

NJSBA eyes the expansion of Legal Edge reduced fee referral tool in more N.J. counties, affinity bars

In an effort to help ensure the doors of the state's courthouses remain open to all, the New Jersey State Bar Association is seeking to expand the use of its Legal Edge reduced fee referral tool following a success in the Morris/Sussex County vicinage. There the software helped connect hundreds of unrepresented clients with attorneys willing to work at a reduced rate.

Since the Morris-Sussex Reduced Fee Referral Program became the first organization to integrate Legal Edge software last year, more than 300 people—who otherwise would have likely represented themselves in court—were matched with counsel, according to NJSBA Trustee and past president of the Morris County Bar Association, Jennifer K. McAndrew

Vuotto, who co-chairs the referral program. Though the sample size is small, Legal Edge's online portal has been a boon in the vicinage and could serve as a blueprint for other county and affinity bar associations to match people who cannot afford traditional rates for attorneys with lawyers willing to accept reduced fees, she said.

"In the time since it launched, 300 people have had their matters handled by an attorney; 300 people have appeared before a judge with an attorney by their side rather than being self-represented, and many attorneys have received a fee for their work as a result," NJSBA President Jeralyn L. Lawrence said.

Lawrence has reached out to bar

leaders around the state touting the program as a way to expand access to justice and urging other bar groups to learn more about the program.

The NJSBA developed the software as a free alternative to for-profit online legal service providers, which are not bound by ethics rules and do not always provide direct representation to clients. The goal was to help alleviate the pressure the courts face in handling an unprecedented number of *pro se* litigants who are just above the threshold to qualify for free legal services. The result has benefitted all parties in the Morris and Sussex justice system, including litigants, attorneys and the courts, McAndrew Vuotto said.

Many attorneys were initially wary

of the idea for Legal Edge software, fearing it would interfere with established attorney referral programs, Lawrence said in her letter to her group. But the success in Morris County proved the software can complement and expand referral programs, generate revenue, address the access to justice gap, increase attorney caseloads and thwart the encroachment of online legal services in the profession.

"We can match litigants with attorneys, allow counsel the opportunity to earn a fee and give the court the benefit of having two attorneys on a case where one party would otherwise be unrepresented. This type of program can address all of those needs," McAndrew Vuotto said. ■

NJSBA argues before state Supreme Court in marijuana expungement case



Michael B. Roberts, of Roberts & Teeter LLC, and chair of the Criminal Law Section, delivered the New Jersey State Bar Association's *amicus* position in *State v. Gomes* last week. The state Supreme Court case considers whether a defendant, who had a marijuana offense expunged, should be eligible for a pretrial intervention program (PTI) or conditional discharge. The NJSBA has argued that cannabis offenses should not be a bar for future PTI under CREAMMA, a state marijuana reform law that wiped away criminal records for certain charges. ■

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Information in The Bar Report is compiled by the New Jersey State Bar Association, which welcomes tips and story ideas from its readers and members. Contact Tom Nobile at tnobile@njsba.com or 732-937-7527.

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NJSBA-monitored bills advance to governor

Several bills the New Jersey State Bar Association (NJSBA) has been monitoring advanced to the governor's office. Here is an update on the purpose and status of the bills:

A3707 (Coughlin)/S2395 (Scutari)— New Jersey Task Force on Child Abuse and Neglect

The governor signed into law a bill that implements a court order to end the federal oversight of New Jersey's child welfare system. The bill expands the role of the Staffing and Oversight Review Subcommittee of the New Jersey Task Force on Child Abuse and Neglect to serve in the review capacity that the federal monitor currently performs. The NJSBA supported the bill with an amendment to create a dedicated NJSBA seat.

Though the bill was not amended to provide a specific designation for an NJSBA member, it includes designated seats for attorneys engaged in the representation of parents in child protection matters, the indigent and of children in out-of-home placement. In addition, the new law creates funding for the committee to hire independent, contracted staff or other resources to meet the responsibilities. Finally, the bill fixes average daily caseloads of child protection workers and implements measures to enforce this standard.

A1357 (Mosquera)/S1034 (Vitale)— New Jersey Siblings' Bill of Rights

This bill establishes the New Jersey Siblings' Bill of Rights, which provides rights for siblings who have been placed in a resource family or a congregate care setting. The NJSBA supported the bill with amendments to



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permit siblings to be notified of permanency hearings of other siblings and be given an opportunity to attend the hearing and provide their recommendations to a judge. This would put the siblings in the same position as resource parents, who currently can do this.

In addition to other protections, the bill would clarify that a child in an out-of-home placement has the right to participate in permanency planning decisions of the child's siblings, whenever appropriate; invite any other siblings of the sibling who is the subject of the permanency planning to participate in the permanency planning decision; and have the recommendations of the child and of each sibling who participates in the permanency

planning decision documented in the case record of the Division of Child Protection and Permanency and provided to the court either in words written or otherwise expressed by the sibling. The bill awaits the governor's signature.

A4768 (Quijano)/S3162 (Cryan)— Millville Dallas Airmotive Plant Job Loss Notification Act

The governor has not yet signed this one-sentence-long bill, which would implement advance notification and severance pay in cases of mass layoffs—otherwise known as the Worker Adjustment and Retraining Notification (WARN) Act. If signed, the bill would implement these protections 90 days following the signing of the bill rather than 90 days following termination of Executive Order 103. The amendment would reinstate the WARN Act, which was enacted by Gov. Phil Murphy in January 2020, but was held in the wake of the pandemic. The NJSBA took no position on the bill, but monitored it based on its impact on

the practice of law. The governor may sign the bill earlier or it will automatically become law by Feb. 2.

A2527 (Murphy)/S1388 (Singer)— Military Pro Bono Program

This bill would provide *pro bono* legal representation to active-duty members of the armed forces, reserve components, members of the National Guard and veterans. The program would be housed in the New Jersey Department of Military and Veterans Affairs and offer *pro bono* legal representation in various areas of the law including civil, family, estate planning, employment, immigration, debtor-creditor and military administrative matters. The NJSBA did not take a position on this bill but monitored it on behalf of its Military Law and Veterans Affairs Section. The bill awaits the governor's signature. Murphy may sign the bill earlier or it will automatically become law by Feb. 2.

This is a status report provided by the New Jersey State Bar Association on recently passed and pending legislation, regulations, gubernatorial nominations and/or appointments of interest to lawyers, as well as the involvement of the NJSBA as amicus in appellate court matters. To learn more, visit njsba.com.

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FREE registration for NJSBA members

Speaker: Jeffrey R. Schoenberger, Esq.
Senior Consultant, Affinity Consulting