

LAWYERS' ADVISORY COMMITTEE

MINUTES - OCTOBER 4, 2007 MEETING

The Lawyers' Advisory Committee met at the Hyatt Regency in New Brunswick, New Jersey on October 4, 2007. The meeting was opened by Chair Philip R. Sellinger at 6:00 p.m. and thereafter the following occurred:

1. The minutes of May 10, 2007 meeting were approved with one amendment to paragraph 2, substituting Bruce Goldstein for Jonathan Goldstein in the list of members appointed to the subcommittee to examine reciprocal admission to the SDNY bar.

2. Chief Judge Garret E. Brown, Jr. reported as follows:

District of New Jersey was recognized at the Judicial Conference of the United States by appointing Chief Judge Brown as Chair of the Committee for District Court Judges. Chief Judge Brown reported that the Federal Judiciary will receive appropriate funding for fiscal year beginning October 1, 2007 allowing the Court to fulfill its duties.

Chief Judge Brown also reported that several members of the LAC were honored by the New Jersey Commission on Professionalism in the Law. LAC members Bruce I. Goldstein, Hon. John J. Hughes and Anne M. Patterson received the Professional Lawyer of the Year Award. Cynthia Jacob received the Daniel J. O'Hern award by the New Jersey Bar Association.

3. Chief Judge Brown reported that he has appointed Thomas Curtin as the new Chair of the LAC. Donald Robinson requested, to acclamation, that the minutes reflect that the members of the LAC thank and to offer gratitude to Philip Sellinger during his years of service to the Court during his term as Chair of the LAC.
4. Donald Robinson reported on proposals received from Hon. John W. Bissell and private attorney Roslyn S. Harrison, Esq. to amend the Court's Mediation Rule (Local Civil Rule 301.1(3)(c) to reduce the number of uncompensated hours provided by mediators designated by the Chief Judge from six hours to three hours. The Committee voted unanimously to approve Mr. Robinson's motion to recommend to the Board of Judges that the Rule be amended to provide the first three hours of service shall be without compensation.
5. Cynthia Jacob and Jack O'Brien discussed the proposed amendments to Local Civil Rules 7.1, 7.2 and 78.1, which the Board of Judges approved at its meeting in September. The Committee recommended the following modifications to the proposed amendments:

Civ. Rule 7.1(c)(1) and the last sentence of 7.1(c)(2) are identical, therefore, one should be deleted.

(5) The motion day of a dispositive motion may be adjourned once by a party opposing the motion, without the consent of the moving party, the Court, or the Clerk. To obtain the automatic extension a party must file with the Clerk, and serve upon all other parties, a letter invoking the provisions of this rule before the date on which opposition papers would otherwise be due under L. Civ. R. 7.1(d)(2). That letter shall set forth the new motion day date, which shall be the next available motion day date following the originally noticed date. All parties opposing the motion shall file their opposition papers within 14 days of the date on which they were originally due, and the moving party shall file its reply papers, if any, within seven calendar days thereafter. All parties opposing the motion shall file their opposition papers at least 14 days prior to the new motion day, and the moving party shall file its reply papers, if any, at least seven calendar days prior to the new motion day. No other extension of the time limits provided in L.Civ.R. 7.1(d)(2) and (3) shall be permitted without an Order of the Court, and any application for such an extension shall advise the Court whether other parties have or have not consented to such request.

Civ. Rule 7.2(c) delete “reasonably heavy” paper from the subsection.

Civ. Rule 78.1(b) add “or” to the following provision:

Any request for oral argument shall be clearly marked on the first page of the notice of the motion and/or the brief filed by the party making such request.

6. Francis X. Dee reported on the subcommittee findings on whether NJ should adopt a local rule similar to SDNY permitting NJ attorneys reciprocal admission to the SDNY bar. After discussing this issue with the Association of the Federal Bar and the Federal Practice Committee of the State Bar Association, the subcommittee concluded that no rule change should be recommended. The LAC, upon motion, adopted the report of the subcommittee.
7. James Murphy reported on behalf of the subcommittee that is reviewing proposed changes to the LAC’s link to the Court’s web site and discussed the links currently available on the site and items to be added. Judge Hughes suggested that a link should be added to allow attorneys and the public an opportunity to propose rule amendments or to comment on any rule amendments through the Court’s web site. The Committee recommended that the LAC link to the web site include telephone numbers and email addresses of LAC members.
8. Doug Arpert reported on behalf of the Historical society of the United States District Court for the District of New Jersey. At the request of Judge Hillman, the Society held a ceremony along with the U.S. Post Office at the Camden Courthouse to commemorate jury service by celebrating the issuance of the new stamp honoring Jury Duty. Congressman Adrews and others spoke at this event.

The Society is also presenting an event and art exhibition at the Trenton Courthouse commemorating murals and paintings by the artist Charles W. Ward. A reception will be held at the opening of the exhibition on October 11, 2007 from 6 - 8 p.m. The art exhibition at the Trenton Courthouse will run from October 11 through November 30, 2007.

9. Chief Judge Brown closed the meeting by requesting the minutes to reflect that he and the Court wish to extend gratitude to Philip R. Sellinger and past chairs of the LAC for their efforts and also to the membership of the LAC for their years of service.
10. The meeting was adjourned at 8:00 p.m. The next LAC meeting will be scheduled for **February 7, 2008 at the Newark U.S. Courthouse at 3:00 p.m.**

Respectfully submitted,

John T. O'Brien