2023-2024 Thomas S. Forkin Family Law American Inn of Court

Requirements for Monthly Programs:

1. Programs must be 100 minutes in length (Pennsylvania requires 60-minute credit hours)

2. You must have at least 2 meetings (Zoom/telephonic meetings are fine), with the first meeting to take place approximately two (2) months prior to your program date. A member of the programming committee (who is not on your program), must be invited to your meetings, and be copied on all correspondence so as to ensure that the programs are meeting both the CLE requirements of both Pennsylvania and New Jersey, as well as the Achieving Excellence standards of the American Inns of Court.

3. Programs must be presented in a vignette or skit style or another interactive format. The programs may not be lecture-style. If you choose to have a guest speaker, that person must be involved in the skit-style presentation.

4. One person from each group is designated to complete the American Inns of Court Program Submission Form, which will be provided to the group, and submit the form and all materials to Jennie Owens jowens@archerlaw.com, as well as Erika Goldberg egoldberg@charnylaw.com or Jeff Kasten jkasten@charnylaw.com. The person from each group that is responsible for completing this task is designated "Program Coordinator" and has been assigned. Program materials include all documents needed to replicate the program, including scripts, cue cards, power point presentation, etc.

The program coordinator shall also be responsible for providing to any Judges on the team all materials needed for the presentation, including but not limited to scripts, handouts, and relevant cases and statutes, at least one week prior to the presentation.

5. Please note that due to COVID-19 or other unforeseen circumstances, our meeting locations may change. Currently, the October and November meetings are scheduled to be held via Zoom. The rest of the meetings (September, December, January, February, March, April, May and June) are scheduled to take place in person. The revised list of locations of the in-person meetings was recently circulated via email. Any changes/updates to the meeting locations will be provided as necessary. Please refer to the programming information for each meeting in the packet that follows and keep an eye out for emails with updated information for future meetings.

6. For all meetings, social (half) hour begins at 5:30 p.m. All are encouraged to join and chat with your colleagues. Programs start at 6:00 p.m. and conclude by 8:00 p.m.

September 19, 2023

Location:

Lamberti's Tutti Toscani 1491 Brace Rd. Cherry Hill, NJ 08034

WELCOME BACK! (no formal program)

October 17, 2023

Location:

Zoom

The New(ish) Standard of Cohabitation Discussing the Impact of <u>Cardali</u> on Substantive Changes in the Law, Procedure, Case Management and Discovery

Credits:

2.0 Substantive Credits

Suggestions for Program: This program will address cohabitation, with a specific focus on the ways in which the recent New Jersey Supreme Court Decision, <u>Cardali v. Cardali</u>, No. 087340, 2023 WL 5023453 (N.J. Aug. 8, 2023) provides clarity with respect what constitutes a *prima facie* showing of cohabitation. The program should explore how <u>Cardali</u> reshapes the substantive and procedural issues relevant in any cohabitation case, from "limited discovery," to the filing of "supplemental certifications," and case management generally.

<u>Suggestions for Handouts</u>: <u>N.J.S.A.</u> 2A:34-23(n); <u>Cardali v. Cardali</u>, No. 087340, 2023 WL 5023453 (N.J. Aug. 8, 2023); <u>Konzelman v. Konzelman</u>, 158 <u>N.J.</u> 185 (1999); sample motion papers and requests for discovery.

Team Leader:	Nick Yurick
Team Members:	Michael Mosca (Program Coordinator)
	Deena Betze
	Rachelle Waitz
	Valerie Newcomb
	Sheree Brewer
Judges:	Judge Hynes
	Judge James-Beavers

Program Committee Member: Erika Goldberg

November 21, 2023

Location:

Zoom

Mental Illness and Disability in Family Law

Credits:

1.0 Substantive Credit 1.0 Ethics Credit

Suggestions for Program: This program will discuss mental illness and disability in the family law setting, from ethically managing clients with mental illness to accessing necessary benefits for clients and children, coordinating with outside expertise, seeking the appointment of a Guardian ad Litem, Conservator or Guardian. The program should also explore the impacts of disability, chronic illness, unusual health circumstances and mental illness on all aspects of a divorce case, including the disposition of support, equitable distribution and custody/parenting time, and case management.

<u>Suggestions for Handouts</u>: N.J. RPC 1.14, 1.4, 3.2; <u>N.J.S.A.</u> 2A:34-23, resources relevant to commonly accessed benefits and programs available throughout the State of New Jersey.

Team Leader:	Teresa Reicheck
<u>Team Members</u> :	Jessica Budrock (Program Coordinator) Andy Rochester Michael Weinberg Madison McGuirk
Judge:	Judge Famular Judge Domzalski

Program Committee Member: Jeff Kasten

December 19, 2023

<u>Location</u>:

Blue Monkey Tavern 2 S. Center Street Merchantville, NJ 08109

HOLIDAY GET-TOGETHER (no formal program)

January 16, 2024

Location:

Cherry Hill Public Library 1100 Kings Highway North Cherry Hill, NJ 08034

Trial Advocacy and Handling Expert Witnesses

Credits:

2.0 Substantive Credits

Suggestions for Program: In what we expect will be an annual focus on varying aspects of trial advocacy, this program will discuss the use of expert witnesses at trial and in trial preparation with respect to business valuation and appraisal issues, custody and parenting time, employability and medical issues. Topics include the selection of an effective expert, trial preparation, qualifications of the expert at trial, as well as strategies for the direct and cross examination of an expert witness, relevant evidence rules, and the like. The team should also explore the use of experts in settling matters outside of court. The program should be interactive rather than a lecture format.

<u>Suggestions for Handouts</u>: Relevant excerpts from the Rules of Court and <u>N.J.R.E.</u>s, sample trial/prep materials; <u>Townsend v. Pierre</u>, 221 <u>N.J.</u> 36 (2015); <u>State v. Torres</u>, 183 <u>N.J.</u> 554 (2005) and other relevant case law. The team may wish to involve guest speakers/participants who appear as expert witnesses.

<u>Team Leader</u> :	Michael Rothmel
<u>Team Members</u> :	Andrew Parsinitz (Program Coordinator) Howard Mendelson Rebecca Berger Carolina Iglesias Evan Butts
Judge:	Judge Friedman

Program Committee Member: Erika Goldberg

February 20, 2024

Location:

Cherry Hill Public Library 1100 Kings Highway North Cherry Hill, NJ 08034

The Co-Parenting Struggle is Real Discussing Problems with (Co)-Parenting, Including Parent Coordination, Appointment of GALs, Experts and Evaluations, Substance Abuse and DCPP Involvement

Credits:

2.0 Substantive Credits

Suggestions for Program: This program should explore the issues that arise when effective coparenting is frustrated by the typical issues of hostility and/or lack of effective communication with which we are all familiar, as well as an in-depth exploration of substance abuse/concerns of abuse and neglect that necessitate the involvement of the Division of Child Protection and Permanency. The program should focus on handling matters in which DCP&P becomes involved, accessing and using DCP&P records in private litigation and the effect of DCP&P involvement on custody and parenting time.

Suggestions for Handouts: N.J.S.A. 9:2-4; N.J.S.A. 30:4C-12; N.J.S.A. 9:6-8.10; N.J.S.A. 9:6-8.10a; resources available to litigants such as Our Family Wizard, Soberlink, AppClose.

Team Leader:	Rick Rotz
<u>Team Members</u> :	Megan Bradley Melissa Gullo (Program Coordinator) Kelsey Schwartz Sarah Wible Jordan Moore
Judge:	Judge Hoffman Judge Eynon

Program Committee Member: Jeff Kasten

March 19, 2024

Location:

Rutgers Law School

Not All Child Support Calculations Are Created Equal How to Handle Unusual Child Support Scenarios, Including High Combined Incomes, Disabled or Special Needs Children, True Shared Parenting Time, Blended Families, Split Custody, College-Aged Children and Imputation of Income

Credits:

2.0 Substantive Credits

Suggestions for Program: This program will address both usual and unusual child support scenarios and the ways in which the child support guidelines address – or fail to address – such situations. The program should focus on the imputation of income, high income families, equal parenting time, gifted children, disabled or special needs children, blended families, split custody and college aged children.

<u>Suggestions for Handouts</u>: Child support guidelines appendices, sample worksheets, <u>Wunsch-Deffler v. Deffler</u>, 406 <u>N.J. Super.</u> 505 (Ch. Div. 2009); <u>Benisch v. Benisch</u>, 347 <u>N.J. Super.</u> 393 (App. Div. 2002); <u>D.G. v. K.S.</u>, 444 <u>N.J. Super.</u> 423 (Ch. Div. 2015); <u>Jacoby v. Jacoby</u>, 427 <u>N.J. Super.</u> 109 (App. Div. 2012); <u>Strahan v. Strahan</u>, 402 <u>N.J. Super.</u> 298 (App. Div. 2008)

<u>Team Leader</u> :	Frank Rose
<u>Team Members</u> :	Amy Smith Leighann Reilly Scott Levine (Program Coordinator) Melissa Knoerzer Tessa Wagoner
Judges:	Judge Lihotz Judge Scaramella

Program Committee Member: Erika Goldberg

<u>April 16, 2024</u>

Location:

Rutgers Law School

"I Don't Know, Ask Lois/Allison"

Difficult and Recurring Issues in Pension/Retirement Account Valuations and the Drafting and Implementation of QDROs/COAPs, and Dealing with Exempt/Partially Exempt Assets and Their Relevance During Divorce and Post-Judgment

Credits:

2.0 Substantive Credits

Suggestions for Program: This program will focus on the division of retirement assets, the nuances of specific plans (survivor's benefits, supplemental annuities, security), the drafting of QDROs/COAPs and the legal and equitable issues involved, calculating exempt portions and the relevance of exempt portions during divorce and post-judgment. The issue of specifically bargaining for certain entitlements should be addressed. The team may wish to expand upon the topic to discuss exempt or partially exempt assets generally within the context of divorce and post-judgment. The group may also wish to invite outside involvement from actuarial accountants or other QDRO drafting entities.

<u>Suggestions for Handouts</u>: Sample QDROs, <u>Evans-Donahue v. Donahue</u>, 435 <u>N.J. Super.</u> 283, 291 (Ch. Div. 2013); <u>Larrison v. Larrison</u>, 392 <u>N.J. Super.</u> 1, 18–19 (App. Div. 2007); <u>Marx v.</u> <u>Marx</u>, 265 <u>N.J. Super.</u> 418 (Ch. Div. 1993); <u>Krupinski v. Krupinski</u>, 437 <u>N.J. Super.</u> 159 (App. Div. 2014); <u>Barr v. Barr</u>, 418 <u>N.J. Super.</u> 18 (App. Div. 2011)

<u>Team Leader</u> :	Drew Burach
<u>Team Members</u> :	Dawn Kaplan Sandra Morris (Program Coordinator) Shari Veisblatt Patricia Darden
Judges:	Judge Tarantino

Program committee member: Jeff Kasten

May 21, 2024

Location:

Cherry Hill Public Library 1100 Kings Highway North Cherry Hill, NJ 08034

Diversity and Inclusion in Professionalism Identifying and Overcoming Implicit Bias and Promoting Civility, Diversity and Equality in the Law, in Our Practice, and in the Community

Credits:

2.0 Diversity/Inclusion Credits

Suggestion for Program: This program, which is intended to be as interactive as practicable, should focus generally on diversity, inclusion and elimination of bias. The team may choose to address implicit bias; discrimination of any kind in the law, in maintaining a practice, and in within the community; promoting civility and diversity; and cultural awareness in family law practice.

<u>Suggestions for Handouts</u>: Slideshow/powerpoint; RPC 8.4(g), Statistics on diversity within the profession, hypotheticals

<u>Team Leader</u> :	Kiomeiry Csepes
<u>Team Members</u> :	Eric Foley (Program Coordinator) Jill Dell'Aquilo Allison Burkhardt Christopher Layfield Taylor Nacci
Judge:	Judge Melendez Judge Fattorini

Program committee member: Erika Goldberg

June 18, 2024

Location:

Lamberti's Tutti Toscani 1491 Brace Rd. Cherry Hill, NJ 08034

End of Year Banquet with Awards Presentation