

PRESIDENT'S PERSPECTIVE

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Celebrating 250 Years of a Nation Governed by the Rule of Law



One of my earliest memories of living in the United States is the nation's bicentennial celebration in 1976.

My family had fled Cuba only a few years earlier in search of freedom and opportunity. I was a young boy who spoke virtually no English. I didn't yet understand the culture or fully appreciate the significance of America's history. But I vividly remember the pride that surrounded that celebration. I recall watching the majestic flotilla sail down the Hudson River from the Palisades in Weehawken with my younger sister Maria and my uncle Ernesto. I remember neighbors coming together, communities filled with patriotic displays and a shared belief that this country—despite its flaws—was something worth celebrating.

For the first time, I truly felt like an American.

As our nation marks its 250th anniversary, I find myself reflecting on those same emotions. It is easy to look back at the bicentennial through a nostalgic lens, but history tells a more complicated story. The country was emerging from Watergate. Americans had endured years of political turmoil and declining trust in government. Gerald Ford had become president without being elected and many questioned the nation's direction.

Yet Americans came together to celebrate something greater than the political moment. They celebrated the enduring ideals that have sustained this nation through war, economic hardship, social upheaval and political division.

That lesson feels just as relevant today.

Much has been written about the polarization and distrust that characterize our current public discourse. While today's challenges are real, they are not unprecedented. The United States has weathered periods of profound disagreement before—not because we all shared the same views, but because we shared a commitment to resolving those differences within a constitutional framework governed by the rule of law.

The United States is one of the world's oldest continuous

constitutional republics because its institutions, while imperfect, have proven remarkably resilient. They endure in part because generations of Americans have respected and defended an independent Judiciary and accepted that no individual stands above the law.

Lawyers have always played a central role in preserving those principles.

For more than 126 years, the New Jersey State Bar Association has worked to strengthen our justice system and uphold public confidence in the rule of law. While our Association is only about half as old as the nation itself, our mission reflects the same enduring ideals: protecting judicial independence, expanding access to justice, promoting professionalism and ensuring that every person has confidence in a fair and impartial legal system.

That mission has never been more important.

Across the country, we have witnessed increasing attacks on judges and calls to impeach members of the Judiciary based solely on unpopular decisions and criticism directed at law firms simply for representing clients. Regardless of political affiliation or ideology, these developments should concern every lawyer. An independent Judiciary is not a partisan institution—it is a constitutional necessity. It protects individual rights, checks the excesses of government and ensures that justice is administered fairly and impartially.

The NJSBA has consistently spoken in defense of judicial independence because public confidence in our courts is essential to preserving the rule of law. Lawyers cannot afford to remain on the sidelines. We have a professional obligation to defend our institutions and help the public understand why an independent Judiciary serves every American.

The Association's commitment extends far beyond this advocacy. We have long worked to strengthen our communities and reinforce public confidence in the rule of law by narrowing New Jersey's justice gap. Through advocacy for increased funding for civil legal services and practical reforms that expand access to legal representation, we have helped ensure that justice is not reserved for those with the means to

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Asaad K. Siddiqi and Luke D. Grygier explore how New Jersey's criminal fraud statutes and the Consumer Fraud Act (CFA) apply to artificial intelligence-enabled fraud. They examine recent legislative developments and recommend reforms to strengthen our state's response to AI-driven deception.

Relatedly, Alan N. Walter discusses the threats that AI, spoofed communications, and cyber fraud pose to modern business transactions. He outlines how New Jersey law addresses these risks and offers practical strategies for lawyers to better protect clients during the closing process.

Turning to residential and commercial lease agreements, Bruce E. Gudin

analyzes the challenges of application fraud involving AI-generated documents, synthetic identities, and other increasingly sophisticated schemes. He offers guidance for detecting, responding to, and preventing leasing fraud through enhanced screening procedures, careful lease drafting, and strategic enforcement.

Nadege D. Allwaters considers the nuanced application of New Jersey's Local Public Contracts Law and Local Government Ethics Law. She focuses on areas where public officials and attorneys should exercise care to guard against conflicts of interest, preserve ethical decision-making, promote compliance, and maintain public confidence in government.

Lastly, Jeffrey J. Rea examines the cir-

cumstances under which home improvement contractors may pursue recovery in quantum meruit, even where they have failed to comply with the CFA's home improvement regulations, while exploring the equitable principles and case law governing these claims.

The foregoing articles demonstrate a common theme: as the methods of fraud continue to change, the principles that guide its detection, prevention, and redress remain constant. We hope this issue provides practitioners and readers alike with both practical guidance and meaningful insight into the challenges of fraud that New Jersey faces.

Finally, we thank the authors for their contributions to this issue. ■

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afford it. We have also worked to improve the *Madden* assignment system, recognizing both the critical importance of providing counsel to defendants who need legal assistance and the need for a more sustainable and equitable framework for the attorneys who accept those appointments. These efforts do more than improve our legal system—they help ensure that the promise of equal justice under the law remains more than an aspiration.

No discussion of our mission would be complete without recognizing the New Jersey State Bar Foundation, the charitable arm of the NJSBA. The Foundation is the driving force behind efforts to help thousands of New Jersey residents better understand their legal rights, civic responsibilities and the role of the courts

through law-related education. It serves as a hub for civics initiatives, free educational publications and community outreach, all aimed at equipping citizens with the knowledge they need to participate meaningfully in our democracy. An informed public is one of the strongest safeguards of the rule of law. The Foundation's work reminds us that preserving the rule of law begins not only in our courtrooms, but in our classrooms and communities.

As we commemorate America's 250th birthday, we should celebrate not only our history but also the institutions and principles that have enabled our nation to endure. The rule of law is not self-executing. It depends on judges who remain independent, lawyers who uphold their professional responsibilities and organizations like the NJSBA willing to defend the integrity of our justice system.

For me, this anniversary is deeply per-

sonal. Nearly 50 years after I first celebrated America's bicentennial as a young immigrant, I have the privilege of serving as president of the largest association of lawyers, judges and related legal professionals in New Jersey. It is a reminder of the opportunities this nation has afforded my family and countless others who have come here seeking a better life. No matter where your journey begins in this country, the potential of where you arrive is limitless.

As we look toward the next 250 years, may we recommit ourselves to preserving the principles that have carried this nation through its greatest challenges. By defending the rule of law and our institutions and ensuring equal access to justice, we honor not only our history, but the generations who will inherit our democracy. ■