

LAWYERS ADVISORY COMMITTEE

MINUTES – JUNE 6, 2022

The Lawyers Advisory Committee (LAC) met at the Park Chateau, where the meeting was convened by Chair, Thomas R. Curtin at 6:00 p.m., and the following occurred:

1. The Chair asked members to introduce themselves. Following introductions, Matthew Platkin, Acting Attorney General, gave a brief overview of his Office's new leadership team.
2. The Chair invited a motion to approve the minutes of the March 7, 2022 meeting. The motion was made and seconded and the minutes were approved.
3. Chief Judge Freda L. Wolfson's Report:

The Court welcomes District Judge Georgette Castner who sits in Trenton and looks forward to welcoming Newark District Judge Evelyn Padin who has received full senate confirmation, but must close down her law practice prior to the signing of her Commission. Chief Judge Wolfson remarked this would be the first time there has been a full complement of Judges on the bench since 2013, although with Judge Noel Hillman taking senior status on April 4th, another vacancy exists.

Chief Judge Wolfson announced Judge Julien Neals' formal investiture ceremony is scheduled for June 10th and Judge Zahid Quraishi's formal investiture ceremony is scheduled for June 17th, to be held in the Newark and Trenton courthouses, respectively.

Chief Judge Wolfson announced Senior District Judge Anne Thompson took inactive status effective May 20th.

The Court also welcomes Magistrate Judge Elizabeth Pascal who sits in the Camden vicinage and was sworn-in today.

Chief Judge Wolfson announced approval was received to backfill part-time Magistrate Judge Anthony Mautone at a level 1 salary, which is the highest level. An announcement soliciting applications will be posted shortly. While the vacancy exists, the other full-time Magistrate Judges have been covering enclave court which is greatly appreciated.

Chief Judge Wolfson indicated Magistrate Judge Lois Goodman announced her retirement and we are currently awaiting approval to post for her April 1, 2023 vacancy.

Chief Judge Wolfson announced Rich Coughlin, FPD, is retiring in July and his named backfill is currently undergoing a background check.

Courthouse COVID protocols remain in effect for now. Currently, masks are required in public areas in Camden and Trenton due to the designation of high status.

4. Chief Judge Michael Chagares' Report:

Chief Judge Chagares announced 3rd Circuit Judge Robert Cowen took senior inactive status.

Chief Judge Chagares made several announcements of upcoming events including oral argument scheduled in Newark on June 14th at 1 p.m. Attendees were encouraged to send associates and law clerks. He indicated another oral argument will be scheduled in November. He also announced the 3rd Circuit Judicial Conference will be held in Philadelphia (Penn's Landing) May 10 – 12, 2023.

A mandatory mask mandate was re-implemented in the Philadelphia courthouse and the courthouse in the U.S. Virgin Islands is currently closed due to an uptick in COVID cases.

Chief Judge Chagares announced one nominee has been named for a 3rd Circuit vacancy and two other vacancies remain (Del. & Pa.) with no nominees named.

Chief Judge Chagares remarked on the April 4th walking tour of Newark led by Rob Steinbaum of Rutgers University. The tour is held every year and he encouraged everyone to attend.

At the suggestion of the 3rd Circuit Bar Association, 3rd Circuit pens will be given out at oral argument. Chief Judge Chagares noted that new attorneys need to gain experience so brief writers are encouraged to attend oral arguments, not just senior partners.

The Court's Community and Rule of Law Committee hosted an essay contest for 5th and 6th graders. Over 200 essays were submitted and ceremonies will take place in District of New Jersey courthouses to be presided over as follows: Magistrate Judge King (Camden); Magistrate Judge Espinosa (Newark) and District Judge Quraishi (Trenton.) The Law Journal will cover the events with students, parents and teachers in attendance.

A question was posed about establishing an Inn of Court with a focus on appellate argument. Chief Judge Chagares indicated he was unaware, but was interested in the concept.

5. Tom Curtain acknowledged Chief Judge Wolfson's remark about Judge Thompson and indicated the LAC and members of the bar owe her a debt of gratitude and thank you for her dedication to the community, State and profession.
6. U.S. Attorney Philip Sellinger provided his report. He announced his leadership team is now in place with 18 women and lawyers of diverse background, along with 20 new Assistant U.S. Attorneys, also with an emphasis on diversity, particularly woman. Hiring remains ongoing, particularly in the civil division and asked members to send candidates.

He also discussed gun violence from a law enforcement perspective and made the following observations: 1. gun violence is up in epidemic proportions. While it was decreasing, there was a marked uptick during the pandemic; 2. levels are lower in NJ cities compared to other major cities including NY and Philadelphia. Neighboring states are being monitored closely; 3. in addition to gun violence, there has been an uptick in stolen cars and drug related crimes; 4. we are approaching the time of year when there generally is an uptick in violent crimes; 5. the violent crimes initiative in NJ, working in close collaboration with federal agencies, is a model for the rest of the country.

7. Assistant Federal Public Defender, K. Anthony Thomas thanked Chief Judge Wolfson for her announcement about the backfill for Magistrate Judge Mautone and indicated it is helpful to have hearings centralized in one, focused location. He likewise announced his office is hiring and asked members to recommend experienced applicants.
8. A discussion ensued about amending Local Rule 26.1 to remove discovery plans from the wording to allow for joint discovery plans to be filed in ECF. After hearing from LAC members on the topic, Chief Judge Wolfson asked that the matter be discussed at an upcoming Magistrate Judge meeting and formed a subcommittee to analyze and present recommendations with a target date of September. Attorney members include: Beth Sher, Keith Miller, Kerrie Chewning, Victor Afanador, and Charlie Lizza in consultation with Magistrate Judges.
9. LAC member, Peter Pearlman, proposed an amendment to L. Civ R. 7.1 to legitimize and standardize the submission of supplemental authorities, mirroring a federal appellate rule. After hearing from LAC members on the topic, Chief Judge Wolfson favored the amendment and requested a write-up to present to the Board of Judges at their June meeting.
10. LAC member, Justin Quinn, proposed the creation of a Local Rule analogous to State Court Rule 4:18-2 expressly requiring a party to provide a document referenced in pleadings after receiving a formal demand. Tom Curtin presented the proposal which was approved and suggested the wording of the state court rule be utilized although if anyone has tweaks to the wording, submit comments to Justin Quinn.
11. LAC member, Steven Richman, inquired if the litigation funding requirement rule applies to bankruptcy court. After hearing from LAC members on the topic, Chief Judge Wolfson asked that the Magistrate Judges discuss at their upcoming meeting in conjunction with the discussion on the joint discovery plan issue and suggested that if a new discovery plan form is created, the funding requirement might be incorporated as well.
12. In closing, the next meeting date was announced as September 7, 2022.

Respectfully submitted,

Melissa E. Rhoads