

Lawyer

Mercer County

February 2017

A Publication of the Mercer County Bar Association

Volume 36, Issue 1

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From the President's Desk...

It is my privilege to serve as the newest president of the Mercer County Bar Association and I am pleased to take this opportunity to address the membership for the first time in our newsletter. I can only hope that you will find my first column, as well as those that follow, thought-provoking, informative and worthy of a few minutes from your busy schedule.

I was pleasantly surprised and touched by the wonderful turnout of family, friends, judges and colleagues at the General Membership Meeting and Installation Dinner on January 19th. I want to extend my sincere thanks to the staff of the MCBA for their hard work in making the event such a success – arranging dinner for over 200 people is no small feat! I also want to thank my good friend Nick Travisano, as well as my partner and mentor, Arnie Lakind, for all of their kind words and good-natured roasting. I hope you all enjoyed the event as much as I did.

Now that I am officially installed as your president, I want to share my goals for my upcoming term. I have no plans to “drain the swamp” because we are lucky to have sworn in such a talented group of new Trustees and Officers. And there is no need to “Make the Mercer County Bar Association Great Again” because my predecessors were all exceptional stewards of the organization. That said, while I intend to stay the course by continuing to promote new membership, provide continuing education, and plan various events, I do want to turn the focus of the MCBA to the community that we



Robert E. Lytle

serve. As Associate Justice Ruth Bader Ginsburg recently observed, “Lawyers have a license to practice law, a monopoly on certain services. But for that privilege and status, lawyers have an obligation to provide legal services to those without the wherewithal to pay, to respond to needs outside themselves, to help repair tears in their communities.” We as attorneys are uniquely situated to use our particular skills to serve those in need by helping them solve problems that they may think are insurmountable. Our goal must be to use our education and abilities to do as much good as we possibly can. I firmly believe that in the process we gain as much as those we aid.

As I addressed in my speech, there are currently 81,259 residents of Mercer County – well over 20% of the population - who qualify for representation by Legal Aid. It is estimated that every single one of these people will require legal assistance at some point within the next three years. Of these 81,259 people, the 5 attorneys employed by Legal Aid will only be able to assist 4,000 of them, leaving the rest unrepresented and alone in navigating an unfamiliar and complex legal system.

Obviously, there is a gap in

Thanks to our Community Partners



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The **MERCER COUNTY LAWYER** is published six times per year; February, April, June, August, October, and December. Advertisements appearing in the **MERCER COUNTY LAWYER** are the viewpoints of the contributors and are not necessarily endorsed by the Mercer County Bar Association or its members. The MCBA does not vouch for the accuracy of any legal analysis, citations, or opinions expressed in any articles contained herein. Individuals who are interested in joining the Association, placing advertising, or contributing articles should contact the Bar Association office at 609-585-6200, fax 609-585-5537 or e-mail info@mercerbar.com. The newsletter deadline is the last Wednesday of the month preceding the publication month.

service that needs to be filled. To do so, the MCBA, in conjunction with Central Jersey Legal Services, has established the Volunteer Lawyers Project, which includes MCBA members who assist Legal Aid by volunteering their services. Though the Volunteer Lawyers Project has existed for many years, participation has fallen off dramatically to the point where less than 1% of our membership was involved last year. My goal for this year is to increase the visibility of the Volunteer Lawyers Project, as well as participation in this worthy cause.

There are four main areas where help is needed. They include expungements, guardianships, bankruptcy, and family law. All of these areas give a second chance to people who have had difficulty in the past, whether through criminal matters, being unable to care for themselves, financial issues, and various family matters. My intent is to create a roster of attorneys in each of these four areas who can handle issues as they arise and who are willing to accept at least one assignment each year.

Besides creating great karma, there are many other benefits to *pro bono* work. Attorneys who provide at least 25 hours of services for Legal Aid can claim an exemption from their mandatory *pro bono* requirements pursuant to Madden v. Delran, 126 N.J. 591 (1992). Additionally, *pro bono* work is a fantastic way for young lawyers to learn client contact, gain experience in the courtroom, and form connections with other attorneys and judges within the legal community. Not only is the judiciary appreciative of those attorneys who represent *pro bono* clients, the court waives filing fees and gives calendar preferences for those cases as well. Sign-ups at the installation dinner were greatly appreciated but we still have a long way to go, especially with respect to volunteers who are willing to assist in matters involving family law. If you haven't done so already, I would encourage you to volunteer for this vital and rewarding work by contacting Sue Knispel at Central Jersey Legal Services (609-695-6249). In the coming months you can expect to hear more from me on this important topic.

I am looking forward to the year ahead. We anticipate continuing many of our annual events, including the Bench Bar Luncheon, the Judges and Law Clerks Dinner, the Golf Outing, General Membership Meetings, and everyone's favorite, Xtreme CLE. Through our Community Projects Committee, we will continue to provide outreach to the underprivileged children, adults and elderly in the area. We will also provide opportunities to discuss your concerns with the judiciary through our series of Bench-Bar meetings in each practice area. I look forward to working with the officers, trustees and committee chairs on these and other goals through the year. In that regard, I would also be remiss if I did not thank our Immediate Past President, Colleen Crocker, who served the MCBA with enthusiasm and distinction. Her efforts have strengthened our organization and she has promised to stay on board as co-chair of the Civil Bench-Bar Committee.

I am available to hear any comments or concerns you may have. The MCBA is a collection of some of the finest attorneys in the state and I welcome everyone's feedback. It is my honor to serve you, and I look forward to a year of collegiality, collaboration, and volunteerism.

Harry O'Malley, Esq.

*An Expression of Appreciation for the work of Harry O'Malley, Esq., for his service as
Deputy Surrogate of Mercer County
by Mary C. Jacobson, Assignment Judge of Mercer County*

Harry O'Malley, Esquire, has completed his last term as Deputy Surrogate of Mercer County. Consequently, I wanted to take this opportunity to thank him publicly for his contributions to the probate work in this County. Having handled the contested estate matters and guardianships in Mercer County for almost seven years, I know firsthand the expertise, dedication, and passion that Mr. O'Malley brought to the work of Deputy Surrogate. He provided excellent support for the probate work handled by the Superior Court and offered extensive procedural assistance to attorneys and pro se litigants alike, always ensuring that their papers were in the proper format for review by the court and answering their many procedural questions. Mr. O'Malley also mediated hundreds of cases to resolution, rendering a critically important service that benefitted not only the court's docket, but the litigants who were able to move on with their lives as a result of the settlements he achieved. Despite often dealing with emotionally charged cases, he remained unfailingly professional and polite to everyone, while demonstrating concern for the welfare of the people whose legal issues often reflected emotional turmoil. In addition, Mr. O'Malley was a frequent presenter at continuing legal education programs throughout the State, giving freely of his time to share his expertise with others. His work as Deputy Surrogate enhanced the reputation of the Mercer County Surrogate's Office in the legal community and beyond. I know that he will be sorely missed in the position of Deputy Surrogate, not only by the Superior Court judges and staff who worked with him, but also by the probate bar and the Mercer County legal community. Through this well-deserved tribute, I extend to Mr. O'Malley my deepest appreciation for his many years of outstanding service to the citizens of Mercer County.



***Thank you to our
Immediate Past President
Colleen M. Crocker,
for her many years of service to the
Mercer County Bar Association.***

Mercer County Mock Trial Tournament 2017 *by: Katie Mae Magee, Esq.*

On January 7, 2017, the annual Mercer County Bar Association High School Mock Trial competition was held at the Civil Courthouse. Braving snowy and icy conditions, 12 schools from the county competed in three rounds of competition. Competing this year were Hamilton High West, Hightstown High School, Marshall Academy, Notre Dame High School, Nottingham High School, Princeton Day School, Princeton High School, Steinert High School, Hopewell Valley High School, The Lawrenceville School, Peddie, and Pennington High School. Students were coached by a combination of teachers from their respective schools, and attorneys who volunteered to serve as legal advisors to their teams. The MCBA would like to recognize attorneys, Deborah Hay, Lydia Fabbro Keephart, Mark Reily, Christopher DeAngelo, Brian Duff, Edward Gore, Donald Barbati, Mike DeRose, Randolph Mershon, Kathy Flicker, and Michael Rosenberg. All of these very busy and talented attorneys took time and worked with the various schools for several months on the case in preparation for the competition.

The result was a very impressive and competitive tournament with Peddie, Princeton High School, Princeton Day School and Marshall Academy moving on to the semi-finals, where Marshall Academy and The Princeton Day School were victorious and moved on to the championship round. On January 11, 2017, the championship round was held at the Criminal Courthouse. We were privileged to have the Honorable William Anklowitz, J.S.C. volunteer to serve as a judge for the final round. After a very close championship round Princeton Day School was victorious and will move on to represent Mercer County in Regionals being held at the Law Center in New Brunswick on February 2, 2017.

Additionally, the Bar Association and I would personally like to thank attorneys Eric Broadway, Anthony Apicelli, Jr., Bill Haumann, Jessica Wilson, Harold Moeller, Melissa Chuderewicz, Colleen Crocker, Sara Walsh, Ellen Bertman, Joseph Paravecchia, Laura Sunyak, Margaret Chipowsky and John Marshall for serving as volunteer judges for the competition. We could not have done it without you and I appreciate you travelling to downtown Trenton very early on a Saturday morning in freezing temps and snow to serve the MCBA! Many thanks also to the Mercer County Sheriff, Mercer County Judiciary General Operations Division, especially Jay Meehan and Letita Davis, and the Honorable Mary C. Jacobson, A.J.S.C. for letting us utilize the various courthouses and assisting us on the competition days! Good luck to Princeton Day School in regionals -- we know you will represent Mercer County well and make us very proud. Case closed.....until next year!

2017 Mock Trial Winner - Princeton Day School

Front Row: Barbara Walker, Alex Wacławski, Alex Neumann, Bharat Nagalamadaka, Leo Nye, Julia Marshall, Amberjean Leist, Kathy Flicker

Second Row: Chris Rhodes, Ihea Inyama, James Henderson, Charlotte Meyercord, Tarika Kumar, Emma Dries, Will Hopper, Mike Rosenberg



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MERCER COUNTY BAR ASSOCIATION COMMUNITY EVENTS COMMITTEE

Invites the Members of the Bar
To

Serve at the Trenton Area Soup kitchen

on

Thursday, February 23rd – LUNCH

Thursday, April 12th – LUNCH

Thursday, June 22nd - DINNER

Thursday, September 21st – LUNCH

Tuesday, December 12th - LUNCH

PLEASE MARK YOUR CALENDARS NOW!

***Lunch service requires us to be present from 10:10 am to 12:50 pm.
Dinner service requires us to be present from 3:15 pm to 5:00 pm.**

**We can car pool over from MCPO Lamberton Rd. office or parking is
available on the street. Escher St. is located behind the
Trenton Police Station.**

For more information, please contact either:

**Stacey Geurds – sgeurds@mercercounty.org (609) 989-6325
or Robin Echevarria – robinech5@verizon.net (609) 509-6389**

Thank you.

FAMILY BENCH BAR

January 2017

Louis M. Ragone, Esq.

Our January 19, 2017 Bench Bar meeting tackled two confusing topics frustrating family law practitioners across the state: the new fees in the Family Division and the new statute regarding the termination of child support N.J.S.A. 2A:17-56.67.

The meeting was kicked off by a robust explanation of the new fees in the Family Part by the Clerk of the Superior Court, Michelle M. Smith, Esq. Ms. Smith's presentation included clarification of when the Court will now require a filed Substitution of Attorney or a Notice of Appearance with their requisite fees, and how these fees come into play with the "45 day rule" (Rule 1:11-3).

Ms. Smith also indicated that we should expect significant changes to the "45 day rule" this year.

Judge Fitzpatrick then provided a comprehensive presentation on the changes to the Child Support statute provided for by N.J.S.A. 2A:17-56.67, which becomes effective on February 2, 2017. The new statute will terminate child support and the parental obligation to provide health care coverage for children who have reached the age of 19 unless there is another date specified in a court order, a written request to extend the obligation is submitted in accordance with the statute (because the child is still a high school student, is a full-time post-secondary education student, is disabled, or is in an out-of-home placement through the DCP&P).

Even if there is "continuance of child support" (new term) due to one or more of the reasons in the statute, all child support ends at the child's 23rd birthday. If financial support is court-ordered to be paid after age 23, it will be termed "financial maintenance." Notably, "financial maintenance" is NOT child support and will not be monitored or enforced by Probation (with the exception of arrears). In any case, Probation will not collect child support for a child over the age of 23. Arrears will still be collected as long as a balance exists.

Probation is required to provide both parents with written notices of the automatic termination of child support at age 19 (or 23 as applicable). The custodial parent must then submit a written request seeking "continuation" of child support; otherwise, child support is terminated.

While the statute does substantially change the landscape in this area, it does not prevent (a) a custodial parent from requesting child support beyond age 19; (b) both parents from consenting to a specific termination date or other financial arrangements for the child (subject to court approval); or (c) a non-custodial parent from filing an application to terminate child support prior to age 19 for good cause.

In addition to some great information and hand-outs, MCBA members who attended and had paid their dues by 1/19/17 also received one (1) free CLE credit.

A special thank you to Judge Fitzpatrick and Michelle Smith, Esq. for their time and participation!

The 2017 Mental Health Professionals Meet & Greet planning is underway. If you know of any experts you would like to add to the invite list, please contact Jenn Zoschak, Lou Ragone or the Mercer County Bar Association.

Mercer County Bar Association Lawyers Care

As you know, the Mercer County Bar Association holds a free monthly Lawyers Care program at Mercer County Connection every second Thursday of the month.

MCBA Lawyers volunteer their time from 5:30pm - 7:00pm to provide 15 minutes of free legal advice to residents of the community.

We are in desperate need of lawyers for this program. If you would like to volunteer, please contact the Mercer County Bar Association at 609-585-6200. The schedule for the remainder of 2017 is below.

Mercer County Connection
Hamilton Square Shopping Center
Highway 33 at Paxson Avenue
Hamilton, NJ

March 9, 2017
April 13, 2017
May 11, 2017
June 8, 2017
July 13, 2017

August 10, 2017
September 14, 2017
October 12, 2017
November 9, 2017
December 14, 2017

Congratulations To Our Partner

**2017 President of the
Mercer County Bar Association**



Robert E. Lytle, Esq.

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ATTENTION!

We are searching for the attorney who handled the true and final will and testament of the late Lucile Alexander born in 1928, who resided at 311 Merrick Rd., Robbinsville, NJ after the year 2006. If you have any information please contact us at thetrueheirsofL.Alexander@gmail.com or call 609-540-0316. Michael Alexander black_sheep_films@yahoo.com.

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MCBA Community Projects Committee

Committee Co-Chairs Robin Echevarria & Stacey Geurds

*On December 13, 2016 the Community Projects Committee, along with many volunteers, assisted with serving meals at **TASK** for their Holiday Luncheon. It was a wonderful time for all with the Holiday Express Band playing music. Thanks go to the following for making the luncheon a success:*

*Kristy Bruce, Leslie Chappo, Melissa Chimbangu,
Jennifer Eugene, Robert Lytle, Christopher Malikschmitt,
Laura Sunyak & Timothy Trainor*





NEW JERSEY STATE BAR ASSOCIATION

Judicial & Prosecutorial Appointments Committee

To: All MCBA Members

*As you know, each county in the State of New Jersey has an appointed representative on the **New Jersey State Bar Association Judicial & Prosecutorial Appointments Committee. ("JPAC")**.*

Appointments to the State JPAC are the prerogative of the NJSBA President and are made with input and recommendations from each County Bar Association.

The current term for the MCBA representative to the State JPAC will expire in May 2017. The NJSBA has requested that we provide it with 3 recommendations from the MCBA from which a State JPAC representative for Mercer County will be chosen.

*If you would like to be considered for this position, please email Mercer County Bar Association Executive Director, Joan Parzel at jparzel@mercerbar.com no later than **Wednesday, February 22, 2017**.*

Interested members should include their resume, along with a cover letter explaining their areas of practice, qualifications for the State JPAC and the extent of their involvement in the State and/or County Bar Association(s).

Some important information to consider:

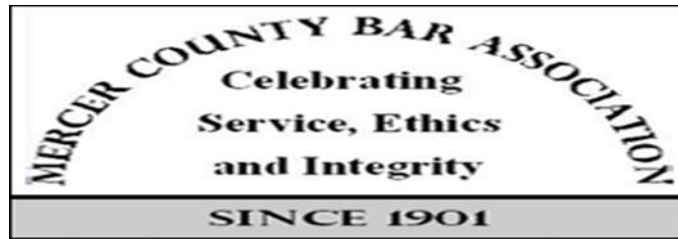
- ~ The person appointed to this position should have a high degree of integrity and should be prepared to devote a substantial amount of time to this Committee's work as assigned by the Governor's office.*
- ~ The Governor will not appoint to judicial or prosecutorial office anyone who has participated as a member in any capacity on the JPAC within the preceding 12 months.*

MCBA Community Projects Committee Coat Drive

On December 16, 2016
Committee Chairs Robin Echevarria &
Stacey Geurds delivered many bags of
coats and socks to the
Mt. Carmel Guild.
The Guild was very grateful
for the donation.

Many thanks to all of you who
participated and donated coats for those
in need.





MERCER COUNTY BAR ASSOCIATION COMMUNITY EVENTS COMMITTEE

*Invites the Members of the Bar
to*

Deliver Lunch for Meals on Wheels of Mercer County

*Tuesday, March 21st
Wednesday, May 17th
Wednesday, August 23th
Tuesday, November 14th*

Meals on Wheels delivers hot, nutritious meals Monday-Friday to the elderly and homebound in the Trenton/Ewing Region. Volunteers are the heart of this operation!

We meet at ARC at 180 Ewingville Road in Ewing at 10:30am. We can serve as drivers or “runners” – “runners” deliver the meals to each recipient’s door. No need to worry, we are paired with an experienced volunteer. We should be back by NOON.

More info at www.MOWTE.org.



For more information, please contact either:

Stacey Geurds – sgeurds@mercercounty.org (609) 989-6325
or Robin Echevarria – robinech5@verizon.net (609) 509-6389

Thank you.

Holiday Party December 7, 2016





General Membership Meeting & Installation Dinner January 19, 2017

*Congratulations
Robert E. Lytle, Esq.
on your installation as MCBA President!*





Congratulations to the 2017 Officers:

*Angelo J. Onofri - President-Elect
Brian J. Duff, Vice President
James L. Creegan, Treasurer
Tanya L. Phillips, Secretary*

Congratulations to the 2019 Trustees:

*T. Sandburg Durst
Andrew Ferencevych
Katie Mae Magee
Thomas Onder
Samuel Toma*



*General Membership Meeting & Installation Dinner
January 19, 2017*



*Thank you to our outgoing Trustees
Robert F. Casey & Michael Kahme
for their years of service.*

Calendar

<i>February 9, 2017</i>	<i>Lawyers Care - Mercer County Connection</i>
<i>March 7, 2017</i>	<i>Trustees Meeting - Malaga Restaurant</i>
<i>March 9, 2017</i>	<i>Lawyers Care - Mercer County Connection</i>
<i>March 9, 2017</i>	<i>Municipal Bench Bar - Ewing Municipal Court</i>
<i>March 15, 2017</i>	<i>Estate/Probate/Chancery Meeting - MCBA Office</i>
<i>March 16, 2017</i>	<i>Family Bench Bar - Judge Fitzpatrick's Courtroom</i>
<i>April 4, 2017</i>	<i>Trustees Meeting - Yardley Inn</i>
<i>April 13, 2017</i>	<i>Lawyers Care - Mercer County Connection</i>
<i>April 19, 2017</i>	<i>Estate/Probate/Chancery Meeting - MCBA Office</i>

Mercer County Bar Association
Lawyer Referral Service

MCBA Lawyer Referral Service needs attorneys who focus on *any* of the following categories: DYFS, Immigration, Landlord/Tenant, Entitlements, Small Claims/Special Civil, Civil Rights/Discrimination, Civil Litigation, Administrative Law and Board of Education. We are also seeking Spanish-speaking attorneys in all practice areas.



New Members

Alex J. Fajardo, Esq.

Pellettieri Rabstein & Altman
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609-520-0900
609-452-8796 fax

Amber L. Forrester, Esq.

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Christina Manuelli, Esq.

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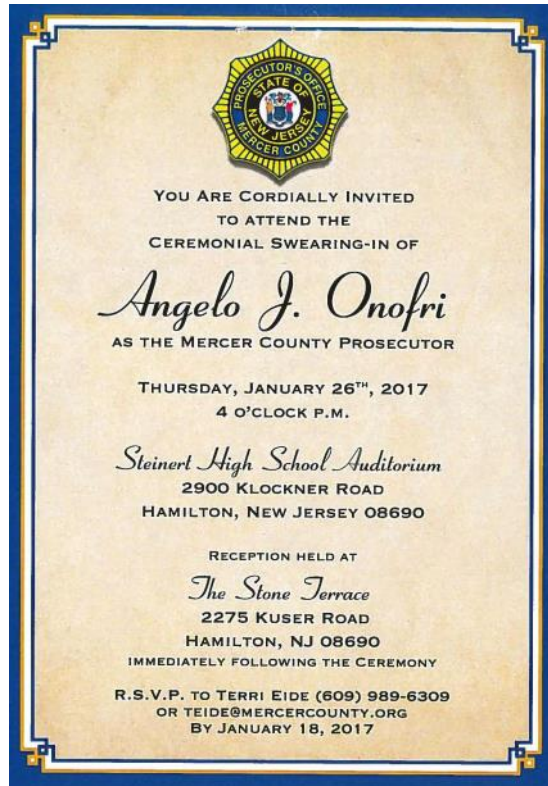
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609-448-2588 Fax
- 2) 150 Airport Road
PO Box 3017
Lakewood, NJ 08701
732-363-0777
732-905-6555 fax



*Congratulations to the
Mercer County Bar Association's
President - Elect*

Angelo J. Onofri

*on his appointment as
Mercer County Prosecutor!*



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***Thank you for your continued support of
the Mercer County Bar Association.***