

WLIB NEWSLETTER

WOMEN LAWYERS IN BERGEN

Volume 12

Summer 2023

WLIB has proven to be a wonderful source of information and activism on the issue of diversity. On June 7th, WLIB sponsored a stimulating CLE organized and moderated by WLIB Treasurer Sheila O'Shea. The CLE was held at Fresh and Fancy Farms (our favorite place) and the topic was Diversity in the Profession. The panelists were Jennifer Blum, Kelly Castor, Faudia Clemenza and Jhanice Domingo with Sheila O'Shea as moderator. The issues were the Equal Rights Amendment, cultural competence, allyship and related issues. This led to a group discussion on all issues related to diversity. WLIB was itself considered a diverse group (being female) until recently. Special guests were introduced specifically: Gayle Hargrove who received the WLIB Lifetime Achievement Award at the Bergen County Bar Association/WLIB Diversity Dinner, Faudia Clemenza who emceed the Diversity dinner and Jhanice Domingo who received the Diversity in The Profession Award from the Bergen County Bar Association/WLIB. The Diversity dinner on June 20th started three of our members: Jhanice, Gayle and Faudia. We are so proud of them and of the achievement of our organization in having them as an integral part of this event.

We are introducing a new series as a follow up to the Health and Wellness Series and it started with Armenian Night hosted by Kohar Boyadjian. It is a chance for us to get together at someone's home and learn about their ethnic background, get cooking lessons, and of course eat and drink wine. We hope to continue this into the fall and winter. Erica Fields has volunteered to run "Curry Night" and which will feature Indian food cooked by her English husband Simon and Erica in her Upper Saddle River home. That is something we all look forward to. I would like to host "Fire Pit Night" which I would hold at the end of the summer and would be a time to sit around my fire pit and listen to music and talk about what we hope to do the following year with WLIB. It would be somewhat similar to my organizational meeting last July at General Poor's Tavern. I can



teach everyone how to make a good campfire (many years as a girl scout/girl scout leader).

Tamra Katcher would like to continue her Wellness Series and has a CPR instructor ready to instruct us and in fact, enable us to earn our CPR license. The CPR will be scheduled in the Fall, based on interest. Helene Herbert will be organizing a bicycle tour which will take place on a Friday afternoon or Saturday. Ride with her through Saddle River Park's biking trails. This will also be a Fall event. We are not having our Whale Watching Trip this summer because we have to plan for our Annual Dinner. Our Annual Dinner is September 13th at Season's and we are thrilled to have Justice Rachel Wainer Apter as our speaker and we will spotlight the new female judges in the county. Of course, this is a work in progress. I would also like to implement a Courageous Woman Award and make that an annual award to a deserving woman who needs to be recognized.

I thank all the people that have helped me with these events and who have run them such as Tamra, Sheila, Helene, Erica, Lynn, Kohar. I also thank Eileen Mulroy, a past president who gives me very insightful and helpful advice in running this organization, (often as I'm midsentence speaking to the group).

I am proud that Judge Mizdol has been honored by WLIB. We presented her with an award at her June 13th retirement dinner. She has been a superb

supporter of our organization for many years. It is important we involve the Bergen County judges in supporting and recognizing our organization. Due to the retirement of Frank O'Marra and Judge Mizdol and COVID related changes, we are forced to remind the Bench and the Bar that we are an important part of the Bergen County Courthouse landscape. We will be organizing "Take your child to work day" for the courthouse. I intend to have a meeting with Judge Catuogno to discuss with her what we want to do for the bench and bar. I am hoping to add new events that I think people will like and which are not the same old thing. We are implementing changes in the Law Clerk's Reception for the Fall and will probably implement changes in the Meet and Mingle next May.

In the meantime, please attend our SWAG event over the summer. SWAG will be meeting in person on August 14 for lunch and schmoozing. Look for the email for the location of the restaurant.

Wishing everyone a wonderful summer and we will see you at the Annual Dinner on September 13th at Season's.

Sincerely,

Diane M. Lucianna

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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.

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Tiger Woods' NDA, the NLRB GC's Letter & FTC's Proposed Rule: Something to Be Concerned About or Much Ado About Nothing?

By Beverly A. Williams, Esq.¹

On May 17, 2023, the Honorable Elizabeth A. Metzger, a Florida state Court Circuit judge, granted defendant Eldrick Woods', aka Tiger Woods, motions to compel arbitration and to stay claims related to the allegations in a complaint filed by plaintiff Erica Herman, Mr. Woods' former live-in paramour, who was also employed by one of his businesses. The dispute involved a non-disclosure agreement ("NDA") dated August 9, 2017 which provides that any disputes between the parties will be resolved through mandatory binding, confidential arbitration.

Ms. Herman challenged the validity and enforceability of the NDA and acknowledgement agreement. Additionally, she asked the court to find that the Dispute Resolution Section of the NDA was unenforceable under the Forced Arbitration of Sexual Assault and Sexual Harassment Act of 2021, 9 U.S.C. §§ 401-402 ("EFAA"). In the alternative, Ms. Herman sought a declaration of the scope of her obligations under the NDA. *Herman v. Woods*, p.9 (Fla. 19th Cir. Ct., May 17, 2023).

She also raised the Speak Out Act of 2022 ("SOA") as a bar to the NDA. The SOA prohibits judicial enforceability of predispute nondisclosure or nondisparagement clauses in NDAs involving sexual assault or sexual harassment that allegedly violated Federal, Tribal, or State law, filed on or after December 7, 2022. 42 U.S.C. §§ 19401-19404. *Herman v. Woods* at p.10.

Notably, Ms. Herman, who did not appear, did not deny signing the NDA through her attorney or otherwise. Rather, her attorney represented that she did not recall signing the NDA, and that she could not say for certain that it was her signature on the document at issue.

In her written opinion, Judge Metzger expressly found that, based on declarations filed by Mr. Woods, the NDA was fully executed on its face, and contained a broad arbitration clause. As such, the validity and enforceability of the NDA are matters for an arbitrator to decide.

Declaring that Ms. Herman really had "not pursued any claims for sexual assault or sexual harassment against defendant," Judge Metzger characterized the references within Ms. Herman's written response to such alleged conduct as "vague and threadbare." *Herman v. Woods*, p.10 (Fla. 19th Cir. Ct., May 17, 2023).

Although she had the opportunity to do so, Judge Metzger also found that Ms. Herman failed to provide factual specificity for any such claims.

On May 30, 2023, thirteen short days after the *Herman v. Woods* decision was entered, Jennifer A. Abruzzo, General Counsel, National Labor Relations Board (NLRB) issued Memorandum GC 23-08. This memo expresses the General Counsel's opinion that NDAs interfere with employees' exercise of rights under Section 7 of the National Labor Relations Act ("NLRA" or "Act"). The General Counsel also believes that "[e]xcept in limited circumstances, the proffer, maintenance, and enforcement of such agreements violate Section 8(a)(1)²" of the Act. *Non-Compete Agreements that Violate the National Labor Relations Act*, Office of the General Counsel, Memorandum GC 23-08 May 30, 2023, p.1, <https://www.nlrb.gov/guidance/memos-research/general-counsel-memos>.

The memo relies on *Noncompete Agreements in the US Labor Force* which estimates that approximately 18.1 percent of American workers—roughly 28 million individuals—are subject to a non-compete agreement, including approximately 13.3 percent of workers earning less than \$40,000 per year.³

Earlier in January 2023, the Federal Trade Commission (FTC) proposed preventing employers from entering into non-compete clauses with workers and requiring employers to rescind existing non-compete clauses. According to the FTC, the proposed rule would increase American workers' earnings between \$250 billion and \$296 billion per year.

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1. Beverly A. Williams is a Partner, and Chair of the Labor and ADR practices at Wong Fleming, P.C., Princeton, NJ.

2. Pursuant to § 8(a)(1) of the Act, it is an unfair labor practice for an employer "to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in Section 7" of the Act.

3. See Evan P. Starr et al., 64 J. Law & Econ. 53, 60, 64 (2021). See generally U.S. Gov't Accountability Off., GAO-23-103785, *Noncompete Agreements: Use Is Widespread to Protect Business' Stated Interests, Restricts Job Mobility, and May Affect Wages* (2023).

FRUITS OF A POISONOUS TREE: THE DANGERS OF THE SOVEREIGN CITIZEN MOVEMENT

By Erica L. Fields, Esq. and Lynne D. Feldman, Esq.

On November 21, 2021, Darrell Brooks drove his vehicle into the annual Christmas Parade in Waukesha, Wisconsin, killing six and injuring 62. A little under a year later, his trial began, presided over by Judge Jennifer Dorow. The entire proceedings, including pre-trial motions, were broadcast live on YouTube to a worldwide audience.

Viewers watched in astonishment as Brooks refused legal counsel, or even standby counsel, and demanded to represent himself, despite facing multiple life sentences. Brooks' antics during the trial quickly went viral. He engaged in multiple unruly Jabberwocky-inspired rants. His outbursts had him repeatedly removed from the Court. At one memorable point, he built a fort around himself with evidence boxes. National satisfaction was achieved when he was found guilty of all six counts of vehicular homicide, and he was sentenced to consecutive life terms in prison.

While no doubt amusing to watch, Brooks' stunts were not novel, and in fact should cause grave concern for all involved in the legal world. Brooks' pseudo-legal articulations come straight from what is known colloquially as the "Sovereign Citizen playbook". The Sovereign Citizen movement has its roots as a poisonous tree with branches that currently infect every area of law and law enforcement.

Sovereign Citizens are not one unified group under one guru; rather, anyone may spout these arguments and deny that national, state, and local laws of America apply to them. The roots of the movement are racist and antisemitic. It was founded by William Potter Gale, former member of the John Birch Society who formed a group of antigovernment Christian Identity adherents who mistrusted state and federal officials. They believed that non-white people were not human, and that Jews possessed a satanic plot to take over the world. They identified themselves as Posse Comitatus, which is Latin for "power of the county" and centered on the idea that county sheriffs are the highest governmental authority. The Posse Comitatus committed a plethora of crimes, including refusing to pay taxes, filing false property liens, and committing violence against public officials. Those same actions have been adopted by the current sovereign citizens movement.

While at their best Sovereign Citizens are an annoyance, at worse, they can be deadly. In May 2010, for example, a father-son team of sovereigns murdered two police officers with an assault rifle when they were pulled over on the interstate while traveling through West Memphis, Arkansas. On August 16, 2012, two sheriff's deputies were fatally shot, and two others were wounded during two confrontations in Louisiana. At least one of the individuals arrested in connection with these incidents had previously proclaimed himself to be a Sovereign Citizen.

Their favorite method of harassment, which has endured from its origins and is called their "weapon of choice" by the Southern Poverty Law Center, is known as "paper terrorism". From traffic tickets to foreclosures, petitioners clog the courts with lengthy, indecipherable filings. When their nonsensical pleadings are challenged, they fight back loudly and with great disrespect to the Court. Oftentimes they end up having to be tased, tackled, or handcuffed.

Even losing their case on appeal does not stop the Sovereign Citizen from acting out against authority. Most debilitating for court officers, judges, and other officials is the filing of illegal liens against their adversaries' property. Many individuals find out decades later that a \$2 billion frivolous lien has been lodged against their home. In most states it is relatively easy to file a fictitious lien, but difficult and costly to have it removed. New Jersey protects state employees such as court officials against such criminality, but does not yet protect attorneys.

A vast network of on-line tutorials, weekend seminars, for-profit "prophets", gurus, or other hucksters provide detailed scripts on how to prolong, frustrate and overburden even the most mundane proceeding. For example, Brooks would make a nuanced argument or correct the prosecution regarding the charges, then feign that he did not understand the same subject matter moments later. This consistent statement that he did not "understand" even the simplest comment by the judge was uttered to delay the proceedings and frustrate the judge. Another ploy was to charge that he refused to 'consent' to the proceedings, apparently in the hopes that the Court would have to throw up its hands and dismiss all charges.

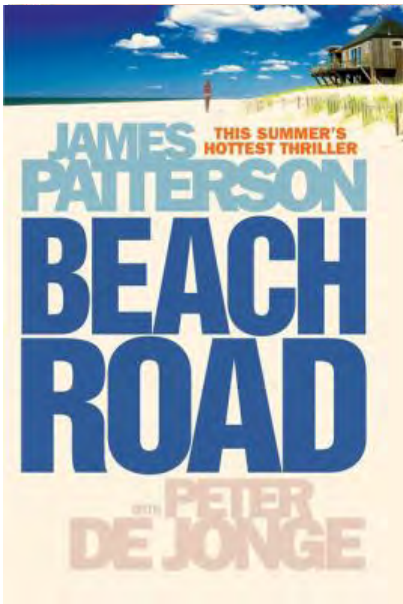
After researching the international, national, and state impact of these filings, we believe New Jersey has cause for concern from the metastasis of their tactics. One study showed that New Jersey had the third highest activity of Sovereign Citizen cases in the nation. With this activity comes not only disruption of orderly procedures in court, but an overwhelming of already thinly stretched court personnel owing to their paper terrorism.

Cases involving Sovereign Citizens representing themselves sprung up in New Jersey as early as 1985, usually with the culprits who call themselves "Moorish". The Moorish Science Temple was founded in 1913 by a "prophet" but soon thereafter a split occurred, and this offshoot is known by a variety of names. The Moors believe that their ancestors date back not to Africa, but to the 17th Century Islamic Moors of the Iberian Peninsula. At the same time, they claim that they are the original indigenous Aboriginal peoples of North America and pre-date Native Americans. As such, their believers, usually identifiable with the men wearing fezes, hold that all white Europeans and even Native Americans are trespassers on their sacred land. Like the white Sovereign Citizens, whether being stopped for a motor vehicle infraction or arrested for murder, they refuse to be held to America's laws. They demand diplomatic immunity and that their embassy of Morocco be called in to secure their freedom.

In 2009, the New Jersey District Court heard Marrakush Society v New Jersey State Police, et al. 790 F. Supp. 2d 241 (D.N.J. 2011). District Judge Jerome B. Simandle began his response to this case of first impression as follows:

This Opinion addresses concerns raised by commencement of the above captioned civil and habeas matters. While the immediate legal issues presented by the above-captioned cluster of actions are simple, the concerns

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Book Review

By: Tamra Katcher, Esq.

Beach Road

*By James Patterson
and Peter De Jonge*

Beach Road, a road peppered with mansions in East Hampton, is the epitome of the haves and have nots. The wealthy who travel to the Hamptons on weekends and holidays,

and those that take care of the homes and properties throughout the year. One such home, owned by the movie star, T. Smitty Wilson, had a brand-new basketball court which the local kids were invited to use. One kid, Dante Halleyville, who had been drafted to the NBA, played on that court with his friends and neighbors, including Tom Dunleavy, a resident of East Hampton and small-town defense attorney.

One day, after a heated game of basketball someone grabs a gun. No one is hurt, but later that evening 3 of the players are found dead on the

beach and Dante is the prime suspect. During the investigation, two other key witnesses are found shot and a crooked cop is pulling the strings. Dante's family wants Tom to represent Dante and Tom enlists the help of his ex-girlfriend and NYC attorney, Katherine.

Twists and turns as are typical of Patterson's stories run throughout the investigation, trial, and post-trial story in this book. The end was completely unexpected – thus why Patterson has been so successful in his writing!

Each chapter in the book is written from the perspective of an individual character, Tom, Dante, Katherine, etc. At the outset, the format of the narrative is a bit confusing. I had to force myself to keep reading after the first few chapters in hopes that it would all come together – which it did. As I read further and understood the story and the characters it was easier to read and worth the time.

Beach Road would be a good book to bring on vacation with you this summer. Nothing like reading about a murder investigation in the Hamptons while you dig your toes into the Jersey Shore – or wherever you may be.

Until next time – happy reading and don't forget your sunscreen! 🌞

Restaurant Review

By: Kathleen A. Hart, Esq.



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Like most people, we are creatures of habit. We eat at the same places, shop at the same grocery store, go to the same dry cleaners. When a new restaurant opened in town to much fanfare, we were cautiously optimistic. After waiting a number of weeks before going, we finally headed over to W's Village Grille and this has now joined our rotation of dining establishments.

W's Village Grille is owned by Charlie Wonscowicz, a longtime Waldwick resident, who happened to be on the staff of the New York Yankees. Charlie previously owned a restaurant in Oakland, which closed some years ago. W's is in the former location of the old Village Grille. Prior to opening the kitchen, the dining room and bar area were renovated. The floors and walls are newly lacquered wood. Framed baseball jerseys are on the wall. A long bar stretches the length of the bar area with high top tables and booths for seating. The dining room is bright and airy with large windows. There is a small outside dining patio. The entire place seems livelier and welcoming.

We arrived early on a Saturday night and were seated in the bar area. The server came over and took our drink order. The menu is not overly extensive and there are choices for all. We decided to order a couple of appetizers to share and ordered the pot sticker appetizer special (\$15.00) and hot pretzel (\$11.00). The potstickers were cooked perfectly and served with delicious, sweet chili sauce which had just the right amount of heat but was not overpowering. The pretzels were served pipping hot and overly salted. The cheese dipping sauce was fine, but I

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Broadway Trip

APRIL 27, 2023



Welcoming the Honorable Carol Novey Catuogno, A.J.S.C. to her new position as Assignment Judge for the Bergen Vicinage

By: Laura Van Tassel, Esq.

I had the pleasure and privilege to speak with Judge Carol Novey Catuogno during her transition period to becoming the Assignment Judge for the Bergen Vicinage. She stated that after becoming an attorney she was intrigued by the possibility of attaining a judicial position. Judge Catuogno expressed she is incredibly honored to be a Judge and even more so to be the new Assignment Judge in the Bergen Vicinage.

Judge Catuogno praised her colleagues who serve on the Bergen Bench noting that they are all very hard-working individuals (and collectively a hardworking and dedicated group). Her colleagues on the bench in Bergen have always carried out their judicial service in an excellent manner with the highest regard for the interest of justice and she knows they will continue to do so in the future.

Judge Catuogno received her undergraduate degree from SUNY Binghamton and graduated with a J.D. from Boston University School of Law. She began her legal career in 1991 as an Assistant District Attorney at the Richmond County District Attorney's Office in Staten Island, New York.

In 1998, Judge Catuogno joined the Bergen County Prosecutor's Office as an assistant prosecutor and worked there



until her elevation to the bench in 2018. During her tenure in the Prosecutor's Office she held the position of not only an assistant prosecutor but also as chief of the Domestic Violence Squad, Trial Chief and in May, 2017 as Executive Assistant Prosecutor.

Judge Catuogno was appointed to the bench on February 5, 2018 and was assigned to the Family Part where she handled domestic violence cases. She found that her work in the Prosecutor's office helped in the domestic violence matters. Judge Catuogno was reassigned to the Criminal Part in late 2019 where she handled the post-indictment trial calendar, applications made pursuant to the Extreme Risk Protective Order Act (ERPOs)

and Sexually Violent Predator Act (SVPA) matters.

Judge Catuogno is a member of WLIB, the Bergen County Bar Association and the New Jersey State Bar Association. She encourages all young/new lawyers to join the various bar associations early in their career. The organizations offer support and collegiality while also permitting interaction with colleagues outside of the courtroom and outside of your practice area.

WLIB wishes Judge Catuogno success in her new role and the organization looks forward to working with Judge Catuogno at future WLIB events. 🐾

Announcements

Congratulations to the **Honorable Carol Novey Catuogno, A.J.S.C.** on her elevation to Assignment Judge for the Bergen Vicinage; to the Honorable Jane Gallina-Mecca, P.J.F.P. on her elevation to Presiding Judge Family Part; to the appointment of the **Honorable Amy E. Lefkowitz, J.S.C.** to the Bergen Bench and to our new Trial Court Administrator, **Kerri Lynn Walsh-Wood**. Please see the interviews with all these outstanding women in this issue of the WLIB Newsletter.

WLIB also extends congratulations to **Jhanice Domingo, Esq.** on receiving the Diversity in the Profession Award from the BCBA and WLIB and to **Gayle Hargrove, Esq.** on receiving WLIB's Lifetime Achievement Award at this year's Diversity Dinner. Photographs from the dinner are in this issue of the WLIB Newsletter and interviews with Jhanice and Gayle will appear in the Fall issue of the WLIB Newsletter. 🐾

Jean Robertson Update

By: Kathleen A. Hart, Esq.

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.

Applications have been sent out to the New Jersey Law Schools. The next scholarship will be awarded at the WLJB Annual Dinner on September 13, 2023. 🕊️

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The Honorable Jane Gallina-Mecca, P.J.F.P.

By: Evelyn F. Nissirios, Esq.

I recently had the honor and privilege of interviewing the Honorable Jane Gallina-Mecca, P.J.F.P. Judge Gallina-Mecca was elevated to the position of Presiding Judge of the Family Part on June 1, 2023.

Judge Gallina-Mecca received her undergraduate degree from Montclair State University, with a major in French and a minor in Political Science. She went on to graduate from Seton Hall Law School, Class of 1986. Judge Gallina-Mecca's graduating class at Seton Hall produced several high profile and successful members of the Bench and Bar, including the Judge's friend and colleague United States District Court Judge Brian R. Martinotti, D.N.J. and the newly installed New Jersey State Bar Association President Timothy McGoughran, Esq. Judge Gallina-Mecca is clearly among the cream of a highly successful crop. Upon graduating law school, Judge Gallina-Mecca completed her clerkship with the late Honorable Isabel B. Stark, J.S.C.

Judge Gallina-Mecca was in private practice for over 25 years before her appointment to the Superior Court. She began her law career at Fogarty & Hara, where she specialized in Education Law, Construction Law, Labor and Employment. When asked if she missed the days of private practice, Judge Gallina-Mecca remarked, "While I very much enjoyed private practice, I certainly do not miss having billable hours. The demand of being on-call 24/7 with attorneys and the inability to take vacation time with family is something I do not miss." Judge Gallina-Mecca went on to point out that private practice has changed over the years. "There is a lack of civility these days that can partially be attributed to the pandemic. The Zoom platform has changed the dynamic between attorneys. It's easier to be adversarial, especially when you are on screen. There is a lost sense of congeniality and professionalism. You can advocate for your client, but clients come and go. Don't burn your bridges."

Sitting one-on-one with Judge Gallina-Mecca in her Chambers, I took the opportunity to gain some valuable insight from Her Honor for our readers:

1. What advice would you give to young, female lawyers joining the practice of law today?

First, I would encourage young lawyers to obtain a judicial clerkship. The experience is invaluable. You have the opportunity to observe proceedings, interface with other attorneys, and you get to see 'the best of the best.' Certainly, you will learn lessons of 'what to do' and 'what not to do' as a practicing attorney. A clerkship also offers a great collegial atmosphere. We have a wonderful group of young attorneys. If you are a young associate at a firm, take the opportunity to jump on zoom and observe the senior partner you are working with.

Second, always look and act professionally. You are making a first impression not only with the Judge, but also with your colleagues and clients. Be respectful to one another. For

whatever reason, male attorneys generally do a better job of being congenial to each other. We need to be kind to our sisters. It's not a sign of weakness, but a sign of strength. Women lawyers need to support one another.

2. It is certainly an honor to be the Presiding Judge of the Family Part. Looking back on your career, did you ever envision yourself here?

I never envisioned myself here and it was quite unexpected. When you are first appointed to the bench, you never really think about what happens when judges retire. It is an incredibly rewarding and gratifying experience. As a judge, you have the ability to make a difference in people's lives. There are very hard decisions to make every day, and we do our best to serve our community.

3. Which types of cases are the most difficult for you as a family judge?

The most difficult cases are the contested custody matters. It's not often a matter of deciding who is the most fit parent, but rather dealing with individuals that have different parenting styles. Just because two parents have different parenting styles does not mean that one is superior to the other. The most difficult part is convincing some parents that it is okay to have different parenting styles. The focus should be on learning to coparent effectively. Children need to know that their parents are on the same page. It instills emotional stability for them.

4. The Judiciary is going through so many changes. Can you tell our readers what your vision is for the future of the Judiciary and your goals for the first year of your service as Presiding Judge of the Family Part?

I want to maintain and hopefully improve the morale of the entire division. During this very difficult time, our judges should feel supported. We need to focus on judicial wellness. There is no question everyone is working hard. We need more judges and hopefully a new package will be approved soon. I am looking forward to returning to the FM docket and assisting with cases.

5. Just sitting here waiting for our interview, I saw you handle two Orders to Show Cause that came in a matter of minutes just right before the end of the Court day. Despite the timing, you handled each case with such ease and extreme attentiveness. Is this

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Weekend Getaways

by Amy S. MacIsaac, Esq.

West Point, NY



Thanks to some unused snow days, my kids had a couple of extra days off around Memorial Day weekend this year. We decided on a day trip to West Point. It combined two things we love – history and the outdoors. We realized that our kids had never been to West Point and we really wanted to do some hiking to take advantage of the great weather. West Point is an easy 40-minute drive up the Palisades Parkway.

FACT: President Thomas Jefferson signed legislation establishing the U.S. Military Academy at West Point in 1802.

Our first stop was the Malek Visitor's Center which is right near Thayer Gate, the main entrance to West Point. The Visitor's Center was renovated in 2017 and includes a large atrium with stunning unobstructed views of the Hudson River. Entry to the Visitor's Center is free and it is open year round from 9am-4:30pm. Our first stop was the 9 minute film "West Point – A National Treasure" about the history and culture of West Point (Tip: the film runs every 20 minutes so you won't miss it). After the short film, we wandered through over 20 exhibits about the 47-month journey of a cadet from plebe (freshman) through

graduation and beyond. I have real admiration for any young man or woman who attends West Point – each day starts at 5:15am with a mile-long run! The kids' favorite part was hanging out in a model cadet barrack room, however they did not like the rules required to keep it clean and tidy! There are interactive videos and panels that really show what life is like for a modern day cadet. Women now make up 20% of the student body at West Point and it was nice to see female representation in the exhibits. The gift shop is also located in the Visitor's Center where you'll be able to buy all the West Point gear you want! Overall, the Visitor's Center is modern, clean and a must see while visiting West Point.

FACT: West Point admitted its first female cadets in 1976.

Next, we went to the West Point Museum in Olmsted Hall which is in the building adjacent to the Visitor's Center (like the Visitor's Center, the museum is free). The museum is five floors full of military artifacts and dioramas from both the U.S and around the world. It is considered the largest diversified public collection of militaria in the Western Hemisphere! The collection covers the history of warfare both in the U.S. and abroad with

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Weekend Getaways

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an overwhelming number of artifacts. My personal favorite was a Norden bombsight used in WWII since my grandfather was a bombardier in the Pacific theater. The kids' favorite was the atomic bomb case for the Fat Man atomic bomb. You can spend several hours in the museum looking at all the artifacts – it is truly a must see!

FACT: West Point is the oldest continuously operated Army post in the United States.

Tours of the West Point campus are available, and tickets must be reserved. Tours were not running during our trip since it was graduation weekend, but the tours are very informative and offer a great experience of the campus grounds.

After enjoying lunch in one of the restaurants across the street from West Point, we headed over the Bear Mountain Bridge to the other side of the Hudson River for some easy hiking. We chose Arden Point and Glenclyffe since the hikes are considered easy and the trails have historical importance. The trails follow the path used by Benedict Arnold to escape during the Revolutionary War. Depending on the trails and loops you take, the hike can range from 1.5-4 hours. The trail entrance is right next to the Garrison train station (Tip - the station has free parking on the weekends). Most of the trail is well-maintained and shaded. After

crossing a one-lane steel truss bridge over the railroad tracks, the path becomes a little more challenging with more rocks and fallen trees. The trail continues uphill to a stone wall before reaching the top – Arden Point. The Point offers beautiful views north up the Hudson River with West Point on the left. It was great to see all of West Point from the other side of the Hudson River! There are several loops and other connected trails from Arden Point where you can put your feet in the river at Hudson Cove and see a bamboo forest near the Governor's home (used by New York Governor Hamilton Fish in the 1860's).

FACT: West Point is the site of Benedict Arnold's infamous betrayal.

We followed Glenclyffe Loop to the Historic Overlook which features a large viewing platform overlooking Beverly Dock. Bear Mountain Bridge is visible to the south and Sugarloaf Hill to the east. This was a great place to take a break and eat a quick snack. Once again, the views of the Hudson River were breathtaking! These trails are perfect for beginner hikers (and kids) and offer gorgeous views of the Hudson River and West Point.

West Point is an easy, fun, and educational day or weekend trip that is great for all ages! There are many great hiking trails around West Point for those looking for more outdoor activities.

FACT: West Point is a great place for a day or weekend adventure! 🐦



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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.

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May 10, 2023

with Elected Women Officials



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SUMMER 2023 LEGISLATIVE REPORT

By: Carmela L. Novi, Esq.

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 Bills Passed after March 1, 2023

Sale of Catalytic Converters

A2210/S249 (P.L. 2022 c. 9) (March 23, 2023) Prohibiting the sale of a catalytic converter that is not attached to a motor vehicle; prescribing guidelines for operator of a scrap metal business if it sells catalytic converters.

Elections

S2866/A4372 (March 30, 2023) "The Elections Transparency Act". Sets limits for how much can be spent on certain elections; requires reporting of campaign contributions in excess of \$200; increases contribution limits; concerns independent expenditure committees, certain business entity contributions, and certain local provision.

Arthritis Awareness Month

SJR71/AJR150 (May 31, 2023) Designates May of each year as Arthritis Awareness Month in NJ.

Autism Spectrum Disorder

S761/A2369 (March 30, 2023) Requires MVC to provide, upon request, notation on driver's license or identification card of diagnosis of autism spectrum disorder or communication disorder.

Telemarketers

S921/ A1545 (March 30, 2023) Requires telemarketers to provide name, mailing address, and telephone number of person on whose behalf call is made.

Education Funding

S3349/A5327 (March 30, 2023) Requires a board of education to charge non-district residents enrolling in a school district tuition equal to the actual cost per pupil. Under prior law each board of education was permitted to set its own terms regarding the admittance of students who do not reside in the school district, including if tuition is charged and at what amount. The amendment now requires a board of education to set non-resident tuition equal to the actual cost per pupil. The new law also ensures enrolled children of teaching staff members of the school district or county vocational school district who are permitted, by contract or local district policy, to enroll their children in the educational program of the school district or county vocational school district without payment of tuition as established under the "School Funding Reform Act of 2008."

Sampling of Reported Decisions New Jersey Courts

Settlement/Discrimination

State of New Jersey v. Pine Valley Golf Club – Pine Valley Golf Club agreed to pay a \$200,000 settlement for a claim brought by the NJ Division of Civil Rights for alleged violations of the New Jersey Law Against Discrimination for practices that included not permitting women to be members, and discriminatory hiring practices. The private club, regarded as one of the best in the world, only began to admit women in 2021 as an investigation by the State was launched (prior to that, women could only play as guests on Sunday afternoon). As part of the settlement, Pine Valley has agreed to post at least 75% of its job openings online and in local newspapers. The \$200,000 settlement will be paid out as follows: \$100,000 to the Division of Civil Rights (including attorney's fees), \$45,000 to a scholarship endowment for an organization that provides training for women caddies, and \$55,000 to a scholarship for the Rutgers Women's Golf team. Pine Valley must also submit an annual report including changes in employment and membership to the Division of Civil Rights; and cannot restrict how an employee dresses based upon gender or gender identity. Pine Valley also has more than a dozen houses onsite, but those houses were only sold or leased to men who were members. It is expected that this practice and policy will also be changed. In the past, Pine Valley has been named the best golf course in the U.S. by Golf Digest. (6ABC action news online article from May 16, 2023; NJ.com May 5, 2021)

Family Law

Li v. Zhang Appellate Division. June 26, 2023 (A-2447-21) (Not approved for publication; check Court Rules regarding citation and reliance upon unpublished opinions).

Facts: Couple was engaged in protracted and highly contentious divorce litigation. They were married in China and had one child. They eventually entered into an arbitration agreement to arbitrate their issues and agreed that any arbitrator's decision would be given full faith in credit in China. Prior to arbitration starting, the arbitrator entered an order directing the liquidation of an investment account to provide funds for arbitration. Before arbitration could begin, plaintiff filed for bankruptcy. Eventually the arbitration evidentiary hearing took place and the arbitrator issued an award granting defendant more than \$2.7 million in total equitable distribution, plus imposition of fee shifting, alimony and child support. Defendant appealed the denial of his motion to vacate the arbitrator award on the basis that he had been deprived of due process rights to present evidence at arbitration, that he was not represented by counsel for a period of time during the arbitration process and that the arbitrator was biased.

Held: Plaintiff failed to demonstrate that the arbitration award should be set aside for the reasons articulated in N.J.S.A. 2A:23B-23. He failed to provide evidence of bias on the part of the arbitrator, or that he was not afforded a full opportunity to present relevant evidence at arbitration.

continued on page 26

Introducing The Honorable Amy E. Lefkowitz, J.S.C.

By: Laura Van Tassel, Esq.

I had the honor and enjoyable pleasure of speaking with Amy E. Lefkowitz, J.S.C. a newly minted Superior Court Judge. Judge Lefkowitz is open and engaging. She is now settling into the family division in the Bergen Vicinage. Judge Lefkowitz stated it feels like she is coming home to a place where she started in practice in New Jersey as a law clerk to the Hon. Ellen L. Koblit, P.J.A.D. (ret'd). She clerked in the common hallway between what is now Judge Gallina-Mecca's chambers and her current assignment. Judge Lefkowitz expressed a real sense of honor in being in a courtroom that is so familiar to her.

One of the truly remarkable parts of her elevation to the bench was when her assignment was provided it stated "assignment is replacement of Judge Koblit upon her retirement."

Judge Lefkowitz expressed that one of the more difficult issues on her elevation to the bench was leaving behind a practice that she truly loved and enjoyed. She had to decide between the betterment of the public (as a judge) and a practice she loved. One of her goals as a Judge is to ensure that all who appear before her feel that they have been heard. While they may not agree with or like the outcome, she wants them to feel that they were heard and that she has listened to them.



What has surprised Judge Lefkowitz the most is the learning curve for the technology in running a courtroom. This includes learning to use the court zoom and courtsmart as well as the other technologies that keep a court running smoothly. She expressed that the staff at the courthouse is extremely helpful and a pleasure to work with. Notably, Judge Lefkowitz stated she is so very lucky to have a wonderful staff and now has Judge Peter Melchionne's, P.J.S.C.F.P. (ret'd) secretary and law clerk who have been gracious in assisting her in her new position.

Judge Lefkowitz shared that her family is very proud of her and that in spite of being a Superior Court Judge, her mother looks forward to a daily phone call from Judge Lefkowitz. Judge Lefkowitz graduated from Fordham University School of Law in May of

2001. Prior to law school Judge Lefkowitz earned a B.S. degree from the University of Rhode Island. She has a long list of intern/externships and related experience from college and law school. Judge Lefkowitz was an active member of the town where she resides serving on a variety of boards and committees.

WLIB wishes Judge Lefkowitz success in her career on the Bench. 🍀

Restaurant Review

continued from page 5

would have preferred honey mustard. Other appetizers include fried calamari (\$16.00), nachos (\$13.00) and drunken mussels (\$17.00), which is two dozen mussels served with wine garlic sauce. A number of tables had ordered this, so I am sure it is delicious.

For our main course, I ordered the chicken Milanese salad (\$17.00), and my husband ordered the corned beef Reuben (\$17.00). The portions are substantial. Milanese salad was served with a piece of chicken piled with fresh arugula, onions and tomatoes. A balsamic dressing was on the side and paired well with the onions and tomatoes. It hit the spot and I had plenty to take home for lunch the next day. The Reuben was open faced and stacked with corned beef, Swiss and sauerkraut with perfectly cooked fries on the side. It is normally served with Russian dressing but my husband opted for mustard. He finished it all. Other dinner options include a Greek salad (\$12.00), a number of burgers including veggie burger (\$16.00), a cod po boy

(\$16.00), fish and chips (\$20.00), penne vodka (\$18.00) and short ribs (\$28.00). There are plenty of vegetarian choices and a children's menu.

Satisfied by the entrees, we did not have desserts. Those offered are an apple crisp (\$8.00), ice cream (\$5.00) and a brownie sundae (\$8.00).

Overall, we enjoyed our dining experience. The service was great and there were numerous waiters and bus staff to clear tables. The bar area acoustics are on the loud side so you may wish to ask for a table in the dining room. The restaurant does get crowded and does not take reservations. We came at 5 pm on a Saturday and within half an hour, there was a line waiting for tables. We are already discussing our next visit. I give it three forks. 🍴

Below Average
Average
Above Average
Exceptional

\$ 20 or less per plate
\$\$ 20-40 per plate
\$\$\$ 40 or more per plate

Kerri Lynn Walsh-Wood, Bergen County's New Trial Court Administrator

By: Ellen J. Koblitz, P.J.A.D. *ret'd*

Kerri Lynn Walsh-Wood, Bergen County's new Trial Court Administrator, recently sat down with me for a delightful chat and lunch at Sidebar. We had not had the chance to talk at length for many years, since Ms. Walsh-Wood had served as a Family team leader in the Children in Court (child abuse and neglect) docket when I was the Bergen Presiding Family Judge from 1998 until 2008.

Ms. Walsh-Wood first entered the New Jersey Court system in 1992 when, after graduating from college where she majored in criminal justice, she took a civil service exam to become an investigator. She was disappointed that the State Police were not seeking new hires, so she had to postpone her career plan to follow her father, a lieutenant in the New Jersey State Police. Her mother was a schoolteacher, so the idea of helping children was attractive, and eventually became her calling when she was hired as an investigator for the Child Placement Review Board in the Bergen Vicinage.

The many requirements of the federal Adoption and Safe Families Act, enacted in 1997, had recently come into effect in New Jersey, and I was one of the judges assigned to ensure statewide compliance. I would go to statewide meetings and then return to ask Ms. Walsh-Wood how we handled the issue administratively in Bergen. It dawned on me that I needed her with me at



those meetings. Her knowledge, cheerful poise and articulate explanations almost always carried the day, and statewide procedures were enacted largely in conformity with the Bergen procedures. Eventually Ms. Walsh-Wood followed opportunities afforded to her based on her superior abilities and became the Morris/Sussex Family Division Manager, and later the Morris Operations Manager. At last, seemingly inevitably, Bergen County called

her back and she came home to run the administrative arm of the Bergen Court System under the supervision of our new Assignment Judge, Carol Novey Cotugno.

Ms. Walsh-Wood now lives in Morris County with her husband and three young-adult children. She has kept up her participation in a bagpipe and drum band and her enthusiasm for helping families and all litigants resolve their court issues with professionalism, efficiency, courtesy and good humor. She told me, "Being back in Bergen is truly coming full circle. I am excited to be collaborating with the hard-working Judges, managers and staff and I am dedicated to supporting the excellence that Bergen Vicinage is known for." We welcome our own superb manager back to Bergen! 🐾

Tiger Woods' NDA

continued from page 3

<https://www.ftc.gov/legal-library/browse/federal-register-notices/non-compete-clause-rulemaking>

The justification for the proposed rule is the belief that "...[N]on-compete clauses prevent workers from leaving jobs and decrease competition for workers, they lower wages for both workers who are subject to them as well as workers who are not.

Non-compete clauses also prevent new businesses from forming, stifling entrepreneurship, and prevent novel innovation which would otherwise occur when workers are able to broadly share their ideas." Id.

According to the U.S. Department of Justice's Office of Information Policy, federal agencies processing Freedom of Information Act requests for business-related records occasionally

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Diversity in the Profession Awards Dinner

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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@snghlaw.com.

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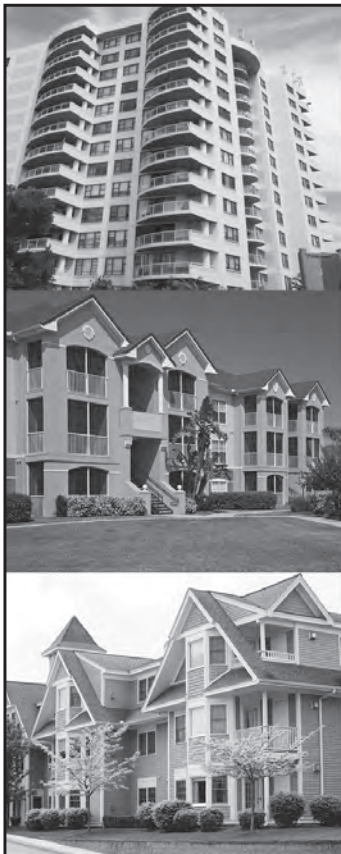
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Tiger Woods' NDA

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have to consider whether the “intrinsic commercial value” of the records sought provide a basis for their nondisclosure. Factors considered include “the proprietary interests of valuable record submitters, as well as the larger principle of the proper role of the FOIA itself”. *FOIA Update: OIP Guidance: Protecting Intrinsic Commercial Value*, Protecting Intrinsic Commercial Value, Jan. 1, 1985 <https://www.justice.gov/oip/blog/foia-update-oip-guidance-protecting-intrinsic-commercial-value>

Reasonable minds may disagree about whether NDAs are “intrinsically valuable” to businesses. Admittedly, an NDA, on its face, may not be intrinsically valuable because it does not contain trade secrets, client lists and other proprietary and confidential information. However, the purpose that justifies its use, *i.e.*, protecting proprietary, confidential information, unquestionably renders NDAs intrinsically valuable to employers and their business interests.

Furthermore, the data shared by the NLRB and the FTC rebuts the perception that managers and supervisors rather than lower-level nonsupervisory workers are typically required to sign NDAs as a condition of employment or to receive certain benefits. Query: Why would a substantial number of American workers, especially those earning less than \$40,000, be required to sign NDAs? Given the important federal public policy underpinnings identified by the NLRB and FTC, whatever the answer, it will need to be compelling.

As with many things these days, the cause for concern around NDAs depends on the politics of the day. Thus, employers are likely aware that the NLRB restrictions and FTC proposed rule would likely be rescinded under a less labor friendly administration.

There is something to be concerned about now, but later it may be much ado about nothing. Additionally, stating the obvious, to set aside an NDA in a sexual harassment/abuse case, any reliance on SOA should provide more than naked assertions and generalities. 🐾

Fruits of a Poisonous Tree

continued from page 4

associated with the influx of the actions are great, and, thus, warrant a detailed discussion of the litigants, their purported counsel and their litigation practices...

The above-captioned nineteen actions appear to be a part of the influx of civil cases initiated over the recent months by the same group of litigants in various federal courts”

The first of these amalgamation of cases was styled as Habeas Application, No. 09-3372 in the matter of “M.K.” The pleadings included bizarre documents, such as a nine-page copy of the United Nations Declaration on the Rights of Indigenous Peoples and a four-page copy of the Barbary treaties of 1786-1816 along with three pages of “notes” from Yale Law School, a page of translations of additional articles, and M.K.’s filing fee for his *in forma pauperis* application. But the litigants were not done yet.

Civil Action No. 09-3371 mimicked the pleadings of the previous motion, adding it was “an emergency petition unconstitutional conditions of confinement.” [sic] The pleadings included what has become known as “pseudo-law” proclamations, misspelled and misconstrued Latin terms. Unfortunately for the Court, this action had a far more voluminous and elaborate set of attachments, including a “trademark notice”; a page with a black square printed on it; and a “verified declaration in the nature of an affidavit of truth in commerce for waiver of tort-trademark notice/ affidavit of fact.” This was the tip of the paper avalanche that hit the Court on this action alone. It got much worse thereafter.

Unfortunately for the Judge, both he and his staff were obliged to exhaustively research every strange pseudo-legal and obtuse historical reference. At the end, all motions were dismissed.

But the medium was the message: the Sovereign Citizen methodology and tactics remain the same. “Paper terrorism”

clogs courts as they struggle to meet calendar calls delayed by the COVID shutdowns, and a lack of judges. Every branch of the Sovereign Citizen poisoned tree still threatens to choke the courts by filing voluminous pages of tangled legalese.

It is easy to dismiss sovereign citizens as kooky, irrational conspiracy theorists. Harder to dismiss are the effects these conspiracy theorists have on the legal system, where simple court cases can be tied up for months as sovereign citizens file thousands of documents, overwhelming prosecutors, public defenders, and judges.

What do these anti-governmental, anti-law perpetrators gain from such behavior? They believe our entire governmental structure is illegitimate, illegal, and not to be obeyed. Their capacious, inscrutable pleadings bog down the entire judicial system and add to the general population’s distrust of our system of justice. Sovereign Citizens’ disruption to the legal system is a clear issue that will only increase in scope and size as their conspiracy theories bleed into mainstream American politics.

These sometimes humorous, preposterous, patently illegal filings have their roots in the Aryan Nation, Posse Comitatus, Christian Identity, and state militias. Today, Sovereign Citizens and their ilk are labeled as our most dangerous domestic terrorists by the FBI. They might have originated separately, but their conduct is basically the same, and their aim is to bring down our entire legal system.

Brooks may be one of the most well-known, but there are hundreds of thousands, perhaps over a million, Sovereign Citizens who cause havoc amongst law enforcement world-wide. We do not even know their numbers, which in 2020 was estimated at 500,000 in the United States, and far more overseas.

Their existence should be of grave concern to all New Jersey practitioners. New Jersey ranks third highest in sovereign citizen activity in the nation, and yet so few of us know how they operate, their tactics, scams, and dangers. Only by properly educating ourselves on their methodology can we be prepared. 🐾

situation sustainable?

Part of the assignment in the family division unquestionably comes with the responsibility of addressing emergencies day in and day out. As judges, we are aware of this, and we are always prepared for it. With a full complement of judges, it won't be as taxing. I am hopeful that in the coming months, the vacancies will be filled so that we can continue to service our community.

During the interview, it became clear to me that Judge Gallina-Mecca's support system at home has undoubtedly contributed to her success on the bench. Judge Gallina-Mecca has been married to Joseph Mecca, Esq. for almost thirty-seven years. "We met the

first week of law school", she said smiling ear to ear. They have three children; Christopher (age 32) who is currently completing his Master's Certification as a Behaviorist; Joseph III (age 31), who is an attorney and working as an Employment Specialist with the New Jersey Reentry Corporation; and Sarah (age 25) who is completing her Master's degree in Biomechanical Engineering. Judge Gallina-Mecca is fortunate to also have her parents live right next door.

In their free time, Judge Gallina-Mecca and her husband Joe enjoy a very active social life with family and friends. They spend relaxing weekends at their vacation home at the shore enjoying each other's company.

On behalf of Women Lawyers in Bergen County, we wish Judge Gallina-Mecca a very successful tenure as our new Presiding Judge of Family. 🙌

Summer Legislative Report

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Criminal Law

State v. Cohen New Jersey Supreme Court; June 22, 2023; A-50-21 (084493)

Facts: Defendant's vehicle was stopped by a State Trooper for traffic infractions as a result of the trooper having received a "be on the lookout" (BOLO) email based upon information relayed by a confidential informant that Defendant would be travelling to North Carolina to pick up firearms that would be sold in New Jersey. After pulling over the vehicle and removing Defendant and a passenger from the car, the trooper searched the vehicle because of the strong odor of marijuana and "shake" (tail end of marijuana) observed on the defendant's beard. The trooper first searched under the hood and then the engine compartment where he found a handgun and then a revolver; he then searched the trunk, in which the Trooper found a duffle bag containing hollow point bullets. No marijuana was recovered from the car. The trial court declined to exclude the fruit of the search. Defendant later pled guilty to one count of unlawful possession of a weapon. The Appellate Division affirmed the trial court's ruling. The Supreme Court reversed and remanded for further proceedings.

Held: The expansion of the search to the engine compartment and trunk went beyond the scope of the automobile exception. Although the Trooper smelled marijuana in the passenger compartment of the car, the initial search yielded no results and provided no justification "to extent the one of search further than the persons of the occupants or the interior of the car" (quoting State v. Patino, 83 N.J.1, 14-15 (1980)). As a result, the evidence should have been suppressed. The Court noted that pursuant to the "automobile exception" to the warrant requirement, when the police have probable cause to believe that a vehicle has contraband (and the odor of marijuana has been held to be sufficient for probable cause), they may search the vehicle. But a search that is reasonable at its inception may nonetheless violate the Constitution by virtual of its intolerable intensity and scope.

Other Items

The nomination of Manual Noriega to the NJ Supreme Court was unanimously approved by the Senate Judiciary Committee on Monday June 26. A full Senate floor vote is expected to take place on Friday June 30. Gov. Murphy's announcement of the nomination took place on May 15, 2023. Mr. Noriega's biography on his firm website (Bramnick Law, Scotch Plains) notes that he practices immigration and criminal law and that he has twice argued before the New Jersey Supreme Court, in addition to appearances before the Appellate Division. He is a former Assistant Deputy Public Defender (Essex County) and currently also serves as an adjunct professor at Seton Hall University School of Law.

Three superior court appointments were also approved by the New Jersey Senate for seats in the Hudson Vicinage: 1. Marlene Caride, a Bank and Insurance Commission member and former Assemblywoman; 2. Alberto G. Santos, mayor of Kearny and former Cleary, Gottlieb associate; and 3. Jane L. Weiner, an assistant prosecutor with the Hudson County Prosecutor's Office.

Retired Bergen County Superior Court Judge Rachelle L. Harz joined Javerbaum, Wurgaft alternative dispute resolution practice group. She will maintain offices in Springfield and Elmwood Park. Bonnie Mizdol, retired Assignment Judge of Bergen County has joined Ferro Labella & Weiss, LLC. in Hackensack.

Peter J. Melchionne, retired Presiding Judge of the Family Division, Bergen County, has joined Hartmann Doherty Rosa Berman & Bulbulia to lead its ADR team.

Mark T. Janeczko, retired Judge of the Family Division, Bergen County is on recall from June 1, 2023 through May 31, 2025 in the Family Part.

Scholarship Fund Created for Assignment Judge Lisa P. Thornton

The New Jersey State Bar Foundation is seeking donations for a scholarship in memory of Monmouth County Assignment Judge Lisa P. Thornton, the state's first Black female assignment judge, who passed away unexpectedly on May 27. The law school scholarship honors Assignment Judge Thornton's life and dedication to serving as a role model and mentor for young women attorneys of color. (NJ State Bar Daily Briefing 6/27/2023) 🙌

2023-2024 WLIB Committees

The following committees were formed for the 2023-2024 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

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

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

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

Donna Dorgan, Esq., Tel: (201) 388-9849
Email: donna@dorganlegal.com

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

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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

Calendar of Events

August 2023

Tuesday, August 1	5:30 pm	Combination July/August WLIB Board Meeting and Annual Dinner Committee Meeting via Zoom
Wednesday August 2	5:30 pm	Hudson River Night, at Piermont NY home of Nancy Lucianna, Esq. Dinner and river education
Monday, August 14	12:30 pm	SWAG Meeting in person. Look for email for location.

September 2023

Monday, September 11	12:30 pm	SWAG meeting via Zoom. Two experts on pets will be presenting on pet psychology and issues regarding custody of pets, providing for pets when their owner becomes incapacitated and estate planning issues and pets.
Wednesday, September 13	TBD	WLIB Annual Dinner at Seasons in Washington Twp.
Tuesday, September 19	5:30 pm	WLIB Board Meeting via Zoom
Wednesday, September 20	5:30 pm	Garrestsons Forge, Fair Lawn, tour and dinner hosted by Master Gardener Donna Dorgan.

October 2023

Monday, October 9	12:30 pm	SWAG meeting via Zoom. Marcia Marino of ChoreVoyant will present on "Your Day Simplified".
Tuesday, October 17	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

Treasurer

Sheila O'Shea-Criscione, Esq.

(201) 373-2219 oshea@carcichoshea.com

Secretary

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Immediate Past President

Victoria R. Pekerman, Esq.

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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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