THE NJSBA DOCKET

March 14, 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

Followers of the NJSBA's LinkedIn page can subscribe to receive *The NJSBA Docket* in their LinkedIn inbox at the end of every month. Subscribe today.

News and Notices from the Courts

- The U.S. Court of Appeals for the Second Circuit invites applications from qualified candidates for a 14-year appointment as U.S. Bankruptcy Judge in the Southern District of New York (Manhattan). Applications are due by March 21.
- The state Supreme Court implemented recommendations from the Professional Responsibility Rules Committee's 2018-2024 Report. The Court amended RPCs 1.5 and 8.4 regarding lawyer fees and discriminatory conduct, approved a two-year pilot program for the Attorney General to waive conflicts of interest in certain cases and decided against allowing lawyers to disclose confidential information in response to negative online reviews.
- The Court invited comments on an application for multicounty litigation involving exposure to Roundup products. Comments are due by April 11.
- The Court provided guidance on RPC 1.4 regarding arbitration clauses in attorney retainer agreements. The guidance, which includes a sample arbitration agreement, is in line with the NJSBA's recommendations to the Court to aid attorneys and clients in the retainer process.

Supreme Court and Appellate Decisions

- *Estate of Crystal Walcott Spill v. Jacob E. Markovitz, M.D.* (Bergen County and Statewide)—The Court ruled that an individual outside of New Jersey's jurisdiction is not a party under the Comparative Negligence Act, but may be a joint tortfeasor for purposes of seeking contribution under the Joint Tortfeasors Contribution Law.
- *In the Matter of R. Douglas Hoffman*—The Court removed a Mercer County municipal court judge from the bench for drinking with and sexually touching a court employee at his beach home.
- *Blackridge Realty, Inc. vs. The City of Long Branch, Et Al* (Monmouth County and Statewide)—Long Branch's amendment to its redevelopment plan was a lawfully-enacted alteration that did not amount to impermissible spot zoning, the appellate panel ruling.
- *Diane Voynick vs. Brian Voynick* (Morris County and Statewide)—A case on the termination or modification of permanent alimony after an obligor has retired.
- *C.E., Et. Al. vs. Elizabeth Public School District* (Union County and Statewide)—A case regarding the accrual of post-judgment interest for attorney fees.
- *S.V. vs. RWJ Barnabas Health, Inc., Et. Al.* (Ocean County and Statewide)—The plaintiff alleged that the hospital prematurely discharged her sister from psychiatric care. One day later, the sister crashed her car into a utility pole, injuring the plaintiff who was a passenger in the vehicle.
- *In Re Tom Malinowski, Petion for Nomination for General Election, Etc.* (New Jersey Division of Elections)—The appellate panel found that a state law barring candidates from being nominated by a political party through direct petition—when they have already accepted the primary or general election nomination of another political party for the same office—does not violate the New Jersey Constitution.
- *William J. Focazio, M.D., Et. Al. vs. Joseph S. Aboyoun, Esq., Et. Al.* (Passaic County and Statewide)—The appellate panel ruled that the plaintiff has standing in his legal malpractice action against his attorney.

Don't Miss the NJSBA's Spring Conference

In a special one-day virtual event on March 18, the NJSBA will present a slate of timely and cutting-edge CLE seminars as part of its Spring Conference. The day promises seminars in a variety of practice areas, with top speakers. Attendees can earn up to eight CLE credits, including two in diversity.

The Importance of Breath—Stress Management with the NJSBA Member Assistance Program

Join the NJSBA's Member Assistance Program for a free webinar on March 24 with practical advice on managing stress and the importance of breath. Participants will learn, demonstrate and hopefully incorporate several different breathing techniques that can create well-being in body, mind and spirit.

MEND
Hunger Relief Network
Together, we feed our community.

Young Lawyers Request Food Donations for Hunger Relief

The NJSBA Young Lawyers Division is collecting food items to benefit MEND, a hunger relief network that supports food insecure individuals and families in New Jersey. The YLD requests the following items by March 20: low-sugar cereals, granola and breakfast bars, shelf-stable milk, canned tuna or chicken in water and hearty produce. Donations can be dropped off at the New Jersey Law Center in New Brunswick, Monday to Friday from 7 a.m.–8 p.m. For more information, contact Robert Holup at rholup@gmail.com or Chris Spawn at rspawn@sillscummis.com.

NJSBA Statement on its Commitment to the Rule of Law and Fostering a Diverse and Inclusive Legal Community

The NJSBA is committed to advancing the rule of law, protecting individual rights under the Constitution, and fostering a diverse and inclusive legal community that is representative of our State. These values are embodied in our mission statement. The increasing and unwarranted attacks on judges, law firms, legal service providers and attorneys undermine the rule of law and public confidence in the vital role of the judicial system as an independent and co-equal branch of government. Read the NJSBA's full statement here.

Deadline Extended for NJSBA Diversity Awards Nominations

The NJSBA is accepting nominations for awards in memory of Assignment Judge Lisa P. Thornton and Mel Narol through March 17. The awards recognize those who have spearheaded inclusion in the legal profession. Submit your nominees by email to Paula Saha at psaha@njsba.com. Learn more about the award criteria here.

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.