

LAWYERS ADVISORY COMMITTEE

MINUTES – DECEMBER 5, 2022

The Lawyers Advisory Committee (LAC) met at the Park Chateau, where the meeting was convened by Chair, Thomas R. Curtin at 6:00 p.m., and the following occurred:

1. The Chair welcomed all members, asked everyone to introduce themselves and noted that it is Chief Judge Wolfson's final LAC meeting in her official capacity, although she will continue to attend future meetings.
2. The Chair invited a motion to approve the minutes of the September 7, 2022 meeting. The motion was made and seconded and the minutes were approved.
3. Chief Judge Freda L. Wolfson's Report:

Chief Judge Wolfson thanked LAC members for their contributions over the past year.

Chief Judge Wolfson thanked the sub-committee members who reviewed and made recommendations for amendments to the local rules. She noted that once local rules are adopted, they are sent to the 3rd Circuit Judicial Council for final review. She also noted that the judges' rules committee reviewed the new federal supplemental social security rules and determined local rule 9.1 could be rescinded effective December 1, 2022.

Chief Judge Wolfson announced six new district court judges have been sworn-in with Judge Padin's ceremony held on December 2, 2022. It is hoped two additional names will soon be announced backfilling Chief Judge Wolfson and Judge Hillman.

Chief Judge Wolfson noted interviews were held on November 15, 2022 for the full-time and part-time magistrate judge vacancies. The full-time position backfills Magistrate Judge Goodman effective April 1, 2023 and the part-time position may be filled immediately. On behalf of all of the magistrate judges who have been covering enclave court in addition to their full-time duties, Magistrate Judge Bongiovanni extended appreciation for the backfilling of the position.

The Judges' Holiday party will be held on December 13, 2022 at the Park Chateau to thank and acknowledge members of the bar. All members of the LAC are invited to celebrate the holiday season along with judges, Merit Selection Panels, Association of the Federal Bar officers, agency Chiefs, and executive-level Clerk's office staff.

A Naturalization Ceremony is scheduled in Trenton on December 6, 2022 at 9:30 a.m. with Chief Judge Wolfson and Magistrate Judge Arpert presiding. The Court is happy to be able to reinstate holding these ceremonies.

Chief Judge Wolfson indicated those LAC members appointed to two-year terms last year need not reapply, but those appointed to one-year terms must send an email to Chief Judge Wolfson, Judge Bumb and Tom Curtin to indicate whether they wish to renew their membership. The emails should be sent before the first week in January.

On behalf of the 3rd Circuit, Chief Judge Wolfson announced the Courts, Community and Rule of Law essay contest aimed at 5th and 6th graders. This year's topic is focused on civics, citizenship and the concept of the "Right to Vote" with essays due by March 31, 2023. District and magistrate judges will oversee holding celebratory programs for the winning submissions – Magistrate Judge Espinosa, Magistrate Judge King and District Judge Williams, taking over for Judge Quraishi who participated last year.

4. U.S. Attorney Philip Sellinger thanked Chief Judge Wolfson for her years of dedicated service and stated that she continued a wonderful tradition of respect for the LAC much like the District's prior Chiefs - Thompson, Bissell, Brown, Simandle and Linares. He noted she was well-prepared for the role based on her experience as both a magistrate judge and district judge and highlighted her term as Chief in navigating a number of challenges including 6 judicial vacancies, crowded dockets, Judge Salas' tragedy which affected the entire court family, and the unprecedented pandemic in which upwards of 20 standing orders were prepared in 2020 and 2021 which prioritized keeping staff, defendants, and litigants safe all while protecting constitutional rights.
5. Attorney General Matthew Platkin expressed gratitude for Chief Judge Wolfson's service and echoed Mr. Sellinger's comments adding "there was no written program for a pandemic, but the fact that access to the courts was maintained is a testament to your leadership."
6. Federal Public Defender, K. Anthony Thomas likewise acknowledged Chief Judge Wolfson's service and identified three distinct areas she excelled in: 1. her career as a judge, noting she always treated our clients with fairness, dignity and respect; 2. her leadership on the LAC, specifically thanking her for her early on support of him being selected as the Federal Public Defender; and 3. the reinstatement of Naturalization Ceremonies recalling his own ceremony before Judge Ackerman.

He also announced that with the guidance of Judge Chesler, a federal criminal practice Inn of Court is launching geared at attracting younger members into the practice.

It was noted that K. Anthony Thomas, Craig Carpenito, Ricardo Solano and other members of the bar are running the Zion 100 in Utah in April.

7. After all expressions of thanks to Chief Judge Wolfson, Peter Harvey prompted a standing ovation by all LAC members.
8. U.S. Attorney Philip Sellinger raised the issue of a NJ Supreme Court criminal case in which implicit bias was raised. He indicated there is a video shown to jurors in state court and other jurisdictions have either a video and/or jury charges to educate jurors on

implicit bias. He recommended a committee be formed to evaluate having similar resources in federal court. Members interested in volunteering for the committee are asked to send an email to Tom Curtin and Mr. Sellinger.

9. LAC member, Jeffrey Greenbaum, proposed amending the model protective order in Appendix S, in an effort to speed discovery and reduce costs. Members interested in volunteering for a committee to review the order are asked to email Tom Curtin.
10. LAC member, Edward Hartnett, addressed recent changes to the federal rules and impacts on the local rules. The new supplemental social security rules eliminates the need for a local social security rule and has already been addressed. Federal rule 7.1 (a) and (b) regarding disclosure statements requires no changes to the local rules, but there was discussion to create a diversity disclosure form similar to the corporate disclosure form. Federal criminal rule 16.1 requires no change to the local rules and it was determined the timing of disclosures should be dictated by court order. It was stated that Standing Order 15-2 is already in place and a scheduling order can be created to add the new timing requirement.
11. LAC member, Karen Confoy, raised the issue of varying practices regarding motions to dismiss. Chief Judge Wolfson agreed to place the issue on the agenda for the December Board of Judges' meeting noting that local practices should not violate our local rules.
12. The Chair made closing remarks thanking Chief Judge Wolfson. He indicated the LAC members are grateful in the trust she places in them and to have a place to agree and disagree on topics respectfully. Following his words of thanks, LAC member and photographer, Steven Richman, presented Chief Judge Wolfson with a photograph of all three courthouses on behalf of the membership.
13. Chief Judge Wolfson made final remarks acknowledging her years of service on the bench and expressing her appreciation for the LAC.
14. The next meeting date was announced as March 6, 2023.

Respectfully submitted,

Melissa E. Rhoads