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NEWS



Bar Report – October 9, 2023



The NJSBA's weekly report.



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Bar Associations

By New Jersey State Bar Association | October 09, 2023 at 10:00 AM



McCarter & English rock group to compete in battle of the bands for charity

Joseph R. Scholz is a business litigator with McCarter & English, but moonlights as a hard rock drummer in bands that play across New York City. He's also a member of Amperband, a seven-piece rock band from the McCarter & English offices who share a passion for music. For one night on Oct. 19, the Amperband will break from playing internal company events to compete against eight other attorney and law firm rock groups in a battle of the bands-style event. The 8th Annual Law Rocks New York City show, held at the Gramercy Theatre, gives legal professionals a chance to rock out while raising money for their favorite charities. Amperband is thrilled to support the Community FoodBank of New Jersey as it competes for the top prize. Scholz, a New Jersey State Bar Association member since 2010, spoke recently about his musical background, history with Amperband and the upcoming show. Those interested in buying tickets or donating can visit lawrocks.org.

Talk about your musical background—what instruments you play and how you got into music.

I started playing drums when I was 14. I joined the beginner's band in high school and got the bug. Ever since then I've played, never professionally, but just to have fun. As a high school student I started a band and played parties. In college and law school, I played in bands that would do the occasional gig, but nothing too serious. After I started my legal career and realized how hard this job was, I thought it was probably a good idea to get back into music. I found some friends in New York City, where I live, who were also professionals and looking to blow off some steam. We started playing mostly cover songs in small rehearsal studios, which was a lot of fun. As the band members slowly rotated over time, we became more interested in writing our own songs instead of playing just covers, so we went through a phase where we did that for a long time. We

recorded a lot of music and played gigs all around the city. It was a lot of fun. Since then I've had a few other bands that have done the same thing. I did that pretty continuously until the pandemic hit.

What kind of music are you into?

Mostly hard rock. The music that I listen to kind of formed the basis for the songs we've written over the years. We were all big fans of bands like Radiohead and Led Zeppelin. There's a bit of that bluesy, hard rock influence, along with some progressive influences like Rush, in our music. The Beatles, too. It's kind of a mishmash of influences, but mostly hard rock music with great energy. That's what gets me the most excited to play.

Talk the about origins of Amperband and how you formed.

We formed a firm band many years ago to play internal events like holiday parties. The lineup has changed over the years, but we've had a few consistent members who've been in the band the whole time. We only played internal events over the years. It wasn't until we learned about this opportunity to play the Law Rocks gig that we decided to play an outside event. We have three guitar players, a bass player, two singers and myself. We come from different McCarter & English offices. Some members are from Newark, some from New York, Delaware, Philadelphia and Washington D.C. We play primarily rock cover songs. The setlist runs from Tom Petty to Journey and John Mellencamp, and more poppy rock like the band Lit. For this gig, everyone meets in a central location to practice—Hellhound Studios in Rahway.

Practicing law can be a very stressful and demanding job. How important is it to have a creative outlet like drumming or music to keep you level?

I think it's an extremely healthy exercise and I would encourage all professionals to have some kind of creative outlet. I think we all need to step away from our jobs and have an outlet like this. It really helps manage the stress. I find music to be very transporting, in a way that lets you forget everything else in your life and just let the music take you away. In the process, all the things you were thinking about at work and all the stressors in your life just go out the window for a little while. It's an important thing to do now and again.

How has jamming with colleagues helped improve camaraderie at the firm?

It's become something that really galvanizes people. Not just among the people in the band but others in the office when we play internal firm events. We played a gig recently in Nashville and all the people from the firm not only had a good time, but it was a great bonding experience for everyone. I don't think a lot of people knew there were musicians at the firm. It's nice that we can all have fun together.

Describe the band's excitement for the upcoming show. What do you think your odds are of winning?

We were thrilled to learn about the battle of the bands gig this year. It seems like a great event where these law firms send their bands to play for a while on stage and in the process raise money for charity. I'm really looking forward to it. As far as winning, I guess it depends on how they grade us. I know that how much money you raise is a factor. But as it relates to performance, I think we could fare pretty well. All of us in Amperband are very grateful to everyone who has supported our fundraising efforts on behalf of the Community FoodBank of New Jersey thus far. It is truly awesome to see donations and tickets coming in from across the firm both from lawyers and staff.

NJSBA announces fellows for 2023-2024 Leadership Academy

The New Jersey State Bar Association is proud to announce a talented class of fellows for the Association's 2023–2024 Leadership Academy.

The academy, which kicked off in September, provides a year of programming that helps fellows develop leadership skills. The curriculum includes a wide array of classes on topics such as improving communication skills, the legislative process, public-sector law, issues confronting the profession, the New Jersey business landscape and more.

The 15 fellows selected for this year represent an accomplished assemblage of attorneys, spanning diverse practice areas in the private, public and non-profit sectors.

“The breadth of talent and experience brought by this incoming class of leadership fellows is astounding. They come from all corners of the legal profession and represent the best in each,” said NJSBA President Timothy F. McGoughran. “We are thrilled to welcome the profession's next generation of leaders, who will further their careers and gain invaluable career planning, networking and educational experiences through this program.”

The class is expected to graduate in May at the NJSBA Annual Meeting and Convention in Atlantic City.

The NJSBA 2023–2024 Leadership Academy fellows are:

Yomara Castro, an assistant prosecutor with the Bergen County Prosecutor's Office. Castro has worked in various sections in the prosecutor's office since 2006, including appellate, grand jury, juvenile, domestic violence and the special victims unit. She is currently a team leader in the trial section.

Chelsea Coleman, an assistant U.S. Attorney in the District of New Jersey. Coleman is currently assigned to the Opioids Abuse Prevention and Enforcement Unit, which investigates and prosecutes individuals and businesses that contribute to the ongoing opioid crisis.

Rafael Corbalan, an attorney with Chiesa, Shahinian & Giantomasi's Environmental Law Group. Corbalan assists the firm in a variety of matters, including environmental litigation, compliance and site permitting. Corbalan

previously worked as an associate attorney representing local governments and private businesses in civil litigation, labor and employment, and residential landlord/tenant claims.

LaDonna M. Cousins, a partner at the Williams Law Group, LLC. Cousins specializes in all aspects of family law. She serves as an early settlement panelist in Essex County and is a current member of the NJSBA's Family Law Executive Committee.

Stacey Gorin, an associate at Capehart Scatchard. Gorin focuses her practice in the areas of commercial litigation and education law. She currently serves as secretary of the Burlington County Bar Association.

Michael R. Griffith, an associate at Mazie, Slater, Katz, and Freeman LLC. Griffith concentrates his practice in litigation, specializing in mass tort, product liability, personal injury and medical malpractice. He is the current Warren County representative to the NJSBA Young Lawyers Division's (YLD) Executive Committee.

Robert Holup, an associate at Riker Danzig LLP. Holup practices in the firm's securities litigation, arbitration, regulation and investigations group. He is currently on the executive committee for the YLD.

Christopher L. Jackson, an associate in the Princeton office of Buchanan Ingersoll & Rooney. Jackson is active in the Mercer County Bar Association and YLD, where he currently holds leadership positions. He is also a voting member in the American Bar Association's House of Delegates.

Cassandra "Sandy" Jahnke Walsh, of counsel with O'Toole Scrivo LLC. Walsh practices in the areas of commercial litigation, shareholder and member disputes, estate administration and probate litigation. She is also a certified public accountant.

Megan Kilzy, chief assistant prosecutor in the Bergen County Prosecutor's Office. Kilzy's litigation experience covers a variety of areas, including homicide, attempted murder, cyber/dark web investigations, gun and gang-related offenses. She currently handles financial crimes as a prosecutor.

Raymond Kim, senior managing director & president of life insurance premium financing at Peapack-Gladstone Bank. In this role, Kim marries his legal expertise and financial acumen to oversee a range of responsibilities in spearheading his division. As a law student at Rutgers, he was recognized with the Dean's Pro Bono Award for Exceptional Service and as a Horace & Kate King Wu Public Interest Fellow, showcasing his dedication to the legal field and community service.

Lawrence Krayn Jr., a deputy attorney general with the Division of Criminal Justice/Office of the Insurance Prosecutor. Krayn oversees the investigation of, and prosecutes crimes related to the Medicaid program. He previously served as

an assistant prosecutor with the Essex County Prosecutor's Office, where he took several cases involving violent crime to trial.

William Maslo, an assistant corporation counsel for the City of Jersey City. Maslo represents Jersey City in all local property taxation matters and regularly appears before the state Tax Court and County Board of Taxation regarding defense of property tax assessment appeals, claims for property tax exemption, applications for long and short-term tax abatements and on municipal appeals to increase property assessments.

William P. Miller, chief assistant prosecutor of the Bergen County Prosecutor's Office Appellate Section. Prior to joining the BCPO, he served as a law clerk for state Supreme Court Justice Helen E. Hoens.

Michael Mouridy, counsel at Chiesa, Shahinian & Giantomasi's Real Estate, Development and Land Use Group. Mouridy's practice focuses on the financing, development, acquisition and disposition of a wide variety of commercial real estate properties, including, office buildings, condominiums, multi-family properties and retail properties throughout New Jersey and nationally.

NJSBA Comments on Supreme Court's Elder Justice Recommendations

The New Jersey State Bar Association supported the Report of the Supreme Court Working Group on Elder Justice. The report followed an analysis by a group of stakeholders to review existing court and related processes to identify existing gaps. It made recommendations to improve protections and remedies for at-risk older adults in New Jersey. The NJSBA said the recommendations were a good path ahead and offered clarifications to "further the Working Group's laudable efforts to improve.

Among the report's 13 recommendations are:

- The development a web page to be used as a resource for stakeholders on elder justice issues;
- The execution of a gap analysis and the creation of training programs to address identification of elder abuse and related issues to be targeted at different access points such as law enforcement, community hospitals, long-term care facilities, state and county offices, and attorneys and judges and court staff;
- Collaboration among state agencies to create a standardized pathway by which professionals and members of the public can report suspected criminal activity against older adults;
- Explore and refine the process and frequency of attorney trust account auditing for professionals who serve as fiduciaries. The NJSBA urged consideration of expanding this recommendation to include all fiduciary accounts, rather than limiting them to attorneys as attorney-guardians often do not hold an incapacitated person's funds in their trust accounts;

- Development of a statewide guardianship mediation program and pursuit of exemption from *Madden* requirements for attorneys who provide pro bono mediation services in guardianship matters;
- Amend Rule 4:86-7 to clarify procedures for the restoration of rights of incapacitated adults. The NJSBA urged consideration of a further amendment to require one medical certification—rather than two, which is currently required—evidencing that the incapacitated person is no longer incapacitated. The Association further recommended that if there is a contest, additional proofs that the guardianship is still needed may be determined by the court.
- Request the Legislature to consider potential amendments to N.J.S.A. 3B:12-28 to clarify legal standards for restoration of rights of incapacitated adults and N.J.S.A. 3B:12-1 et seq. to clarify the legal standards for protective arrangements to authorize services for a vulnerable adult as an alternative to guardianship. The Association pointed out that it is unclear what those legal standards would be and asked for the opportunity to participate in developing this proposed amendatory language;
- Creation of an information line to provide information, resources and procedural guidance on non-criminal elder justice issues to guardians, family members and the community;
- Development of public information and outreach materials to educate people involved with older adults—especially those of diverse populations—on elder abuse and elder justice matters;
- The formation of multi-disciplinary teams to address adult maltreatment;
- Require attorneys who accept court appointments to serve as guardians to self-disclose to the court when the attorney has four or more appointments in active cases before accepting additional appointments. The NJSBA urged further clarification that this refer exclusively to plenary guardianship appointments and to indicate that it does not include temporary guardianship appointments;
- The engagement of stakeholders in ongoing review of statutory and regulatory provisions concerning a range of fiduciary roles beyond guardianship;
- Adoption of a New Jersey Bill of Rights to enhance the rights of persons subject to guardianship. The group further recommended following a model promulgated by the National Guardianship Network.

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](https://www.njsba.com).

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