkway with great views of both the falls and the city. (Tip: those who are afraid of heights may not like the bridge since it's quite high up) For NFL fans, the bridge is a stone's throw from US Bank Stadium – the home of the Vikings. (Tip: catching a Vikings game in the new stadium is a great experience – the atmosphere is unique and fun even if you aren't a Vikings fan)

Downtown Minneapolis has a skybridge network through dozens of buildings that you can take from one end of the city to the other without ever going outside. This is a unique way to see the city if you visit during the winter months. For those who appreciate the arts, Minneapolis has a great modern art scene (more about music later). The Walker Art Center in the downtown area is a must see with over 13,000 pieces of contemporary art. The Center is adjacent to the Minneapolis Sculpture Garden and Cowles Observatory.

Minneapolis is also a great place for foodies! It is truly a meat lovers paradise – my husband and I agree that the quality and quantity of the meat offerings in Minneapolis are second to none. (Tip: make sure to visit Manny's Steakhouse in the downtown area – not only is it a celebrity hotspot but the steaks are out of this world!) The breakfast chain Perkins is popular in Minnesota – it's good for both kids and adults. Be prepared for extra large portions of food

continued on page 13



Covid Escapes

continued from page 12

in almost every restaurant during your trip. Skol!

Minneapolis is the home of Target so there are super-sized stores all throughout the city and the suburbs. My husband really enjoyed the Forman Mills stores that carry Army-Navy store type items. I would be remiss if I didn't mention the Mall of America – the county's largest mall. Even though we come from the land of malls, the Mall of America is worth visiting during your trip. It's a giant 3-story high square with an amusement part in the middle along with tons of stores and an aquarium. It's a good place to spend time if you visit during the winter.

No article about Minneapolis is complete without mention of its most famous resident. Despite his death in 2016, Prince is everywhere in the city. There are murals of him on almost every street corner. (Tip: The Hard Rock Café in the downtown area has an extensive collection of his guitars) The First Avenue and 7th St Entry (known as the Mainroom and the Entry) are located at First Avenue North and Seventh Street North in the downtown area. These historic music venues occupy the same landmark building that served as the site for the filming of Prince's 1984 movie "Purple Rain." For Prince



super fans, you can also visit Paisley Park in Chanhassen – it's only about a 30 minute drive from downtown Minneapolis. Paisley Park is the estate and production complex formerly home to Prince. Tour tickets are available online and must be purchased in advance.

Minneapolis' twin city – St. Paul – is about a 30 minute drive. St. Paul is less populated and has an older feel than its twin. As the state capital, St. Paul is home to the state government and court

buildings. It has more shoreline on the Mississippi River than any other city. Be sure to visit Summit Avenue – the longest stretch of preserved Victoria-era mansions in the country. Tours are available several times throughout the week. The Cathedral of Saint Paul is a historic downtown landmark that should not be missed. St. Paul is also home to Minnesota's NHL team, the Wild. Check out a game at the Excels Energy Center – hockey is very popular in Minnesota!

During our stay in Minneapolis-St. Paul, we experienced "Minnesota nice" at almost every turn. The people were friendly and helpful as we navigated back and forth from the suburbs. The Twin Cities' downtown city experience in the midst of gorgeous natural lakes and falls make it a great escape to the Midwest. Don't overlook Minnesota when planning your next trip! 🐾



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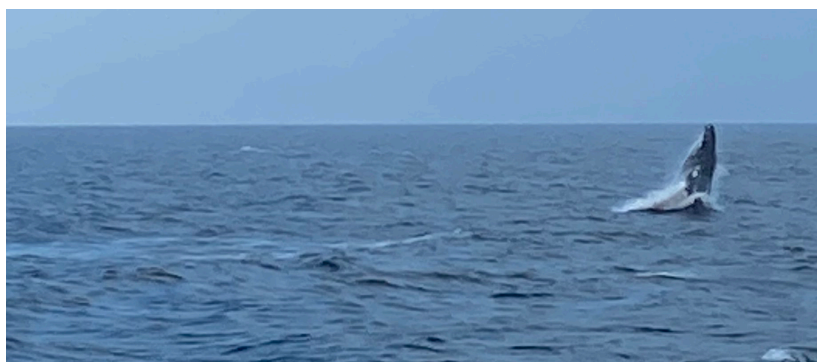
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Whale Watching

August 26, 2022



Jean Robertson Update

By: Kathleen A. Hart, Esq.

The WLIB Jean Robertson Women Lawyers Scholarship Committee is hard at work planning fundraisers for the upcoming year. The Committee is working on a spa night. As many know this is a great way to pamper yourself and help raise money for a good cause. Details will be provided as this scheduled.

The Jean Robertson Women Lawyers Scholarship Foundation provides an annual scholarship award of \$2500.00 to a woman attending law school in New Jersey who best exemplifies the goals and ideas of

the late Jean Robertson

In Jean's memory, the Jean Robertson Women Lawyers Scholarship was formed to raise money to assist female students attending New Jersey law schools. The scholarship is awarded to students who embody the ideals and values that Jean held and taught by example. The funds for the scholarship are made up entirely of voluntary contributions by members of the bar and others committed to honoring the work of Jean Robertson. 🙏

Announcements

Condolences to our immediate past President, **Victoria Pekerman, Esq.**, and her family on the passing of her father, Yakov Pekerman, on Saturday

July 30, 2022. Mr. Pekerman was 87 years old and lived in Brooklyn, New York. 🙏

Presidents Message

continued from page 1

each other, we get to know each other and we bolster friendships, as that is the basis for this organization.

I am proud to serve on the WLIB board with my sister officers: Tamara Katcher, Vice President, who has been an amazing and dynamic supporter and organizer of many events; Sheila O'Shea Criscione, Treasurer, who introduced us to the wonderful world of Fresh and Fancy Farms in New Milford and aside from that she has been an amazing addition to our board and is enthusiastic and fun on top of being a terrific lawyer; Helene Herbert, our new secretary, who has been a long-time supporter of our organization and I am so proud that she has joined our board.

We thank you for reading this, we thank Linda Spiegel whose tireless effort produces this newsletter four times a year. Love to you all. 🙏

Sincerely,
Diane M. Lucianna





Restaurant Review

continued from page 6

cooked to a perfect al dente and covered in a homemade red sauce. The meatballs were tender and well cooked. My entrée was a perfectly cooked chicken breast served with arugula and fresh mozzarella on top. It was delicious. Both portions were quite large, and we had enough for lunch the next day. Other entrées included rigatoni Bolognese (\$18.95), baked ziti (\$17.95), eggplant parmigiana (\$19.95), chicken piccata (\$21.95), seafood pesto risotto (\$24.95), and sole oreganata (\$25.95). You can also order the usual pizza, calzones and hot sandwiches. Domani does a good takeout business and pizza seemed the number one to go order. A children's menu is also available so even the pickiest of eaters will be happy.

We were both full and did not order dessert, however, Domani offers a number of tasty treats to enjoy after your meal. These included a lava cake (\$9.95), tiramisu (\$8.95), two mini cannolis (\$5.95) and mango sorbet (\$7.95).

The server at Domani was attentive but not overly so. It can get quite crowded. Reservations would be recommended but at least there is a bar area in which to wait if you walk in. We noticed several people eating at the bar, which is a nice alternative if you do not want to wait for a table. We will go back to Domani. The food and service were good. I give it two and a half forks.

	Below Average	
	Average	\$ 20 or less per plate
	Above Average	\$\$ 20-40 per plate
	Exceptional	\$\$\$ 40 or more per plate

*Summer
Organization
Luncheon
at
Sidebar
Hackensack,
July 15, 2022.*



**Young
Lawyers
Corner**

The Young Lawyers Committee of Women Lawyers in Bergen meets on the 1st Wednesday of every month. Each meeting is hosted by one of the members. If anyone would like additional information including the location of the next meeting or are interested in joining the Committee, please contact Sarah Gloates Horta, Esq. at sarah@snglaw.com.

Notice to Readers

When you are considering changing a vendor or are seeking a specialist, please consider those who advertise in our newsletter.

Thank you.

MERYL CONTE CLAYTON

Attorney at Law

Admitted in New Jersey (1984) and Florida (1995)

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Contact Erica Fields at Erica.L.Fields@gmail.com or (201) 527-5319 for more information

Legislative Report

continued from page 10

but they continued to have a sexual relationship until 2010. Plaintiff sought TRO in 2021 based upon acts committed in 2021 and testified as to acts of harassment committed in 2021 and prior history of domestic violence during the past romantic relationship. Defendant appealed and argued the court lacked jurisdiction because the parties had stopped dating ten years ago. Court disagreed, noted act did not place a temporal limitation on when the dating relationship occurred and that the trial court's factual findings were supported by the substantial credible evidence.

Torts/negligence

Coleman v. Martinez (Supreme Court of New Jersey; July 15, 2021; --A.3d---; 2021 WL 2963729). Assault victim, a Division of Child Protection and Permanency (DCPP) employee, brought negligence action against licensed social worker arising from stabbing attack by social worker's patient who had psychotic episodes and who believed, from conversation with social worker, that victim was source of information adverse to regaining custody of her children. The Superior Court, Law Division, Camden County, granted summary judgment for social worker. Victim appealed. The Superior Court, Appellate Division, 2020 WL 3401943, reversed and remanded. Social worker petitioned for certification, which was granted.

Legal Malpractice

Hunnell v. McKeon, (Appellate Division; August 11, 2022; A-0127-20; 2022 WL 3268382) Defendant appealed the dismissal of her counterclaim, denial of her cross-motions to stay an arbitration award and amend her counterclaim and entry of judgment for plaintiff in action over an attorney's bill. Plaintiff represented defendant in a divorce. Plaintiff received a \$55,000 award from the District Fee Arbitration committee for past due legal fees owed by defendant. Defendant did not pay; plaintiff filed a complaint in the Law Division seeking a judgment and defendant counterclaimed alleging legal malpractice. Trial judge found the parties' attorney-client relationship ended in 2012 and defendant's malpractice claim failed on statute of limitations grounds. Court noted defendant asserted the attorney-client relationship continued until at least April 2014, when defendant received a letter from plaintiff, and found trial judge erred. Court allowed defendant to amend her counterclaim to assert fraudulent billing but affirmed trial court's dismissal of defendant's motion to stay the arbitration award

Personal Injury

Clark v. City of Wildwood (Appellate Division; August 9, 2022; 2022 WL 3205805) Court affirmed the dismissal of Plaintiff's personal injury action for failure to satisfy the requirements of the New Jersey Tort Claims Act (TCA), N.J.S.A. 59:1-1 to 14.4. Plaintiff was walking on city boardwalk, tripped and fell; claimed that the cause of the fall was uneven floorboards. Plaintiff was diagnosed with a torn rotator cuff and had surgery. Plaintiff sued and her expert inspected the site of her injury three years later. By then, the boards at the site of plaintiff's fall had been replaced. Trial judge found plaintiff did not demonstrate a "dangerous condition," actual or constructive knowledge on the part of City, or permanent disability from her injury. Court affirmed for the reasons expressed by the trial judge. No reasonable jury could find an alleged slight change in elevation of a single board gave rise to a "substantial risk of injury" nor were defendant's actions "palpably unreasonable."

Employment Litigation

Halliday v. Bioreference Lab., Inc., (Appellate Division; August 3, 2022; 2022 WL 3051348) Plaintiff appealed the grant of summary judgment in favor of defendant in her Conscientious Employee Protection Act and Clinical Laboratory Improvement Amendments action asserting wrongful termination. Defendant diagnostic laboratory had its headquarters and "core" laboratory in New Jersey and operated remote labs in other states, including Texas where plaintiff worked. Plaintiff's supervisor was based in California. Plaintiff emailed defendant's New Jersey-based quality systems department in September 2016 about continuing deficiencies in the Texas lab and asserted patient results were inaccurate. QS personnel from New Jersey visited Texas lab in March 2017, plaintiff was told to sign QC documents and she refused. Defendant argued Texas law governed plaintiff's termination. Trial court agreed and found defendant was entitled to judgment on the merits in plaintiff's CEPA claim. Plaintiff argued New Jersey law applied. Court found legislature did not intend to limit CEPA protections to New Jersey employees and there were genuine issues of material fact as to where the injury, the decision to fire plaintiff, occurred.

Trusts and Estates

In the Matter of the Estate of Albericci, (Appellate Division; July 26, 2022; WL 2920992) Defendant challenged the probate of the estate of her late mother. Mother's will excluded daughters from any share of her estate. Defendant argued mother was suffering from diminished mental capacity as terminal cancer had made her susceptible to undue influence from her sons.

continued on page 22



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Legislative Report

continued from page 20

Trial judge found there was nothing suspicious about mother's execution of her will and no evidence that mother was not thinking clearly when she met attorney; and no evidence that sons influenced mother to leave estate to them and disinherit plaintiff and her sister. Trial judge noted sons had cared for mother and plaintiff was alienated from mother and had not spoken to her in the three years before her death. Defendant's request for estate to pay her attorney fees was denied because she failed to establish "reasonable cause" for contesting the will. Defendant argued trial judge abused his discretion. Court disagreed and found defendant's arguments lacked merit and record supported trial judge's decisions.

OTHER MATTERS

Judicial appointments

On August 8, the Senate Judiciary Committee released the nominations of four Superior Court judges (Naazeen B. Khan of Nutley; Frank C. Testa of Haddonfield; Jeffrey Wilson of

Atlantic City and Thomas Comer of Farmingdale), one administrative law judge (Kimberley Wilson of Trenton) and one Judge of the Division of Worker's Compensation (Neme Akunne of Lawrenceville)(As reported by the NJSBA on 8/10 and 8/15)

NJSBA co-sponsorship of successful measure at ABA convention

The NJSBA was represented at the ABA convention August 3-9 by Jeralyn Lawrence, Esq., President of the NJSBA and Tim McGoughran, Esq., President-Elect. At the convention, the ABA's governing body of 583 delegates passed Resolution 402 (among 30 agenda items), which opposes sharing legal fees with non-lawyers and the ownership or control of firms by non-lawyers. Along with Lawrence and McGoughran, Past NJSBA Presidents Karol Corbin Walker and Thomas H. Prol, Secretary G. Glennon Troublefield and former ABA President Paulette Brown also lobbied for the resolution's adoption. There are currently some states, Utah and Arizona among them, that are experimenting with both concepts. The first non-lawyer owned law firm opened in Utah in 2021. (As reported by the NJSBA on 8/15) 🐾

Federal Arbitration Act

continued from page 3

the late 1990s. This new legislation raised questions about whether those arbitration provisions could still be enforced. The answer came fairly quickly, however. Despite the efforts of the New Jersey Legislature, several recent decisions concluded that Section 12.7 is preempted by the FAA.

In a federal case brought against the New Jersey Attorney General, Gurbir Grewal (Grewal), the district court judge enjoined Grewal from enforcing Section 12.7. The judge found that any state law that conflicts with or frustrates the purpose of a federal statute is in violation of the Supremacy Clause of the United States Constitution and is, therefore, preempted. N.J. Civ. Justice Inst. v. Grewal, 2021 U.S. Dist. LEXIS 57437 (D.N.J. March 25, 2021).

At around the same time, the Appellate Division came to the same conclusion. Antonucci v. Curvature Newco, Inc., 470 N.J. Super. 553 (App. Div. 2022); Salter v. Brinker Int'l, 2022 WL 729801 (App. Div. March 11, 2022); Aguirre v. Conduent Patient Access Sols., LLC, 2022 WL 893636 (App. Div. March 28, 2022). Once again, the law was settled. Employees could be forced to arbitrate LAD claims.

But not so fast! In March 2022, President Biden signed the Ending Forced Arbitration of Sexual Assault and Harassment Act of 2021 (EFASAHA) which renders invalid a mandatory arbitration agreement for state law sexual harassment and sexual assault claims. In addition, the Act amends the FAA to provide that mandatory pre-dispute arbitration agreements may be invalidated at the election of an employee alleging sexual assault or sexual harassment. Finally, this legislation declared it against public policy to compel employees to arbitrate sexual assault or sexual harassment claims.

This past Spring, the EFASAHA was tested in Sellino v. Galiher, et al. ESX-L-8519-21 (L.Div. May 25, 2022). Therein, Plaintiff claimed that her supervisor had sexually harassed her over a

twenty-four-year period. She filed a LAD claim in Superior Court. The defendants moved to compel that the complaint be dismissed because Plaintiff had signed an agreement to arbitrate all disputes. The court denied the motion because it found that, with the enactment of EFASAHA, Section 12.7 controlled with regard to sexual harassment cases. As a result, employees could no longer be forced to arbitrate sexual harassment disputes. The court reached this decision even though the arbitration agreement was executed prior to the EFASAHA. The court reasoned that the new legislation indicates that the current Congressional purpose exhibits distaste for arbitration agreements in state sexual harassment cases. This holding clarifies that arbitration agreements will no longer bind sexual harassment claims, and plaintiffs shall be entitled to jury trials.

From the perspective of an employment attorney representing plaintiffs, jury trials are preferable to arbitration. While arbitration proceedings tend to be quicker, they do less to hold employers accountable. There is less of a spotlight on arbitration proceedings. Consequently, it is my opinion that the threat of having to defend a jury trial is more of a deterrent to employers. Holding employers accountable and creating a deterrent for discriminatory behavior is consistent with our State's stated concern with eradicating the cancer of discrimination in the workplace. Fuchilla v. Layman, 109 N.J. 319, 334 (1988). Indeed "freedom from discrimination is one of the fundamental principles of our society." Lehman v. Toys R Us, 12 N.J. 587, 600 (1993). I think the EFASAHA and the Sellino decision placed the adjudication of sexual harassment/assault claims on the right track. Clearly, sexual harassment claims have been accorded their due weight with this change. But, for now, LAD claims, other than sexual harassment claims, can be subjected to arbitration. When the public policy of erasing all forms of discrimination in the workplace is determined to be a more critical consideration than efficiently resolving disputes, we can genuinely tackle workplace injustices. 🐾

Elder Abuse

continued from page 4

identification of Wells Fargo Bank. A second example erroneously relied upon by the two doctors was that Ms. X did not know how to write a check. This, however, was due to the fact that her late husband, and after his death the 5th child, handled all of her finances; Ms. X never needed to write a check. The forensic psychiatrist also confirmed the inappropriateness of the restrictions place upon Ms. X's activities and medical care by the 5th child.

After intense and expensive litigation (which, thankfully, the 4 Siblings were able to afford), it was determined that Ms. X has full legal capacity. She was freed from the control of the 5th child and she returned to Virginia where she lived in a nursing home for a number of years. She was treated exceptionally well by the staff, many of whom knew her from her volunteer activities there over many years. Her care was supervised by her two sons who are medical doctors. She went on many outings and was able to experience her lifelong passion for opera as well as do some of her own shopping.

A number of types of Elder abuse of Ms. X by the 5th child are identifiable; i.e., Ms. X was:

- A. Living under the wrong level of care. An Order preventing any medical care at all had been imposed on her;
- B. Subjected to unreasonable restrictions by being confined to the nursing home and not permitted to make supervised excursions into the community;
- C. Subjected to a baseless guardianship proceeding; in which the 5th child received erroneous advice from doctors who were not experienced in this field and performed only cursory examinations of Ms. X upon which they based their erroneous opinions of incapacity;
- D. Prevented from pursuing her personal interests;
- E. Deprived of most contact with the 4 siblings;
- F. Deprived of decision making and control

over her life by the 5th child whom she did not want as her care giver;

- G. Mentally and emotionally upset by the actions of the 5th child, the guardianship proceeding and the restrictions to which Ms. X was subjected;
- H. Had her real needs neglected.

Some of these abuses were so inappropriate, e.g., receiving no medical care, that one wonders how the professional staff of the nursing home permitted them to be put into effect.

An additional note: When determining whether abuse exists, if something appears to be wrong there likely is a problem even though it may not be the same problem that the victim of the abuse is communicating. In all instances any "suspicions" of abuse should be followed up immediately and a qualified professional should be retained where appropriate.

A note of caution: In this instance, Ms. X was able to clearly and accurately communicate a number of the abuses. However, it is possible that an Elder's judgment and/or perceptions can be impacted by dementia or other conditions such as Parkinson's Disease. Therefore, care should also be taken to appropriately validate any concerns.

Each case involving Elder abuse is unique and the individual needs of the Elder are specific to that Elder.

The community, as well as the facilities where elders live and the service providers, need to become more educated concerning Elder abuse and there needs to be more publicity concerning this very serious problem.

In Bergen County we are fortunate that SeniorHaven, which is an Elder abuse shelter, is located here. It was the first, and we believe still, the only such facility in New Jersey. An Elder needing the services of Senior Haven must be referred by another agency such as Adult Protective Services.

Attorneys especially need to be more aware of Elder abuse, how to recognize it, how to deal with it and what professionals and other resources are available. Our clients seek our advice on a wide range of problems and, unfortunately, Elder abuse will, at least in the short run, increasingly be among the matters on which we are consulted 🙄

2022-2023 WLIB Committees

The following committees were formed for the 2022-2023 term. Our newly elected President, Diane Lucianna, Esq. is putting together the committee assignments for the 2022-2023 term. Committees may be added or eliminated by the President as needed. Please select as many choices as you wish for committee assignment and rank them in

order of preference and email your preferences to Diane Lucianna, Esq. at dianeluci@aol.com. Multiple choices are recommended inasmuch as you may not be assigned to your first choice depending on the number of volunteers for each committee. Thank you in advance for your commitment and dedication to this great association

Annual Dinner & Election

Diane Lucianna, Esq., Tel: 201-342-9090
Email: dianeluci@aol.com

This Chair will coordinate with the incoming President to plan the dinner and confer with the Nominating Committee Chair to coordinate the election and installation of officers.

Annual Programs

A. Breast Cancer Event:

Erica Fields, Esq., Tel: (201) 527-5319
Email: Efields@geico.com

B. The Fountain:

Kimberly Capers, Esq. Email: Kcapers@bcpo.net

C. Golf:

Laura Van Tassel, Esq., Tel: (201) 664-8566
Email: laura@vantassellaw.com

D. Holiday Party:

Natalie Candela, Esq., Tel: (201) 953-1995
Email: Ncandela@bcpo.net

These Chairs shall oversee the organization of the programs and events and do so in coordination with other committee chairs when appropriate. The President shall designate Subcommittee Chairs, in consultation with the Annual Programs Chairs, as may be needed for organizing and promoting the following programs (if applicable) and others as the Board may determine to have: Bring Your Children to Court Day, Holiday Party, Judicial Reception, Meet & Mingle With Elected Women Officials.

**Bar Association Liaison*

Eileen Mulroy, Esq., Tel: 201-410-5106
Email: Mulroyei@gmail.com

Victoria R. Pekerman, Esq., Tel: 201-488-3900
Email: vpekerman@shapiro-croland.com

The Bar Association Liaison will inform the Board and/or WLIB membership of relevant information concerning happenings at the New Jersey State Bar Association, Bergen County Bar Association, American Bar Association and at other women's bar associations and diversity bars as such information may become known and to convey the interests of WLIB to these respective associations as WLIB may deem appropriate.

Bylaws

Helayne Weiss, Esq., Tel: 201-440-6300
Email: hweiss@herbertandweiss.com

Sveltana Ros, Esq., Tel: 201-373-2060
Email: Lros@pashmanstein.com

This Committee shall review, propose and draft bylaws amendments as needed and shall coordinate any Special Meetings called for discussion and vote and/or publication of any bylaw amendments to the membership.

Continuing Legal Education (CLE)

Kathleen A. Hart, Esq., Tel: 1-732-399-9703
Email: khart@weiner.law

The Committee shall be responsible for keeping Continuing Legal Education certification updated and organizing and assisting other members in presenting Continuing Legal Education programs. If you wish to present a program, or have an idea for a program, please contact one of the Chairs. The CLE Committee will assist to ensure that programs comply with applicable regulations so attendees receive NJ CLE credits. The Committee's goal is to provide members with an opportunity to obtain MCLE credits at a reasonable cost.

**Diversity Committee*

Jennifer Blum, Esq., Tel: 201-336-9868
Email: Jennifer.Blum@opd.nj.gov

The Diversity Committee, in coordination with the YLD Committee and with other diversity bars, shall actively recruit diverse members to WLIB and shall consider and propose ways to increase the diversity of our membership and be more inclusive of diversity members. The Committee shall organize events and programs to encourage diversity, including co-chairing the Diversity Dinner with the BCBA.

Jean Robertson Women Lawyers Scholarship Award

Kathleen A. Hart, Esq., Tel: 1-732-399-9703
Email: khart@weiner.law

Eileen Mulroy, Esq., Tel: 201-410-5106
Email: Mulroyei@gmail.com

This committee is responsible for the annual Jean Robertson Women Lawyers Scholarship award. It will notify the law schools in New Jersey of the availability of the scholarship, read and evaluate all submissions for the scholarship and decide to whom to award the scholarship. The committee shall further be responsible for inviting the scholarship recipient and guest to the WLIB Annual Dinner for the presentation of the scholarship. The committee is also responsible for providing a written update in each issue of the WLIB Newsletter.

Judicial Appointments

Kelly Castor, Esq., Tel: 908-377-4889
Email: Kellycastor@gmail.com

Eileen Mulroy, Esq., Tel: 201-410-5106
Email: Mulroyei@gmail.com

Jennifer Blum, Esq., Tel: 201-336-9868
Email: Jennifer.Blum@opd.nj.gov

The Committee shall provide information and mentoring on procedures for becoming appointed to the Judiciary and coordinate with the CLE Committee to organize an educational program concerning Judicial Appointments.

Legislation & Litigation

Carmela Novi, Esq., Tel: 201-642-2000
Email: Carmela@wlg.com

The Committee shall seek out information concerning pending legislation and/or litigation relevant to our mission statement and the goals of this bar association and shall inform the Board and/or the general membership. The Committee shall be responsible for coordinating any public positions taken by WLIB concerning any legislation and/or litigation, including but not

limited to testimony before public bodies and/or drafting of amicus briefs. The Committee shall also provide a column entitled "Legislative Update" for each issue of the WLJB Newsletter.

Membership

Cathe McAuliffe, Esq., Tel: 201-488-2030
Email: Cathemcaul@aol.com

All women attorneys who live or work in New Jersey are eligible for membership. The Membership Chairs shall coordinate with Treasurer to maintain accurate and updated information concerning membership rolls and shall coordinate with Treasurer to provide membership renewal invoices to current members and add new member information to the membership rolls and supply that information to the Newsletter Chair and Publicity Committee Chair.

Members in Transition

Linda F. Spiegel, Esq., Tel: 201- 489-1001
Email: LFSSEQ@aol.com

The Committee shall provide information, mentoring and programming concerning starting or dissolving a practice (to enter the judiciary, join another firm, leaving government or other reasons), dealing with illness or disability of the lawyer (or lawyers' family members), retirement from law practice and other topics of interest to members nearing retirement, changing firms or practice areas, suffering an injury, caring for a family member or becoming a parent. Subcommittee, Seasoned Women Attorneys Group (SWAG) meets regularly for lunch and a program the second Monday of each month at Cheers in Hackensack, from 12:30 pm to 2 pm.

Newsletter

Linda F. Spiegel, Esq., Tel: 201- 489-1001
Email: LFSSEQ@aol.com

The Newsletter is published quarterly, Fall, Winter, Spring and Summer. Anyone interested in advertising in the Newsletter should contact Victoria Pekerman, Esq. or Diane Lucianna, Esq. (co-advertising managers) at vpekerman@shapiro-croland.com or dianeluci@aol.com. Members interested in writing for the Newsletter should contact Linda F. Spiegel, Esq. WLJB welcomes articles written by members, as well as book and restaurant reviews. The Newsletter also welcomes announcements from our members and encourages all members to share their news whether personal or professional in our Announcements column.

Nominating Committee

Victoria Pekerman, Esq., Tel: 201-488-3900
Email: Vpekerman@shapiro-croland.com

The Chair shall be the current Immediate Past President. The Nominating Committee shall make nominations of officers and trustees in accordance with the bylaws.

Publicity

Nancy Lucianna, Esq., Tel: 201-947-6468
Email: nlucianna@msn.com

The Committee shall disseminate flyers and other information concerning events and news relevant to WLJB and its members and shall coordinate with the Website Committee to make sure the most current event and news information is provided to the Website Committee for posting. Notices of all WLJB events are sent out to the press/media. Please be sure to give Kathy and her committee as much lead time as possible for providing publicity for upcoming events.

Sponsorship & Advertising

Nancy Lucianna, Esq., Tel: 201-947-6468
Email: nlucianna@msn.com

The Committee shall solicit advertisements for the Newsletter and any Journals as appropriate. The Committee shall solicit sponsorships for membership recruitment events and other WLJB events. The Committee shall coordinate with other committees as needed to determine sponsorship and advertising needs. The Committee shall coordinate speaking engagements by members to provide community outreach and information to the public and attract advertising, sponsorship and potential clients for members. If you would like speak at an event, place an advertisement in the WLJB Newsletter, or sponsor a WLJB event, please contact the committee chairs.

WLJB Website

Linda F. Spiegel, Esq., Tel: 201- 489-1001
Email: LFSSEQ@aol.com

Diane Lucianna, Esq., Tel: 201-342-9090
Email: dianeluci@aol.com

The Committee shall keep website updated and make adjustments as may be necessary from time to time and act as a liaison to the

webmaster and any other outside vendors providing web services. The Committee shall coordinate with the Membership Committee to provide website access to members and others as appropriate and make efforts to build and maintain an online directory. The Committee shall post event information and newsworthy information on the website. Any announcements for the website should be submitted to the Chairs via email. Any suggestions for additional features on the website are always welcome.

Women Rights Information Center (WRIC)

Helene Herbert, Esq., Tel: 201-440-6300
Email: hherbert@herbertandweiss.com

Helayne Weiss, Esq., Tel: 201-440-6300
Email: hweiss@herbertandweiss.com

The Committee shall solicit and manage members to volunteer for the pro bono legal consultation sessions in the areas of family and immigration law hosted at the Women's Rights Information Center (WRIC) and schedule attorneys in advance to provide the consultations. The consultations are limited to 30 minutes. There is a great need for bilingual English/Spanish volunteer attorneys. Any interested members should contact the Chairs for more information.

Young Lawyers Division

Sarah Gloates Horta, Esq., Tel: 201-540-9017
Email: sarah@snglaw.com

Suzanne Tullo, Esq., Tel: 201-450-2652
Email: ttulosuzanned@gmail.com

The Committee shall organize the Law Clerks Welcome and conduct membership outreach with the incoming law clerks and maintain follow-up contact information and outreach with outgoing law clerks. The Committee shall also conduct outreach with law students and recruit new women members of law firms in Bergen County, the Bergen County Bar Association and any other women attorneys either living or working in New Jersey to join WLJB.

Members of the Young Lawyers Division: Jacqueline Shulman, Esq., Jennifer Berardo, Esq., Adelina Herrarte, Esq., and Nicole Parelli, Esq.

* Denotes a special (non-standing) committee. Some special committees may become standing committees by way of bylaw amendment. Others have been formed for a specific event.

WLIB

WOMEN LAWYERS IN BERGEN

Women Lawyers in Bergen | 79 Main Street | Suite #1 | Hackensack, NJ 07601 | www.womenlawyersinbergen.org

Calendar of Events

September 2022

Monday, September 12

12:30 pm SWAG Meeting via Zoom. Diane Longo will be our guest. She will have a power point presentation and discussion on "Love, Sex, Music and the Arts: Our changing values 1940-1980."

Monday, September 19

5:30 pm CLE and dinner. Patricia Baglivi, Esq., former First Assistant Prosecutor and head of Major Crimes in Bergen County will share her war stories. In person at Fresh and Fancy Farms in New Milford or via Zoom. Go to the WLIB Website to register.

Tuesday, September 20

5:30 pm WLIB Board Meeting via Zoom.

October 2022

Monday, October 10

12:30 pm NO SWAG MEETING, COLUMBUS DAY

Tuesday, October 18

5:30 pm WLIB Board Meeting via Zoom.

Friday, October 28

Noon-2 pm WLIB Breast Cancer Fundraiser in the Park, Across the street from the Courthouse, join WLIB, breast cancer survivors, family and friends for an uplifting event. All contributions go to Susan Lucianna Breast Cancer Fund – a local 501(c)3 charity helping Breast Cancer patients with quality-of-life needs. All to the patients, no salaries or overhead expenses.

November 2022

Monday, November 14

12:30 pm SWAG Meeting. Angela Kim, Esq. is our host with topic TBD.

Tuesday, November 15

5:30 pm WLIB Board Meeting via Zoom

December 2022

Monday, December 12

12:30 pm SWAG Meeting. Sheila O'Shea Criscione, Esq. is our host with topic TBD.

Tuesday, December 20

5:30 pm WLIB Board Meeting via Zoom

Board Meetings are currently being held via Zoom and are open to all members. If you wish to attend the board meeting go to <https://www.womenlawyersinbergen.org/login> as a member and you will find the Zoom link for the board meeting.

Board Meetings are usually held the third Tuesday of every month.

President

Diane Lucianna, Esq.

(201) 342-9090 dianeluci@aol.com

Vice President

Tamra Katcher, Esq.

(201) 488-1234 tkatcher@rwkdllaw.com

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Immediate Past President

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www.womenlawyersinbergen.org

To advertise in this
newsletter please contact
Nancy at (201) 947-6486 or
Linda at (201) 489-1001

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