

# LAWYERS ADVISORY COMMITTEE

## MINUTES – JUNE 14, 2021

The Lawyers Advisory Committee met **via Zoom**, due to the ongoing COVID-19 pandemic. The meeting was convened by Chair Thomas R. Curtin at 6:00 p.m., and the following occurred:

1. The Chair invited a motion to approve the minutes of the March 1, 2021 meeting. The motion was made and seconded, and the minutes were approved.
2. Chief Judge Freda L. Wolfson's Report:

After expressing her sincere gratitude to the Committee members, the Chief Judge commented as follows:

The Court is hopeful that under the new Biden administration, nominations will be made soon to complete the filling of our six vacant district judgeships, possibly by the next LAC meeting.

Julien Neals and Magistrate Judge Zahid Quraishi are awaiting President Biden's signature of their "Commissions" to sit as Article III Judges. Chief Judge reported that Julien Neals will sit in Newark and Judge Quraishi, in Trenton, and Judge Martinotti will move to Newark.

Christine O'Hern is awaiting her hearing before the Judicial Committee and it is hoped that Magistrate Judge Williams' hearing will occur before the summer recess. There are two district judgeship vacancies remaining for which there have been no nominations.

There will soon be two magistrate judgeship vacancies – one in Trenton, due to Judge Quraishi's elevation to district judge, and one in Newark, after Magistrate Judge Falk retires at the end of September.

Jury trials started up again on June 1, and the Chief Judge selected a jury for an eight-day criminal trial. Judge Kugler also selected a jury for a criminal trial in Camden.

Chief Judge Wolfson complimented the Clerk's Office for stepping up and assisting with the criminal jury selections. COVID-19 restrictions caused many logistical issues, such as the need to use multiple courtrooms and to enlist many Clerk's Office employees to assist.

The Chief Judge welcomed Magistrate Judge Matthew Skahill and Magistrate Judge Sharon King, both newly appointed to Camden.

3. Acting U.S. Attorney Rachael Honig provided her report. Her office is pleased that criminal trials are starting this month. Due to COVID, the DOJ is limiting staffing of the U.S. Attorney's Office to 25%, with exceptions necessary for trial preparation, etc.

Assistant Federal Public Defender, Anthony Thomas reported that his office is continually addressing compassionate release motions and taking steps with Essex and Hudson County jails to ensure safer communication with clients.

4. Jeffrey Greenbaum proposed an amendment to L.Civ.R. 15.1(b), requiring that a red-line version of a proposed amended complaint, along with a clean copy, be submitted for filing with the motion. The Chair directed that the discussion be continued at the next meeting, and upon his request, a subcommittee was formed, with Jeffrey Greenbaum and Peter Pearlman as Co-Chairs, and Lisa Rodriguez, Arnie Calmann, Magistrate Judges Goodman and Wettre as members.
5. Professor Edward Harnett reported on pending Amendments to the Federal Rules – effective December 1, 2021 and 2022. Harnett specifically commented that Rule 7.1 deals with whether a party can claim diversity jurisdiction due to a partnership or LLC; and the proposed amendments of the rules on Social Security litigation recognize that the current rules do not work well because Social Security cases are appeals based on a fixed record.
6. William Mentlik proposed an amendment to L.Civ.R. 5.3(c)(7), regarding motions to seal. After discussion, the Committee decided the proposed amendment was moot, in light of the recent amendment of L.Civ.R. 5.3.
7. Kerri Chewning announced that the 44<sup>th</sup> William J. Brennan, Jr. Award will be presented to the Hon. Patty Shwartz, Third Circuit Judge, on September 22, 2021, at Forsgate Country Club.
8. There being no further business, a motion to adjourn was made and seconded. The meeting was adjourned at 7:15 p.m.

Respectfully submitted,

John T. O'Brien