

PRESIDENT'S PERSPECTIVE

TIMOTHY F. MCGOUGHAN

Making Strides in Mental Health Support



When I took the oath as president of the New Jersey State Bar Association in May, I pledged to focus this year on the most basic tenets of the Association's mission—boosting membership, promoting member benefits and furthering our advocacy on

issues that matter to lawyers. When we strive to improve the lives of NJSBA members, our clients, the legal profession and society are better served. Three months into my tenure, I am pleased to report great progress toward these goals, especially for legal professionals and those in the justice system who struggle with a mental health disorder.

To stem the decline in mental health and wellness among New Jersey's legal practitioners, the NJSBA has partnered with Charles Nechtem Associates—a well-respected mental health resource provider—to launch the Member Assistance Program (MAP). The new benefit provides 24/7 access to trained, experienced mental health professionals and resources. Whether by phone, text or mobile access, members can reach a mental health professional with at least seven years of experience, who will provide individual counseling and connect members with a wellness library of more than 25,000 self-help resources. The program is now available to all NJSBA members and those in their households.

MAP offers up to three free face-to-face counseling sessions, as well as unlimited phone, text and email support. As part of the service, if further counseling or treatment is needed, referrals are made to providers within the client's insurance network or to providers who will take reduced fees if the client is uninsured.

The inspiration for this expansive and indispensable benefit sprung from the Association's review of the New Jersey

Lawyers Assistance Program and the NJSBA's Putting Lawyers First Task Force report that uncovered high rates of stress, burnout, suicidal ideations, anxiety and depression among the state's legal practitioners. Above all, MAP represents an investment in the health and well-being of our members, many of whom face barriers in accessing mental health care and the prospect of long wait times for an appointment or out-of-pocket expenses for treatment. I encourage all members in need, and those in their households, to avail themselves of the program and spread the word.

As NJSBA president, my signature project is an ad hoc committee to study and help expand mental health diversionary programs across the state. Thanks in part to the Association's lobbying efforts, the state Legislature passed a bill in June to do just that. Senate Bill S524/A1700, sponsored by Sen. Teresa Ruiz and Assemblywoman Annette Quijano, provides funding to expand court-based mental health diversion programs to three additional Superior Court vicinages in New Jersey, with the ultimate goal to have these programs in every vicinage in the state. These programs function much like a drug recovery court, offering a process for some nonviolent offenders with mental health disorders to avoid jail time and have their charges expunged if they graduate from a treatment program. This is not a "get out of jail free card" as some have opined. Through every step of treatment, eligible offenders are monitored by a mental health team that includes the judge, prosecutor, public defender and mental health professionals. The judge presides over all the participant's appearances and regular meetings of the diversion team. And those who do not comply with treatment are terminated from the program and proceed with the criminal matter.

I had the pleasure of testifying in support of this bill. In my 23 years of public service as a municipal judge and prosecutor, I have witnessed the plight of those facing charges that are directly related to their mental health. For many offenders in

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growth through development can feasibly be achieved. Indeed, it controls whether residents can seek protection from overt and/or hidden discriminatory practices.

This issue attempts to explore the far-reaching effects that land use has in this state with contributions from key land use lawyers addressing the following topics:

- Jennifer Phillips Smith and Bisola Taiwo analyze the Inland Flood Protection Rule, which was recently adopted by the Department of Environmental Protection and became effective in July 2023.
- Jennifer Mazawey and Thomas Garlick explore the intersections of the

Municipal Land Use Law and Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act to answer the question, “Are Cannabis Uses Eligible for Use and Conditional Use Variances?”

- Demetrice R. Miles and Thomas J. Trautner Jr. discuss development fees to fund COAH and analyze recent tax decisions interpreting the calculation of these fees.
- Dennis M. Galvin and Amanda C. Wolfe address best practices with resolution compliance and conditions of approvals.
- Lawrence Cutalo discusses the Supreme Court’s recent decision in *Malanga v. Township of West Orange*, which considered the Local Redevel-

opment and Housing Law and provided a stern warning to municipalities when designating properties in need of redevelopment.

- Donna M. Jennings and Sarah Kennelly explore the power of RLUIPA to eviscerate discriminatory land use practices on religious institutions.
- And last, William L. Horner analyzes the Special Occasions Events Law, which, when followed properly, can be a great source of revenue to commercial farms without negatively impacting surrounding communities.

We are confident this issue will be a useful resource for New Jersey practitioners for years to come. ■

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the current system, there is no mechanism to diagnose or impose treatment for mental health and end the cycle of arrests these defendants face. Senate Bill S524/A1700 is a much-needed step in the right direction, and as we await the governor’s signature, we know there is more work to be done. As legal professionals, lawmakers and taxpaying residents of New Jersey, it is our duty to ensure non-violent defendants with mental health disorders have a chance at rehabilitation and redemption. That opportunity won’t come until every courthouse in the state supports a mental health diversionary program.

Honoring a Devoted Public Servant

On a sad note, less than two weeks after my installation, New Jersey’s legal

community suffered the terrible and sudden loss of Superior Court Assignment Judge Lisa Thornton. Judge Thornton was a devoted public servant who passed away unexpectedly in May. A trailblazer in the legal community as the state’s first Black female assignment judge, she led with integrity, passion, heart, and created a lasting positive impact on society.

I knew Judge Thornton since she was a Municipal Court Judge in Neptune. Throughout my career, as both a municipal court judge and Monmouth Bar Association president, she was a go-to person in my life for insightful guidance and gentle help or direction. Judge Thornton led by example with a tremendous work ethic. She was strong and serious when necessary, but she also had an infectious laugh, warm sense of humor and ever-present smile.

New Jersey Supreme Court Chief Justice Stuart Rabner noted upon her pass-

ing that “Lisa Thornton was more than a gifted judge, inspiring trailblazer, and natural leader. She was brilliant and plain spoken, insightful and honest, direct and witty, and a selfless friend. Judge Thornton also cared deeply about making this a better world through her words and deeds. Her sudden passing is a loss to the Judiciary and to humanity.”

As a tribute to the late judge, the New Jersey State Bar Foundation has created a scholarship in her memory, intended to aid young women attorneys of color attending law school. I urge members to keep Judge Thornton’s legacy alive by donating to the scholarship on the Foundation’s website, njsbf.org.

As always if you have any concerns, thoughts, or ideas of how we at the NJSBA can help you or your practice give me a call at 732-660-7115 or send me an email at tmcgoughran@mcgoughran-law.com. ■