

# THE NJSBA DOCKET



January 31, 2025

## Hello friends,

Welcome to the latest issue of *The NJSBA Docket*, a bi-monthly bulletin with news from the legal community and Association highlights.

Be sure to check out the [calendar](#) for our lineup of educational offerings and networking opportunities. Here's a primer of what we have in store for the coming weeks, as well as the latest court notices from the Judiciary:



## The Docket is Available on LinkedIn

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## News and Notices from the Courts

- The state Supreme Court requests comments on a [report](#) from the Joint Working Group on Arbitration Rules and Procedures. Comments are due by Feb. 28.
- The Supreme Court Committee on Model Civil Jury Charges has approved new and revised [Model Civil Jury Charges](#) for the bar and trial courts.
- The Court invites [written comments](#) on the 2023–2025 reports from the following Rules Committees for this rules cycle—Criminal Practice Committee, Committee on Diversity, Inclusion, and Community Engagement, Family Practice Committee and Municipal Court Practice Committee. Comments must be submitted by March 21.
- As part of ongoing efforts in support of attorney well-being, the Court requests [comments](#) on strategies to help attorneys identify a successor and develop a succession plan. Comments are due by Feb. 21.
- The Judiciary announced [Kelly A. Dougherty](#) as the secretary for the District I Fee Arbitration Committee covering Atlantic, Cape May, Cumberland, and Salem counties.
- The Court announced that the Municipal Courts will continue to adhere to its [October 2022](#) order specifying which matters are conducted virtually and in person.
- Princeton University is seeking volunteers to judge the American Mock Trial Association's Regional Championship on Feb. 22–23. Those interested can respond [here](#).

## Supreme Court and Appellate Decisions

- [In the Matter of the Estate of Michael D. Jones, Deceased \(Camden County and Statewide\)](#)—The Court considered whether an ex-spouse's rights as the pay-on-death beneficiary of her deceased ex-husband's U.S. savings bonds were superseded by the parties' divorce.
- [Earneka Wiggins v. Hackensack Meridian Health \(Union County and Statewide\)](#)—The Court found that physicians with multiple specialties can submit an affidavit of merit if the treatment falls within one of those specialties.
- [Antonio Fuster v. Township of Chatham \(Morris County and Statewide\)](#)—A case involving access to a police officer's body-worn camera.
- [Linda B. Brehme v. Thomas Irwin \(Bergen County and Statewide\)](#)—The Court ruled that a plaintiff can still appeal after accepting a final judgment if it made the intent to appeal known prior to the judgement and prevailing on the appellate issue will not impact the final judgment other than to potentially increase it.
- [State v. Celestine Payne \(Passaic County and Statewide\)](#)—The Court considered whether the trial court abused its discretion in denying a woman's petition for release under the Compassionate Release Act.
- [Alex Rosetti vs. Ramapo-Indian Hills Regional High School Board of Education \(Bergen County and Statewide\)](#)—The appellate panel concluded that email logs on private servers are government records and disclosable under the Open Public Records Act.
- [N.A.R., Inc. vs. Eastern Outdoor Furnishings \(Passaic County and Statewide\)](#)—A case regarding the New Jersey Franchise Practices Act and whether the statute requires a written arrangement for parties to establish a franchise.
- [State of New Jersey vs. Stephanie Martinez \(Essex County and Statewide\)](#)—The appellate panel reaffirmed that self-defense, once found by a jury, can serve as a complete justification for murder, along with all manslaughter offenses charged or otherwise permitted for consideration as lesser-included offenses.
- [State of New Jersey vs. Jesus E. Reyes-Rodriguez \(Monmouth County and Statewide\)](#)—A case on the propriety of a bench warrant issued for a defendant's failure to appear in person for a pretrial conference, even though he appeared virtually at this conference and nearly all prior court hearings.
- [Anselmi & Decicco, Inc. vs. J. Fletcher Creamer & Son, Inc. \(Passaic County and Statewide\)](#)—A case on whether an archeologist, who is a subcontractor on a public works project, must be registered in accordance with the Public Works Contractor Registration Act.



## Solo and Small-Firm Conference Returns for 2025

Don't miss the [CLE event of the year](#) for solo and small-firm attorneys to network, have fun with colleagues and attend programs specially designed for the practice. This year's conference will include a Friday night session and Saturday kickoff program featuring distinguished New Jersey Appellate Division and trial court judges. Attendees can earn up to 9.2 credits, including 3.5 in ethics.



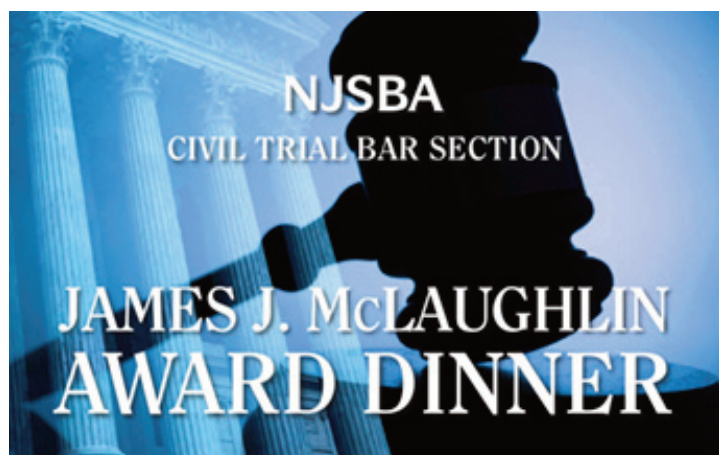
## Join MIPS to Celebrate Black History Month

The Minorities in the Profession Section of the NJSBA invites the legal community to celebrate Black History Month at a [free event](#) on Feb. 19. Experience this inspiring presentation of Black history with musical performances, a spotlight on artists and a keynote speaker to be announced. MIPS will also present scholarships to this year's Black History Month essay contest winners, who will share excerpts from their winning essays on artificial intelligence and racial justice.



## Make Plans to Join NJSBA Bowling Networking Tournament

The NJSBA's annual "Battle of the Bars" [bowling event](#) returns to Bowlero North Brunswick on Feb. 27. Make plans to join for a night of bowling, fierce competition, networking, food and much more.



## Distinguished Civil Practice Judges, Attorney Tapped for McLaughlin Awards

The deadline is approaching to register for the annual James J. McLaughlin Award [ceremony](#) on Feb. 11. Don't miss the chance to celebrate the highest standards of civility, legal competence and professionalism with the NJSBA's Civil Trial Bar Section. This year's awards will honor retired state Supreme Justice Faustino J. Fernandez-Vina, Michael G. Donahue, managing shareholder of Stark & Stark, and include a posthumous recognition of Monmouth County Assignment Judge Lisa P. Thornton.



## Look for NJSBA Proposed Bylaws Vote Information Monday

General NJSBA members are being asked to vote on proposed changes that seek to make the bylaws more precise, consistent and, most importantly, ensure the Association reflects the changing legal community and remains financially healthy to serve future generations of the profession for another 125 years. Voting information will be sent to all general members on Feb. 3. Ballots must be received no later than 5 p.m., Feb. 10, in order to be counted.

Whether you are a law student just starting out, a mid-career professional looking to reinvigorate your practice, or an experienced practitioner, the NJSBA has something for you. Join a powerful network of 16,000 legal professionals today. [Learn more here.](#)