

# WLIB NEWSLETTER

WOMEN LAWYERS IN BERGEN

Volume 12

Spring 2023

As I am concluding my first year of presidency of WLIB I feel a sense of accomplishment of one of my goals--camaraderie among members. Since COVID forced us into a virtual world, WLIB had become distant and fragmented because of the need to basically resort to virtual events instead of in-person events. Since I have taken office we've gone back to in person events and I feel WLIB has increased its camaraderie among our members. The new year started with the Annual Holiday Party, which became a New Years Party because I had COVID in December. The cosmos were flowing, the dinner was my usual short ribs and pumpkin ravioli, and there were lots of friendly women happily socializing.

Tamra Katcher has started a new Health and Wellness Series which began January 25<sup>th</sup> with a virtual speaker on food and mood. She is a food coach and among other things challenged herself to go a full year without eating sugar. She succeeded and I failed after 5 days. Since then we have had an in-person cooking demonstration by TV Chef Cara de Falco at Sheila O'Shea's house. She demonstrated pasta-making and we had charcuterie boards, dinner, wine and a surprising Armenian dish compliments of Kohar Boyadjian. Another fun night of laughing and socializing.

The "Pathway to the Bench" seminar was on February 28, 2023 and I moderated it with a panel consisting of Senator Loretta Weinberg, Judge Koblit, Judge Siegal, Judge Robinson, and Judge Herbert. We met at the plush offices of Pashman Stein and the panel discussed with us strategies to be considered for a judgeship. Over 35 women attended and the panel spoke for 1 1/2 hours on becoming a judge and their paths and experiences.

This brings us to my next idea to promote camaraderie--having a member demonstrate their ethnic cooking skills in their home with wine and dinner. The recent cooking demonstration event was fun and well-attended. In the summer Kohar Boyadjian is going to show us how to



make Armenian food in her home and then maybe we will get other members to show us how to make Greek food, Jewish food, Irish food, etc.

We are planning a Diversity CLE for the two required credits and Sheila O'Shea is moderating that event. We will be having it at our favorite venue, Fresh and Fancy Farms, probably in April. Also in April Tamra is arranging a Broadway bus trip. It will leave from Hackensack, bring us to the theater district for dinner and then a Broadway show. Flyers will go out soon.

That brings us to the Meet and Mingle which is tentatively set for May 10<sup>th</sup> at the Tavern 61 in Hackensack. For those new members, that event involves cocktails and dinner with Bergen County's female elected officials. They each give us a summary of what they are working on. Flyers will go out for all these events soon.

We have many new members, many active members and many young members and I credit our attempts at fun and engaging events as the draw. Laura Van Tassel has run the indoor golf programs at the Players Club in Paramus from November through March and will be getting us ready for outdoor golf beginning April or May. Debbie O'Connor, the pro, is a pleasure to learn from. Golf is hard and we need help. The Bergen

County Bar Association is looking for women to join their golf outing in the spring and if a miracle occurs and I can get my skills up to par I'm doing it. I hope some of you will join also.

Because Judge Mizdol is retiring in May and having her retirement dinner in June and because of the Diversity Dinner in June we're moving our annual dinner to September at Seasons. Then we'll be able to honor retiring Judge Mizdol and incoming Assignment Judge Carol Catuogno as well as any other new female judges appointed.

We have been very busy trying to make this organization not just the female equivalent of the Bergen County Bar Association but more of a friendly, networking group of women supporting each other.

On May 8<sup>th</sup>, 2023, it will be 20 years since I was diagnosed with breast cancer and I am beyond grateful that I have gotten to see my children grow up and remain healthy. I am grateful I have been able to keep my law career going. I credit my personal and legal relationships as helping me through it all. I am proud to be a president of this organization and cherish the support of the women in our group. Female friendships and work colleague friendships can get you through rough patches in life. They certainly have for me. Let's continue our support of other members our new and old WLIB friendships. Sometimes the answer to "How are you?" is not what you expect. Let's continue the camaraderie and support each other.

Sincerely,

Diane M. Lucianna

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## WLIB Membership

To renew or begin your membership with WLIB please go to [www.womenlawyersinbergen.org](http://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](mailto:cathemcaul@aol.com).

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# Adoption and Social Security Law

*By: Debra E. Guston, Esq.*

The adoption of a child often raises questions of entitlements to continued social security benefits derived from the rights of a deceased, disabled or retired birth parent. Another issue that often arises is when can an adopted child apply for and be granted benefits derivative of the benefits of their adopted parent(s). This article will answer some of these questions.

## 1. Retirement and Disability Benefit Entitlement – When is an Adopted Child a Dependent?

For an adopted child to receive benefits based on an parent's retirement or disability, the applicant must show that the child is a dependent under federal law.

- A child adopted prior to the retirement of an adoptive parent's full retirement age is automatically deemed a dependent of the adoptive parent and will receive benefits based on the adoptive parent(s)' retirement status.
- A child adopted prior to the adoptive parent's disability onset as recognized by the Social Security Administration is automatically deemed a dependent of the adoptive parent and will receive benefits based on the adoptive parent(s)' disability status.
- A child adopted after the commencement of retirement benefits by an adoptive parent will have to prove they are dependent on the adoptive parent and may then receive benefits based on the adoptive parent(s)' retirement status.
- A child adopted after the disability onset as recognized by the Social Security Administration will have to prove they are dependent on the adoptive parent and may then receive benefits based on the adoptive parent(s)' disability status.
- A child adopted by a stepparent, however, is always deemed a dependent for retirement and disability payments if:
  - o The child was receiving at least half of their support from the adopting stepparent; and
  - o The adoption was either commenced before the death of the worker or by the worker's surviving spouse within two (2) years of the date of death.
  - o Note, if a child is receiving benefits from a step parent, and the birth parent and the step parent divorce, the benefit will end.

- If the child is a grandchild or a step grandchild, the child is considered a dependent if:
  - o The adoption took place in the United States; and
  - o The natural, adoptive or stepparent was not living in the household and providing support for the child.

## 2. How Do You Prove a Child is Adopted?

- Produce a certified birth certificate issued after the adoption was completed or other evidence of the adoption (could be a certified copy of the judgment for adoption)
- If the surviving spouse of deceased worker is the adopting parent, proof is required that:
  - o the insured person was living in the same household with the child when he or she died;
  - o whether support the child was getting was from any other person or organization; and
  - o if the surviving spouse had a deemed valid marriage with the insured person, evidence of that marriage.

## 3. Will a Child's Benefits End When They Are Adopted?

- When a child is adopted and they have been receiving social security benefits based on their birth parent's death or disability, they will not lose those benefits. Social Security must be informed of the adoption, any change of name and a new representative payee to receive the benefits.
- When a child is adopted and they have been receiving benefits based on a birth parent's disability, their benefits will continue, but may end if the birth parent no longer qualifies as a disabled worker.

Navigating the social security law and regulations is difficult and adoptive parents often find that social security representatives may not know off hand all of the ins and outs of the system they are charged with administering. A child's entitlement is *their* entitlement, even if derivative of a birth parent's entitlement. Generally, you should presume that an adopted child's benefits should remain in place even after adoption. 🐾

1. U.S.C.F.R. § 404.362 [44 FR 34481, June 15, 1979; 44 FR 56691, Oct. 2, 1979, as amended at 56 FR 24000, May 28, 1991; 57 FR 3938, Feb. 3, 1992]
2. U.S.C.F.R. §404.352(b)(7) [https://www.ssa.gov/OP\\_Home/cfr20/404/404-0352.htm](https://www.ssa.gov/OP_Home/cfr20/404/404-0352.htm) [URL checked March 12, 2023]
3. U.S.C.F.R. §404.733

4. U.S.C.F.R. §404.760
5. U.S.C.F.R. §404.727
6. Page 8, What You Need to Know to Get Retirement or Survivor Benefits: <https://www.ssa.gov/pubs/EN-05-10077.pdf> [URL checked March 12, 2023]; U.S.C.F.R. §404.352
7. U.S.C.F.R. §404.352(b)(5)

# Basics of New Jersey Landlord Tenant Law

*By: Barry J. Cohen, Esq.*

This article is intended to provide general information and is not intended, nor should it be assumed to be, legal advice. Nuanced differences in the scenario or the facts of a matter may cause a different outcome.

“The lease is over, and I want the Tenant to leave” is a common refrain said by non-informed landlords in New Jersey. What many people do not realize, and that counsel must be aware of, is that merely because the lease has ended in the State of New Jersey in most situations does not mean that the Tenant’s occupancy of the apartment or house must end. If there is one lesson that is learned from this article, it is that principle. The mere fact that a lease has ended does not mean that the Tenant must leave except in a situation where the home or building contains three or fewer apartments and the owner or a member of his or her immediate family resides in one.

Absent an owner-occupied building with no more than two other rented units, New Jersey is what is commonly referred to as a “Good Cause” state. There are only certain reasons that a landlord may have to evict a Tenant. As long as you have one of these reasons, New Jersey is a lot more predictable and likely to ultimately permit the landlord to recover the premises than its New York neighbor. The rest of this article concerns non-owner-occupied premises or owner occupied premises with more than two other units being rented.

Although non-exhaustive the following are reasons that may cause a landlord to recover premises (See N.J.S. 2A:18-61.1) :

- 1) Non-payment of rent
- 2) Non-payment of increased rent
- 3) The Tenant has, after a written notice to cease, been so disorderly as to destroy the peace and quiet of the occupants or other Tenants living in said house or neighborhood.
- 4) The person has willfully or by reason of gross negligence caused or allowed destruction, damage or injury to the premises.
- 5) The Tenant has continued, after written notice to cease, to substantially violate or breach any of the landlord’s rules and regulations, provided the rules and regulations are reasonable and were either accepted in writing by the Tenant or were part of the lease.
- 6) The person has continued, after written notice to cease, to substantially violate or breach the lease.
- 7) The Tenant has been habitually late in the payment of rent.
- 8) The Landlord or owner seeks to permanently board up or demolish the premises since the Landlord has been cited by local or state housing inspectors for substantial violations or the owner seeks to correct an illegal occupancy after having been cited; or the property is in an area designated for redevelopment. (Be wary of the reasons in this Paragraph 8 as an eviction for the reasons expressed herein requires the landlord to provide relocation assistance to the Tenant and can be costly.)
- 9) The owner seeks to retire the residential building or mobile

home park from residential use and not for the reasons covered in Paragraph 8.

- 10) The Tenant was employed by the landlord and the apartment was a condition of that employment which has now been terminated.
- 11) The Tenant has committed certain drug violations.
- 12) The Tenant has been convicted no later than two years previously of certain offenses against the landlord or certain members of the landlord’s family.

The common language in the landlord Tenant court distinguishes among the reasons for eviction. The landlord Tenant practitioners and the Judges refer to these reasons as either non-payment cases or for cause cases or holdover cases. All but 1 and 2 above require prior notice to the Tenant before an action for eviction can be instituted.

Some reasons for eviction require one notice before an action can be started. This notice is known as a Notice to Quit, (the Tenant is asked to “quit” the premises and deliver possession to the landlord---rarely will the Tenant do so). Different acts or omissions by the Tenant require different time periods for the Tenant to first receive a Notice to Quit before an action for eviction (or in the New Jersey parlance, a Summary Dispossess Action) can be commenced.

Other reasons require two notices being the Notice to Quit and a prior Notice to stop doing something the Tenant has done. This is known as a Notice to Cease. For these reasons requiring two notices, the typical scenario is that the attorney or Landlord has served the Tenant with a Notice to Cease (e.g., “you are disturbing the peace and quiet of the other Tenants so stop”). If the Tenant stops doing whatever he or she was doing which disturbed the peace and quiet of other Tenants, the matter is over.

However, if the Tenant continues to cause this disruption, then the Attorney or Landlord serves the Tenant with the Notice to Quit and can commence an eviction proceeding after certain time elapses (e.g. in the situation of the Tenant disturbing the peace and quiet of other Tenants, the Landlord would have to wait three days after the Notice to Quit before starting the eviction).

If you want a more in depth discussion of these issues, the Legal Services of New Jersey has a very good manual entitled “Tenants’ Rights in New Jersey” and can be found at <https://proxy.lsnj.org/LAW/Publications/Manuals>.

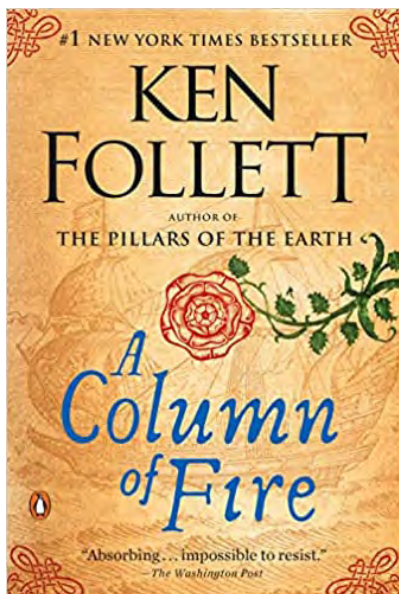
If you want some more information about the procedural aspects of the Landlord Tenant proceedings, NJCOURTS.GOV provides much information.

I hope that this article has given some helpful information to you but remember, in non-owner-occupied residences in New Jersey or owner-occupied premises with more than two other Tenants, the mere fact that the lease has expired does not mean that the Tenant has to leave.



*Barry J. Cohen, Esq. is associated with the Law Firm of Amster & Rosensweig, PC in Waldwick where he sat down some 38 years ago and has been comfortable since.*





## Book Review

By: Tamra Katcher, Esq.

### A Column of Fire

By Ken Follett

If you have the time, I highly recommend reading this historical novel by Ken Follett. As you know from my prior reviews, I do not gravitate toward historical novels, but they sometimes fall in my lap and I find them interesting and worthy of my

precious free time. This novel, and others by Follett, are definitely worth it. I caution you that the paperback version of this book was just over 900 pages! It took time to read from beginning to end, but it did not take much time to get me hooked on the characters and the story.

Set in the mid-1500s in Europe, the undercurrents of the entire book formed around the fight between the Catholics and the Protestants in gaining control over the thrones of France, England, Scotland, and Spain. Queen Elizabeth rises to the throne of England while the rest of Europe turns against her as being too liberal and allowing

freedom of religion. Mary, Queens of Scots, is her cousin, who is imprisoned and along with her supporters tries to unseat Elizabeth – an attempt which fails miserably for Mary and her followers. Wealthy families are vying for positions with various religious factions to get political advantages. The

English are spying on the rest of Europe trying to prevent Elizabeth's being assassinated. Mobs go home to home, business to business, searching out Protestants who are worshipping in secrecy. If there is a mess to be had, you will find one in every corner of this book.

The main character is Ned Willard. As a young man, Ned studied politics and helped his mother with their family shipping business. His first love, Margery Fitzgerald, was forbidden to see him as she was from a devout Catholic family who required her to marry a man of their choosing and with their same stature in the community, which was not Ned. Ned then left his town of Kingsbridge and went to London to work for then-Princess Elizabeth. He travelled with her and learned about politics and diplomacy. He eventually becomes the main spy upon which Elizabeth relies to ensure that her position on the throne remains solid. Throughout the story, Ned goes about his business for Her Majesty, averting an assassination attempt, and

*continued on page 20*

## Restaurant Review

By: Kathleen A. Hart, Esq.



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On a recent weekend, we found ourselves in Pennsylvania for a drive. As it was nearing dinner, we decided to find somewhere to grab a bite. A friend in the area suggested Surv Restaurant. At first, I was skeptical. The restaurant is located in the back of strip mall with lots of empty windows. However, once you drove around to

the back, the parking lot was full and you could tell this was some place to try and I am glad we opted to stop.

Upon entering, we were greeted by the hostess. As we did not have a reservation, there was a small wait. The restaurant itself gives off an art deco vibe, reminiscent of the old 60's movies. There were round tables with circular booths along the wall and a bar with orange stools along the opposite wall. The rectangle and square tables in the center were filled with families eating. Upbeat music played in the background.

After a short wait, we were seated in one of the booths. Our server came over with menus and took a drink order. The menu is not that big but there is a variety from which to choose. For starters, I ordered the Caesar salad (\$16.00) and my husband ordered the Asian pear salad (\$15.00). Both salads were quite large, and we quickly realized we could have shared one. The Caesar was not over dressed and was sprinkled with delicious cheese. The Asian pear salad was loaded with juicy pears, cranberries, and pine nuts. It was complimented by a tangy cider vinaigrette. Other first courses include

*continued on page 20*



# Announcements

Our condolences to **Judy Watkins, Esq.** on the passing of her mother, Helen Watkins. She was at peace and at home surrounded by her children and son-in-law when she passed.

Congratulations to **Nancy Saccente, Esq.** on her retirement. Nancy has sent the following message:

I am pleased to announce that I will be retiring from the practice of law by June 30, 2023. It has been a pleasure being a member of WLIB for over 20 years and I am grateful for everyone's assistance, camaraderie and networking/referrals over the years. I have attended many

WLIB events, but especially enjoyed the annual dinners, holiday parties, spa visits, and the golf lessons. My husband and I bought an RV and will be doing lots of traveling across America, along with enjoying our vacation/rental home in Oak Island, NC.

Congratulations to **Kohar Boyadjian, Esq.** on her new affiliation. Kohar has joined the firm of Dario, Albert, Metz, Eyerman, Canda, Concannon, Ortiz & Krouse (DAME Legal) in Hackensack. Her new email address is [kohar@damelegal.com](mailto:kohar@damelegal.com) and phone number is 201-968-5800 x 213.

**“COMMERCIAL BUILDING FOR SALE** located at 442 Broadway, Hillsdale, NJ. I am retiring from the practice of law and selling my office building at 442 Broadway in Hillsdale (zoned commercial). Conveniently located in Pascack Valley area, minutes from Rt. 17, GSP, etc. Why pay rent when you can own? Move right in and either utilize entire building, or rent out 2nd/3rd floors for added income as I did (which are currently vacant). Office furniture and file cabinets can remain or be removed at Buyer's option. 9 parking spaces on site plus street parking on side street Dwight Ave. List price is \$625,000 through NIA National Realty Inc. Agent: Nina Bianco 201-615-5102. Or contact me directly to arrange a viewing or request additional information: Nancy E. Saccente, Esq. (w) 201-358-8898 (c) 201-264-6317 or [Nancy@SaccenteLaw.com](mailto:Nancy@SaccenteLaw.com)”



# Maximizing Mediation Potential

*By: Felicia Farber, Esq.*

Every attorney that steps outside the courtroom and into an alternate dispute resolution forum such as mediation seeks the ability to resolve matters in a timely, cost-effective, and efficient manner that benefits all sides. The choices attorneys make and the actions they take prior to the mediation session can have a significant impact on the success of the mediation and the ultimate outcome of the case. This article focuses on premediation steps attorneys can employ in order to optimize the likelihood of their cases achieving their maximum mediation potential.

**Preparation:** The first step in maximizing the likelihood of a successful mediation is for attorneys to properly prepare their clients. This may seem obvious, but too often I find that parties do not understand the basic elements of the mediation process or the differences between mediation and litigation. They behave as though they are in a courtroom, primed for a fight, trying their best to be the party that emerges victorious. They need to know that the objective of mediation is not to pummel the other side and appear triumphant, but to arrive at a settlement agreement that all parties believe is fair and equitable and satisfies their core interests.

This means that attorneys need to guide their clients into adopting a collaborative mindset rather than a combative one. They should advise as to the purpose of the mediation, review their strategy and approach, appraise the merits of their claims and defenses as well as those of their adversaries, and discuss objectives and viable settlement options. Client preparation should be done in advance of the mediation session, not at the session itself, where the other parties will be forced to experience longer waiting times and incur higher mediation costs.

**Expectations:** Attorneys will have a more difficult time getting their clients to accept a mediated settlement if they have not managed their client's expectations of success. If clients enter the mediation believing they have the strongest case and are going to "win," then they might be unwilling to make the compromises or concessions necessary to move toward settlement. Inasmuch as attorneys want to project confidence in their case and in themselves as counsel, they need to be careful to ensure their clients don't become overly confident in an expected outcome. After all, why would they want to settle if they think they're right and the other side's case is meritless?

Parties should not be hearing about the risks and weaknesses of their case for the first time at the mediation session. If attorneys spend time prior to the mediation sharing their candid evaluation of the case and discussing its potential problems and pitfalls, clients will have a more realistic view of their dispute. If the client pushes for trial, they need to be advised that there are a myriad of variables at trial and even the "best" cases are filled with uncertainty. No one can know in advance how a judge or jury will decide.

**Assumptions:** Attorneys often make assumptions as to how a case will turn out based on similar cases they've had or dealings with similar types of parties. While there is value to seeing patterns in cases and drawing on one's past experiences to develop a sense of possible outcomes, the results of prior matters are not always accurate predictors of the outcome of a current or future matter. The fact is, there are multiple factors at play in every mediation because no two cases are alike, and all individuals are different. Every effort should be made to understand the unique characteristics of each stakeholder as well as

their particular facts and circumstances.

Also, by remaining flexible and open-minded it will be easier to accept new information and other perspectives on the case. Rather than making advance assumptions and jumping to conclusions, a more advantageous approach would be to shift the focus onto identifying what makes a particular case and its participants unique. Deeper insights and understanding of the drivers and motivations of the stakeholders will aid in achieving optimal mediation results.

**Information:** The best way to avoid making incorrect assumptions on a matter is to gain sufficient information. Mediation is essentially a negotiation, and in any negotiation, one needs to be properly prepared, armed with enough data, facts, and knowledge in order to be able to tackle the problem. One of the foundations of negotiation is to obtain the critical information needed to validate your claims and form a strategic plan. If you enter a negotiation lacking the requisite information, documentation, or evidence necessary to support your view of the facts and legal position, you aren't ready.

Significant gaps in information can inhibit your ability to have a full understanding of the matter, and it's very difficult to work on a problem you don't fully understand. Also, if you are lacking critical information, it can diminish your negotiating credibility and make it impossible to know whether you are receiving a good offer or making an acceptable demand.

Ideally, the time spent at the mediation session should be on resolving the dispute, not gathering discovery and information that could have been obtained in advance of the mediation. Many times the simple exchange of information will clear up misunderstandings and false assumptions and allow for a meaningful session.

**Bias:** Everyone has biases and it's important to develop an awareness of one's own biases because they can impact the way we interpret information and conduct ourselves. Biases can lead to prejudgments and negative associations that distort our perspective on a case, resulting in systematic errors in our thinking and inaccurate or unreasonable conclusions. In mediation, participants will often disagree on the same set of facts because they are seeing and hearing them through the lenses of their own values and belief systems. Their biases can restrict their ability to think logically and consider the other side's interests and views of a case, leading to skewed judgment and poor decision-making.

Some examples of biases that people exhibit in mediations are: only paying attention to some things while ignoring others (attentional bias), assuming everyone shares their beliefs (cognitive bias), overly relying on information that supports their beliefs (confirmation bias) and anchoring their decision-making to initial numbers (anchoring bias). Recognizing that bias has a role in our thoughts and behavior and taking steps to reduce and counter it will foster one's ability to deal with cross-cultural issues and enhance the quality of the mediation process.

In summary, attorneys can maximize their potential for a successful mediation through thorough preparation and proper management of client expectations. Keeping an open mind and gathering essential information prior to the mediation session will help to forego making incorrect assumptions and prejudgments that can inhibit the likelihood of settlement. And by increasing awareness of bias and cultural understanding, attorneys can improve the mediation process for their clients and all stakeholders. 🐾



# Jean Robertson Update

By: Kathleen A. Hart, Esq.

The Jean Robertson Women Lawyers Scholarship Committee is busy putting together fundraisers for the scholarship.

The Jean Robertson Women Lawyers Scholarship Foundation provides an annual scholarship award of \$2,500.00 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.

Applications are being sent out to the New Jersey Law Schools. The scholarship will be awarded at the WLJB Annual Dinner 🕊

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# A Tribute through a Personal Lens: Remembering Chief Judge Dolores Sloviter

*By: Kim D. Ringler, Esq.*

In early 1992, battling a debilitating sore throat with an array of powerful meds that a friendly doctor prescribed given the exigencies, I headed to Philadelphia to argue before the United States Court of Appeals for the Third Circuit. I stayed with a friend there from my days as an assistant district attorney in Brooklyn and got up extra early to arrive for oral argument. The case was United States v. Arthur Lieberman, and when I entered the courtroom my adrenaline spike was tempered by the sight of the prevalence of women there. The key players included me, of course, the white-collar criminal defense ace with my client's future in her hands as well as my adversary, chief of the appellate section of the U.S. Attorney's Office, Edna B. Axelrod. On the bench high above, the judges poised to decide the matter were Chief Judge Dolores Sloviter, Circuit Judge Carol Mansmann and the lone man, Circuit Judge William Hutchinson.



The moment for me was historic and momentous. The case turned out to be precedent-setting and a win for Mr. Lieberman who received a non-custodial sentence as a result. Chief Judge Sloviter presided over the argument with an impeccable judicial demeanor. The panel probed and questioned demonstrating intellect, preparation and a grasp of the issues at stake. The experience was not only a personal career high, it was also a chance to savor the normalization of a gender balanced courtroom. In 1992, we had come a long way as women in the profession.

Thirty years later, on October 12, 2022, Judge Sloviter passed away at the age of 90. I revisited my memories of arguing before her. In addition, the tributes to her increased my high regard for her as a judge. The bench and bar remember her for her accomplishments and achievements including being the first woman ever to serve on the Third Circuit Court of Appeals. President Jimmy Carter appointed her in 1979, and eleven years later she became the first (and to date, only!) female Chief Judge of the Third Circuit – just a year or two ahead of my argument before her. She was a mother, too, no doubt juggling home and work demands. Her daughter, whom she and her husband adopted in 1975, was an orphaned Vietnam baby airlifted to the USA.

Judge Sloviter met the challenges of the times. She was a product of the public schools, worked her way through school, learned English as a second language since her immigrant parents spoke Yiddish at home. She was one of eight women in her University of Pennsylvania law school class. Like another giant of the law, Ruth Bader Ginsburg, she was not offered a “real” law job after law school – a librarian position was tendered – she ultimately worked in private practice and became the first woman partner at the firm then known as Dilworth, Paxson, Kalish, Kohn & Levy. She taught at Temple Law School, antitrust among other courses. When she learned of the discrimination in hiring perpetuated

by the recruitment process, she sought to ban any firms discriminating against women from conducting interviews at Temple.

Aside from performing her judicial duties with competence and aplomb, Judge Sloviter impacted the world through her position on the court. She was the impetus for the Task Force on Equal Treatment in the Courts created to examine racial and gender bias for the Third Circuit, recognizing the need decades ago. She implemented a go-home-at-6:30 p.m. policy so that everyone who worked for her could leave at a reasonable hour. She split one law clerk position into two part-time law clerk positions so that working parents could clerk and manage home life – a champion ahead of the times.

The reflections on her life from a former law clerk, colleagues and the bar reveal an extraordinary person, a consummate and brilliant professional and

a life of significant contributions. Former law clerk Nancy Wilkerson said that Judge Sloviter had “a brilliant intellect, with an extraordinary work ethic; a courage, strength, and independence born of upbringing, character, and necessity; a drive always for the best in herself and everyone around her; a deep commitment to justice and to the judicial system; and that unique and most precious combination of grit and heart.” An impressive description of an extraordinary judge. Our own past president, Victoria Pekerman, remembered Judge Sloviter as very intelligent, warm, and supportive of female attorneys, who encouraged her to clerk for the magistrate judge and hosted a round table discussion among Temple Law School law clerks and interns.

My personal intersection with Judge Sloviter was important to both my client and me for overlapping reasons. Her impressive stature and her pathbreaking achievements, coupled with an apparent appreciation for family and balance, inspire all of us – and especially women lawyers – to do our best to reach for justice, perform with professional excellence and remember the bigger picture.

Thanks to the authors of articles about Judge Sloviter for insights included here, sharing firsthand recollections beyond my remarkable and memorable encounter in 1992. 🙏

Footnote:

40 Years After Operation Babylift Woman Shares Her Story, <https://www.cbsnews.com/philadelphia/news/664988/>

Remembering Judge Sloviter, Bar Association for the Third Circuit, including article by Nancy Winkelman, [https://uploadssl.webflow.com/63b74271ae6dd1433be5bfa5/63b74271ae6dd16bd2e5c027\\_On%20Appeal%20-%20November%202022.pdf](https://uploadssl.webflow.com/63b74271ae6dd1433be5bfa5/63b74271ae6dd16bd2e5c027_On%20Appeal%20-%20November%202022.pdf)  
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With three school-aged kids, my husband and I are always trying to find a trip that is educational, close-by and gets them outside and away from their phones and computers. We found the perfect place – Gettysburg, Pennsylvania. It is about a 4 ½ hour drive from North Jersey. Three days in Gettysburg is all that is needed to experience this great historical site. There are several hotels in and around Gettysburg that are reasonably priced. (Tip: there is a lot of walking so make sure to pack good sneakers.) Our hotel offered free breakfast which was a great start to each day as we headed out to the sites.

Your first stop in Gettysburg should be the Museum and Visitor Center located a few miles from the battlefield. Plan on spending at least half a day at the Center. You can pick up a map of the area and sign up for specialty tours and programs (see below). There are also free daily programs at the Center almost on the hour so you can stay all day! There is a spacious cafeteria with plenty of indoor and outdoor seating.

There are several must-see exhibits at the Museum and Visitor Center. The 20-minute film *A New Birth of Freedom*, narrated by award winning actor Morgan Freeman is fantastic. After the film, make sure to check out the Cyclorama painting by French artist Paul Philippoteaux.

It took him more than a year to complete and is an amazing 377 feet around and 42 feet high – longer than a football field. The details are amazing! The Gettysburg Museum at the Visitor Center is also a must-see! It is one of the largest collections of Civil War relics in the world – spend as much time as you want looking at all of the items as well as the interactive exhibits and multi-media presentations throughout the museum. Lastly, the kids picked up some great books and memorabilia at the gift shop.

At the gift shop, we picked up the audio tour of the battlefield. The maps and signs are well placed and easy to follow. In addition to the self-guided audio tour, you can take a bus tour or a personal battlefield guide – there are many options available at the Visitor Center. We used the audio tour to drive through the battlefield, stopping at various places so we could get out and walk through the fields. It's hard to explain, but you get a strange feeling walking through the fields – like you just feel something special happened there. The audio tour was great for us since we could stop when we wanted and even took a lunch break and resumed the tour later. Little Round Top and Devil's Den are popular areas where visitors get out of the car/bus and walk around.

*continued on page 12*



# Covid Escapes

*continued from page 11*

There are volunteers in Civil War uniforms stationed throughout the battlefield who are wonderful. One volunteer we encountered was able to point out the few remaining legacy trees (trees that were there during the battle).

The tour also included the Gettysburg National Cemetery, the site of Lincoln's Gettysburg Address. Did you know that Lincoln traveled to the cemetery dedication on horseback and his attendance was a surprise? His speech lasted only 2 minutes but has become immortal. This is another great opportunity to enjoy the fields, fresh air and be a part of American history!

After a busy day touring the battlefield and cemetery, we headed across the street to General Pickett's Buffet. There are several nice restaurants in Gettysburg, however this was our favorite. All you can eat, home-cooked food for breakfast, lunch and dinner. We visited several times during our trip! Downtown Gettysburg is small, with ice cream shops and various tourist shops and stores. Everyone was friendly!

One night, we signed up for a 90-minute walking ghost tour. We visited the home of Jennie Wade, the only civilian killed in the Civil War. The house has been preserved so you feel as if you're walking back in time. The tour guides are very knowledgeable about both the historical context and paranormal activity that many believe exists in Gettysburg. It wasn't too spooky for the kids – I highly recommend it!



One day, we took a bus tour to the Eisenhower National Historic Site and were able to tour the house and grounds of the property. It is the only home ever owned by Ike and Mamie Eisenhower! The farmhouse is perfectly preserved – you really feel like you walked into the 1950's! The views of South Mountain are gorgeous and the guides at the property are very knowledgeable. This is another must-see while you're visiting Gettysburg.

To take a break from touring, we took the kids to Mr. Ed's Elephant Museum and Candy Shop, located about 20 minutes from Gettysburg. There are over 12,000 elephant figurines in the store in addition to every type of candy and chocolate that exists! The homemade fudge and chocolate will satisfy every sweet tooth! The eclectic mix of candy and souvenirs make Mr. Ed's a truly unique stop!

Overall, I highly recommend a trip to Gettysburg for both adults and kids. We all learned so much about the Civil War and the Battle of Gettysburg that you won't find in a book, never mind the eerie feeling you get out on the battlefield! Our next educational trip this summer is Colonial Williamsburg so stay tuned! 🐘





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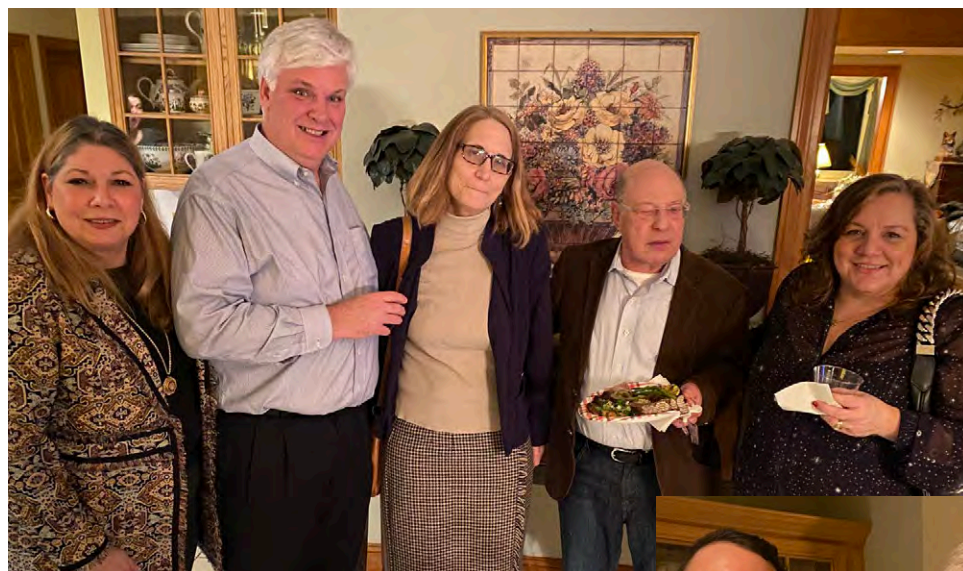
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The Law Offices of Barbara B. Comerford concentrates its practice in the area of disability law including ERISA Long Term Disability Insurance claims, disability income insurance claims, Social Security Disability claims, and government pension claims. We provide free initial consultations.

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.

# WLB Holiday Party

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# SPRING 2023 LEGISLATIVE REPORT

*By: Carmela L. Novi, Esq.*

For your information, helpful websites:

[www.njleg.state.nj.us/](http://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/](http://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](http://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 2022-2023 Session Bills passed between July 1, 2022 and March 1, 2023 and signed into law by the Governor**

### **Gross income, student loan debt, total, permanently disabled veterans**

A803/S1244 (P.L. 2022, c. 125) (December 5, 2022) Exempts discharge of student loan debt of certain veterans through the federal Total and Permanent Disability discharge process for taxation under the gross income tax.

### **School bus program, electric**

A1282/S759 (P.L. 2022, c. 85) (August 4, 2022) Requires DEP to develop and implement electric school bus program; provides for \$15 million in first year and \$15 million annually in subsequent two years to DEP, subject to availability, to provide grants, revises State financial aid requirements to align with simplification of Free Application for Federal Student Aid under federal law.

### **Handguns, ammunition**

S1481/A1302 (P.L. 2022, c.55) (July 5, 2022) Regulates sale of handgun ammunition and develops system of electronic reporting of handgun ammunition sales.

### **Sale of Firearms, A.G. powers**

A1765/S1893 (P.L. 2022, c. 56) (July 5, 2022). Allows Attorney General to bring cause of action for certain public nuisance violations arising from sale of marketing of firearms.

### **Education**

A4225/S2831 (P.L. 2022, c.82) (July 29, 2022). Provides project grants under "Securing Our Children's Future Fund" for career and technical education at county vocational school districts; appropriates \$36,960,028

### **Elections, minors**

A5593/S1138 (P.L.2022, c.106) (September 15, 2022). Allows minors to serve as election workers between 5:30 a.m. and 9:00 p.m. on election days.

### **Observances**

AJR63/SJR115 (P.L.2022, c. JR-5) (September 15, 2022). Designates month of March each year as "Irish-American Heritage Month" in New Jersey.

### **Disability access**

S147/A5337 (P.L. 2023, c.3) (January 30, 2023) Requires DOT to implement complete streets policy that considers persons with certain disabilities.

### **Contraceptives**

S275/A4149 (P.L. 2023, c.2) (January 13, 2023) Permits pharmacist

to furnish self-administered hormonal contraceptives pursuant to a standing order, in accordance with protocols established by Board of Pharmacy and Board of Medical Examiners.

## **Sampling of Reported Decisions United States Supreme Court**

### **Labor/Fair Labor Standards Act**

Helix Energy Solutions Group, Inc. v. Hewitt United States Supreme Court; February 22, 2023 (No. 21-984)

Facts: Respondent Michael Hewitt filed an action against his employer, petitioner Helix Energy Solutions Group, seeking overtime pay under the Fair Labor Standards Act of 1938, which guarantees overtime pay to covered employees when they work more than 40 hours a week. From 2014 to 2017, Hewitt worked for Helix on an offshore oil rig, typically working 84 hours a week while on the vessel. Helix paid Hewitt on a daily-rate basis, with no overtime compensation. So Hewitt's paycheck, issued every two weeks, amounted to his daily rate times the number of days he had worked in the pay period. Under that compensation scheme, Hewitt earned over \$200,000 annually. Helix asserts that Hewitt was exempt from the FLSA because he qualified as "a bona fide executive." 29 U. S. C. §213(a)(1). Under applicable regulations, an employee is considered a bona fide executive excluded from the FLSA's protections if the employee meets three distinct tests: (1) the "salary basis" test, which requires that an employee receive a predetermined and fixed salary that does not vary with the amount of time worked; (2) the "salary level" test, which requires that preset salary to exceed a specified amount; and (3) the job "duties" test. See 84 Fed. Reg. 51230. The Secretary of Labor has implemented the bona fide executive standard through two separate and slightly different rules, one "general rule" applying to employees making less than \$100,000 in annual compensation, and a different rule addressing "highly compensated employees" (HCEs) who make at least \$100,000 per year. 29 CFR §§541.100, 541.601(a), (b) (1). The general rule considers employees to be executives when they are "[c]ompensated on a salary basis" (salary-basis test); "at a rate of not less than \$455 per week" (salary-level test); and carry out three listed responsibilities—managing the enterprise, directing other employees, and exercising power to hire and fire (duties test). §541.100(a). The HCE rule relaxes only the duties test, while restating the other two. As litigated in this case, whether Hewitt was an executive exempt from the FLSA's overtime pay guarantee turns solely on whether Hewitt was paid on a salary basis. The District Court agreed with Helix's view that Hewitt was compensated on a salary basis and granted the company summary judgment. The Court of Appeals for the Fifth Circuit reversed, deciding that Hewitt was not paid on a salary basis and therefore could claim the FLSA's protections. The court so held based on its examination of the two regulations that give content to the salary-basis test.

Held: A daily-rate employee (like Hewitt) does not fall within the main salary-basis provision of §541.602(a), which states: "An employee will be considered to be paid on a 'salary basis' . . . if the employee regularly receives each pay period on a weekly, or less frequent basis, a predetermined amount constituting all or part of the employee's

*continued on page 19*

## 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](mailto:sarah@snglaw.com).

## Notice to Readers

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## Legislative Review

*continued from page 18*

compensation, which amount is not subject to reduction because of variations in the quality or quantity of the work performed. Subject to [certain exceptions], an exempt employee must receive the full salary for any week in which the employee performs any work without regard to the number of days or hours worked.” Second, the court held that “daily-rate” workers can qualify as paid on a salary basis only through the “special rule” of §541.604(b), which focuses on workers whose compensation is “computed on an hourly, a daily or a shift basis.” Because Hewitt’s compensation concededly did not satisfy §604(b)’s conditions, the court concluded that Hewitt, although highly paid, was not exempt from the FLSA. Reaching the opposite conclusion, a dissenting opinion determined that Hewitt’s compensation satisfied the salary basis test of §602(a) and that §604(b) is not applicable to employees who fall within the HCE rule.

### New Jersey Courts

#### Redevelopment/Improvement of Public Property

Kevin Malanga v. Township of West Orange New Jersey Supreme Court; March 13, 2023 (A-45-21)

Facts: The Township had designated the West Orange Public Library as an area in need of redeveloped under Local Redevelopment and Housing Law (LRHL).

Held: While the Library needed improvements in a number of areas, the record did not establish that it suffered from obsolescence, faulty arrangement or obsolete layout in a way that harmed the welfare of the community. To designate a property for redevelopment under the LRHL, a municipality must demonstrate that certain specified problems exist and that they cause actual detriment or harm. There was insufficient evidence in the record to meet that standard. The designation of the Library as an area in need of redevelopment is invalid.

#### Family Law

T.M. v. W.C. Appellate Division; December 6, 2022 (A-0562-21) (Westlaw Citation: 2022 WL 17420322)

Facts: Plaintiff and Defendant had an affair while each were married to other people which resulted in the birth of a child while Plaintiff was married to her husband. Plaintiff’s husband discovered that the child was not biologically his during this marriage to Plaintiff. Husband was listed on child’s birth certificate as the father, plaintiff and husband knew by 2015 that husband was not child’s father, they divorced in 2016 but lived together until 2019. Plaintiff eventually

sought a determination of paternity for her son and child support for the child from Defendant. Defendant later stipulated to paternity and filed a third-party complaint against former husband arguing he was indispensable to the litigation. Trial court denied defendant’s motion to file a third-party complaint and ordered child support. Defendant argued estoppel and laches barred plaintiff from seeking child support and husband was child’s “psychological parent” and should contribute to his support.

Held: The trial court’s denial of leave to file a third-party complaint was upheld. Court agreed with trial court that plaintiff’s delay in seeking child support was reasonable, defendant suffered no harm and he could not take advantage of husband’s largesse. (Not approved for Publication; see relevant rules regarding citation of unpublished opinions)

#### Labor Law

Maia et al. v. IEW Construction Group. Appellate Division; March 1, 2023 (A-4012-21)

Facts: Plaintiffs appealed the dismissal of their Wage and Hour Law and Wage Payment Law complaint. Trial court agreed with defendant’s argument that plaintiffs sought to apply Chapter 212 retroactively and dismissed all claims arising prior to Aug. 6, 2019. Plaintiffs argued they did not seek retroactive application of the 2019 amendments but rather the statutory remedies available when they filed the complaint.

Held: Court reversed. Court noted no party cited any precedent regarding the accrual date of a WPL claim or the appropriate “look-back” period for such a claim. Court looked to the legislative history of Chapter 212 and concluded the legislature intended to provide the same opportunity for aggrieved workers to recover for violations of the WPL as it did for violations under the WHL. Plaintiffs filed their complaint 20 months after Chapter 212’s effective date and were entitled to have the court apply the provisions of the WPL and WHL as of the date of that filing. (Approved for Publication)

#### Criminal Law/Megan’s Law

In the Matter of Registrant C.J. December 2, 2022 (A-1387-21). Registrant appealed the trial court’s order classifying him as a Tier II sex offender under Megan’s Law. Registrant argued that the trial court improperly considered acquitted conduct and that its decision was

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# Legislative Review

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based on an inaccurate and incomplete record. Registrant was charged with sexual assault with penetration, luring/enticing, and endangering the welfare of a child. He was ultimately convicted of enticing and EWOC, as well as a lesser-included offense of criminal sexual contact. The state proposed to classify registrant as a Tier II sex offender. At the classification hearing, the trial court found that the state had established that registrant had penetrated the victim, even though the jury had acquitted registrant of sexual assault by penetration. On appeal, the court reversed registrant's classification. The court first ruled that the trial court could rely on acquitted conduct in determining registrant's classification, since Megan's Law classification was not a criminal punishment but rather a remedial system intended to protect the public from recidivism by sex offenders. However, the court agreed with registrant that the trial court conducted an inadequate and inaccurate assessment of the record. Specifically, the court noted that the trial court did not address registrant's request to review other portions of the trial transcript. While trial courts were not required to review the entire transcript, the court held they should at least review the portions of the records identified by both parties or explain why those portions were not relevant. (Not Approved for Publication)

# Contracts

Patharkar v. Advanced Spine & Pain, LLC, Appellate Division; February 22, 2023 (A-1234-20)

Facts: Plaintiff and defendant doctor formed an LLC in 2008 and agreed to equally share the work and profits. They first executed an Operating Agreement in 2014. Plaintiff suffered severe medical issues shortly thereafter and was never able to return to work. Defendant offered plaintiff a Separation and Membership Purchase Agreement in October 2015 and in 2016, verbally offered plaintiff \$2 million to purchase his interest in the LLC. A dispute arose and plaintiff sued for breach of contract. Plaintiff's expert set the purchase price between \$16 and \$31 million. Defendant's expert's price was \$3 million. Trial court found defendant's expert's calculation was more reasonable and awarded plaintiff his interest in the company and half the profits from 2015 to 2018. Court reviewed the contract, found it was silent regarding the division of profits to a selling member and noted a Permanently Disabled member had to sell their interest in the company.

Held: Court found the contract did not allow the award of profits to plaintiff and trial court overreached in awarding equitable damages. However, the Court also found that the trial court's determination of the purchase price for plaintiff's interest was supported by the language in the Agreement. (Not Approved for Publication) 🐼

# Restaurant Review

continued from page 5





crab cream cheese egg rolls (\$15.00), mushroom risotto (\$14.00) and a brie en croute (\$14.00).

For our main course, my husband ordered the porcini mushroom dusted pork tenderloin (\$29.00). This came with a creamy tomato risotto and carrot salad covered with a tangy pomegranate molasses. As with the salads, this was a large portion of perfectly cooked pork. The outside was covered in just enough mushrooms that worked with the sauce. I ordered the chicken and waffles (\$26.00). This is not your ordinary chicken and waffle dish. The waffles are made out of a delicious macaroni and cheese. The dish is served with spicy siracha honey hot sauce and maple aioli. The chicken was perfectly cooked and enough for two meals. It was delicious! Other entrees include pork chop (\$36.00), crab cakes (market price), a vegetable and jasmine rice bowl (\$22.00) and a selection of wood fired pizzas for one (\$13.00-\$17.00).

There is a dessert menu, however, we were full from our dinner and declined dessert. Desserts offered include hummingbird cake (\$10.00), flourless chocolate cake (\$10.00), apple strudel (\$10.00) and ice cream (\$3.00).

Overall our meal at Surv was quite good and we left with full bellies. Our server was attentive but not overbearing. Even without a reservation, we did not feel rushed. Based on the fact the restaurant was full, this was clearly a popular

restaurant. Reservations are recommended. I hope to make it back to Surv. If you are in Easton, Pennsylvania, I do suggest you stop for a bite. I give it two and half forks. 🐼

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

# Book Review

continued from page 5

remaining by the Monarch's side until her death. Aside from Ned's professional life, we see how his personal life develops over the years while Margery remains ever-present in his life. I cannot say enough great things about this book. The historical perspective is truly amazing and educational. The fight for religious freedom and how that affected each part of everyday life was eye opening. The murder and mayhem that occurred in the name of a religion or of a king or queen was utterly bewildering. If you have the time, get this book – borrow it from the library, pick it up at a rummage sale (like I did), download it to your ipad – but read it! You will not regret it. Enjoy! 🐼





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# 2022-2023 WLIB Committees

The following committees were formed 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: LFSESQ@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 on Zoom for a program the second Monday of each month.

## *Newsletter*

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

The Newsletter is published quarterly, Fall, Winter, Spring and Summer. Anyone interested in advertising in the Newsletter should contact Nancy Lucianna, Esq. (advertising manager) at nlucianna@msn.com or Linda F. Spiegel, Esq. 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: LFSESQ@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](http://www.womenlawyersinbergen.org)

### Calendar of Events

#### April 2023

Monday, April 10	12:30 pm	SWAG Meeting via Zoom. Elle Barr, Esq. will discuss Our Family Wizard software and how it will assist you as attorneys and mediators.
Tuesday, April 18	5:30 pm	WLIB Board Meeting via Zoom
Wednesday, April 19	5:00 pm	Yoga with Luke Ketterhagen. WLIB Health and Wellness Series. Class will be held at the BCBA offices. Contact Tamra Katcher, 201-400-4877 for more information.
Thursday, April 27	3:00 pm	Bus leaves from Bergen County Courthouse for dinner at Nocello Italian Restaurant and then attendance at "Pictures From Home" on Broadway with Nathan Lane. Contact Tamra Katcher, 201-400-4877 for reservations.

#### May 2023

Monday, May 8	12:30 pm	SWAG Meeting via Zoom. Angela Kim, Esq. is our host with topic TBD.
Wednesday, May 10	5:00 pm	Meet and Mingle with Elected Women Officials at Tavern 61. Save the date.
Tuesday, May 16	5:30 pm	WLIB Board Meeting via Zoom

#### June 2023

Wednesday, June 7	5:00 pm	WLIB Diversity CLE/Swearing In at Fresh and Fancy Farms, New Milford.
Monday, June 12	12:30 pm	SWAG Meeting via Zoom. Lisa Bayer will facilitate a discussion entitled "Positive Aging."
Tuesday, June 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](mailto:dianeluci@aol.com)

#### Vice President

**Tamra Katcher, Esq.**

(201) 488-1234 [tkatcher@rwkdllaw.com](mailto:tkatcher@rwkdllaw.com)

#### Treasurer

**Sheila O'Shea-Criscione, Esq.**

(201) 373-2219 [oshea@carcichoshea.com](mailto:oshea@carcichoshea.com)

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**Helene Herbert, Esq.**

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#### Advertising Manager

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#### Immediate Past President

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[www.womenlawyersinbergen.org](http://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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