

LAWYERS ADVISORY COMMITTEE

MINUTES – DECEMBER 7, 2020

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 September 8, 2020 meeting. The motion was made and seconded, and the minutes were approved.
2. Thomas Curtin introduced New Jersey's Attorney General, Gurbir Grewal, who reported on New Jersey's collaboration with federal partners on the following initiatives: 1) addressing the second wave of COVID-19, about which Chief Judge Wolfson commented on the spirit of cooperation with the State of New Jersey, in light of the request by the Administrative Office of the U.S. Courts that the federal judiciary work with the States on vaccine distribution to the federal judiciary; 2) addressing New Jersey's peaceful protests during 2020; and 3) addressing the safety of judicial officers. Governor Murphy signed "Daniel's Law," named in honor of Judge Salas' son. General Grewal is working with other AGs nationwide to pass legislation similar to Daniel's Law.

Thomas Curtin introduced U.S. Attorney Craig Carpenito, who gave his final, outgoing remarks to the LAC. Mr. Carpenito expressed his pride in the U.S. Attorney's Office's accomplishments in the areas of public safety and many others. He was appreciative to the Court for allowing Grand Juries to reconvene, which enabled the return of indictments and the filing of informations.

Chief Judge Wolfson and Chair Thomas Curtin thanked U.S. Attorney Carpenito for his loyal service to the District of New Jersey.

3. 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 fill the six vacant district judgeships;

The Judicial Conference of the United States has approved funding for an additional Magistrate Judge position for the Camden vicinage, effective April 1, 2021, bringing the total to four. There will, however, be only two Magistrate Judges serving in Camden, after Judge Joel Schneider's retirement on January 15, 2021, pending his successor assuming the duties. The Chief Judge and LAC acknowledged Judge Schneider's years of dedication and hard work, and in particular, his consistent contribution to the Lawyers' Advisory Committee, and remain hopeful that he will continue to contribute to the LAC;

Newark has selected two candidates to replace Magistrate Judges Mannion and Dickson, and Camden has chosen two candidates to replace Magistrate Judge Schneider and to fill the new, additional Magistrate Judge position;

The Board of Judges approved the amendments to L. Civ. R. 104.1, governing attorney discipline, which has spiked in the last two years, and the proposed amendments will be published for comment; and

Several Standing Orders/Extensions thereof, related to the pandemic, will soon be entered, allowing judges to conduct virtual court proceedings, and continuing jury trials/extending excluded time under the Speedy Trial Act.

Finally, Chief Judge Wolfson wished all wonderful holidays.

4. Steve Richman reported on the subcommittee's continuing study of the issue of disclosure to adversaries of third-party funding. Richman commented that the ABA passed a "Best Practices" to follow on this topic, but it purposely did not address the issue of disclosure of the entity funding the litigation. The Subcommittee reviewed other courts' local rules.
 - o After discussing whether the proposed DNJ local rule should be part of L. Civ. R. 7.1, and whether it was consistent with the ABA rule, the LAC voted in favor of making it its own rule, separate and apart from L. Civ. R. 7.1.
 - o Thomas Curtin requested that the subcommittee consider comments raised by the LAC and that any supplemental comments be submitted at the next LAC meeting, so that Chief Judge Wolfson can present the proposed amendment to the Board of Judges at its March meeting.
5. Ed Kole reported that the Association of the Federal Bar made a \$100,000 donation to the Daniel Anderl Memorial Scholarship, created in honor of Judge Salas' son, Daniel.

Edward Kole reported on behalf of the subcommittee studying whether L. Civ. R. 33.1 (Interrogatories) should be amended to follow SDNY Local Rule 33.3, which restricts/limits interrogatories. The subcommittee will continue discussing via Zoom and report its findings at the next LAC meeting.

6. There being no further business, a motion to adjourn was made and seconded. The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

John T. O'Brien