



41<sup>st</sup> Annual  
SCHOLARSHIP GALA  
and AWARDS DINNER

*Una Noche en España*

FRIDAY, JULY 8, 2022 | THE VENETIAN | GARFIELD, NEW JERSEY



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# HISPANIC BAR ASSOCIATION OF NEW JERSEY'S 41ST ANNUAL SCHOLARSHIP GALA & AWARDS DINNER

As a law firm that is deeply committed to diversity, equity, and inclusion, we are especially honored to receive the "Law Firm of the Year Award" from the **Hispanic Bar Association of New Jersey**.

NEW YORK PALO ALTO NEW JERSEY UTAH WASHINGTON, D.C.

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# TABLE OF CONTENTS

2	Mission Statement
3	2021-2022 HBA-NJ Officers and Trustee
4	Gala Program
5	Message from Message from President Tabatha L. Castro, Esq.
7	Message from Message from President-Elect Albertina Webb, Esq.
8	Message from U.S. Senator Robert Menendez
9	Message from NJ Senator Nellie Pou on behalf of the NJ Legislative Legislative Latino Caucus
10	Message from NJ Assemblywoman Angelica M. Jimenez
11	Message from New Jersey State Bar Association President Jeralyn L. Lawrence, Esq.
12	Judiciary of the State of New Jersey – Hispanic Judges
13	Recipient of the Corporate Partner of the Year Award: Consilio LLC
14	Recipient of the Law Firm of the Year Award: Lowenstein Sandler LLP
15	Recipient of the Margarita Echevarria Trailblazer Award: The Hon. Julio Mendez, A.J.S.C. (ret.)
16	Special Guest Speaker Hon. Roberto Alcazar, J.S.C. (ret.), HBA-NJ Past President
17	List of HBA-NJ Past Presidents
18	List of HBA-NJ's 41 <sup>st</sup> Annual Gala Scholarship Recipients
19	Law School Student Scholarship Recipient Biographies
24	American Dream High School Pipeline Scholarship Recipients
25	American Dream High School Pipeline Mentorship Program
26	HBA-NJ Lifetime Members
27	Highlights from 2021-2022 HBA-NJ Events
39	Gala Committee
40	Abogados Corner
49	Sponsors, Supporters and Contributors Advertisements

## MISSION STATEMENT

Founded in 1980, the HBA-NJ is a 501(c)(6) statewide organization which represents the interests of attorneys, judges, law professors and law students who share a common interest in resolving the issues affecting Hispanics within the legal community.

The purpose of the Association is to serve the public interest by: (i) cultivating the art and science of jurisprudence, (ii) advancing the standing of the legal profession, and (iii) preserving high standards of integrity, honor, and professional courtesy among Hispanic lawyers.

The HBA-NJ is a very active bar association. In addition to its many initiatives, programs, and public advocacy activities, the HBA-NJ cooperates with other Hispanic bar organizations, with other Hispanic community, business, civic, charitable and cultural organizations, as well as with other legal organizations in furtherance of the aforementioned purposes.

## 2021-2022 HISPANIC BAR ASSOCIATION OFFICERS AND BOARD OF TRUSTEES

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Jose A. Calves, Esq., Vice President of Southern Region  
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Jennifer Monge, Esq., Trustee at Large (YLC)  
Dennise Mejia, Esq., YLC Co-Chair  
Reynold Lambert, Esq., Immediate Past President

# PROGRAM

## COCKTAIL RECEPTION

6:30 PM

## DINNER AND PRESENTATIONS

7:30 PM

### WELCOME BY MISTRESS OF CEREMONIES

Albertina Webb, Esq., President-Elect, Hill Wallack LLP

### OPENING REMARKS

Tabatha L. Castro, Esq., President, The Castro Firm, Inc.

### AMERICAN DREAM PIPELINE PROGRAM SCHOLARSHIP AWARDS PRESENTATION

Andy G. Mercado, Esq., Pipeline Program Vice-Chair, Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
Jonathan Barrera, Esq., Pipeline Program Chair, Passaic County Prosecutors Office

### SPECIAL GUEST

Introduction by Cristal Lambert, Esq., Recording Secretary, Bed Bath & Beyond Inc.  
Hon. Roberto Alcazar, J.S.C. (ret.), HBA-NJ Past President

### CORPORATE PARTNER OF THE YEAR AWARD

Introduction by Jacqueline S. Peña, Esq., Vice President of the Northern Region,  
Bowman and Brooke LLP  
Consilio LLC

### LAW FIRM OF THE YEAR AWARD

Introduction by Alex J. Fajardo, Esq., Finance Director, Stark & Stark  
Lowenstein Sandler LLP

### MARGARITA ECHEVARRIA TRAILBLAZER AWARD

Introduction by José A. Calves, Esq., Vice President of the Southern Region,  
Brown & Connery, LLP  
Hon. Julio Mendez, A.J.S.C. (ret.)

### EXCELLENCE IN STUDENT SERVICE AWARD

Introduction by Tabatha L. Castro, Esq., President, The Castro Firm, Inc.

### LAW STUDENT SCHOLARSHIP AWARDS PRESENTATION

Robert Lamilla, Esq., Trustee, Parker McCay P.A.

### CLOSING REMARKS FOLLOWED BY LIVE ENTERTAINMENT AND DANCING

## MESSAGE FROM THE PRESIDENT

July 8, 2022

Dear HBA-NJ *familia*:

I am so happy to welcome you all to “*Una Noche en España*,” “A Night in Spain,” *una noche* filled with delicious food, great ambiance, fellowship, appreciation and of course, dancing! As I stated at my Installation in November 2021, we are in a transitional year. A year of uncertainty and caution, sprinkled with a bit of hope and resilience.

We commenced the year with a live Installation Ceremony at the Liberty House, where for the first time in a long time over 235 people gathered to celebrate my Presidency, a new Board and the expectation of what’s to come. My annual theme was introduced and it was my goal this year to “*Advocate Passionately and Inspire Consistently*.”

We came together for our *Annual Thanksgiving Sandwich Drive*, where we donated hundreds of food items to various shelters throughout the state. We held our *Law School Mentorship Program Kick-Off* virtually so that we could accommodate many different law schools throughout New Jersey and beyond.

With the initiative taken by our V.P. of the South, Jose Calves, we started a collaboration with Rowan University creating an *Attorney in Residence Program* where we mentor college students interested in the legal profession. In December, we hosted an attorney panel with the Pre-Law Society at Rowan University to empower a new generation of law students and future attorneys and visit the campus at least once a month to interact with the students.

The Young Lawyers Committee (YLC) worked diligently on our *Annual Holiday Mixer/Toy Drive*, which we were so excited to host in person, which led to the donation of hundreds of dollars’ worth of toys to children throughout New Jersey.

As a result of an uptick in positive Covid results, we were forced once again to host our events virtually, such as our preeminent *Corporate Counsel Conference (CCC)*, co-hosted with Prudential, that focused on “*A Roadmap to Meaningful Engagement: Serving a New Age of Stakeholders*,” with over 100 attendees.

There were other virtual events held throughout the winter months with our local bar association and sponsors. In April 2022, our goal was to get through this pandemic and come together to host our *Women’s Empowerment Leadership and Law Conference (WELL)* live at Essex County College with our theme entitled, “*Aspire to Inspire – Leaning into the Latina Legal Legacy*.” Senator Teresa Ruiz was our keynote speaker and empowered us to continue to thrive and do the hard work necessary to uplift our community.

May 2022 was a busy month, as we held our inaugural *Law Firm Owner’s Bootcamp* live at the Camden Adventure Aquarium focusing on business development techniques, billing practices, scaling your practice and more. Our *MENTE (Mental Education and Nurturing Through Engagement)* Conference was such a huge success last year that we decided to bring it back in 2022 and held our 2nd Annual MENTE Conference virtually in May focusing on “*Conversations on Mental Health and Wellness in the Legal Community*.”

After over two years of preparation, HBA-NJ was finally able to host our 19<sup>th</sup> *Annual Sun, Surf & Seminars Conference (SSS)* in the beautiful city of Barcelona, Spain. For the first time ever, we held our SSS in Europe! Among other things, we learned about comparative law from a panel of Spanish attorneys, which included Amazon Spain’s General Counsel, Ana Buitrago. There was also a once-in-a-lifetime opportunity to have lunch in Madrid with the United States Ambassador to Spain, Julissa Reynoso. Barcelona was a beautiful city, with great food and ambiance. I came back a different person and for that reason I wanted to bring Spain to you this evening. ¡Vale!

Throughout the year, our members worked feverishly on the *American Dream Pipeline Program* in Passaic and Union City High Schools, mentoring high school students and presenting guest speakers monthly so that our students can see that becoming a successful Latino attorney is within their reach. Our goal is to bring this program to Atlantic City High School in the coming months, so that we can inspire high school students throughout the state.

Our year is not over yet, we are so proud to announce that we were able to raise over \$115,000 as a result of this Gala that we will be using towards presenting \$105,000 in scholarships and donations to the Hispanic Bar Foundation Scholarship Endowment (“Endowment”). This evening, we will award \$50,000 to law students and high school students for their hard work, and \$55,000 towards the Endowment.

We all work so hard, and to that end, I believe we must also play hard. Earlier in my Presidency, I challenged the law students to a *Kickball Tournament* that we will host on August 20, 2022 in New Brunswick. Come and support the HBA-NJ team! We also look forward to hosting our Hispanic Heritage Event in South Jersey in September 2022, along with our *FACTS (Financial Awareness & Community Training Seminars)*, where our goal is to provide necessary information to our members and the community about financial issues that affect their daily lives.

I will end my year with an *Executive Leadership Retreat* in October 2022, as I feel that one of the goals of our organization is to teach and train our future leaders. We need Latinos represented in every sphere of influence throughout the state of New Jersey and beyond, such as working assertively to diversify the judiciary. The HBA-NJ endorsed several members of our organization for ascension to the bench, both locally and federally, like Judge Myrna Perez, Judge Evelyn Padin and Judge Karina Fuentes. We must continue the work, as Latinos are the largest minority in the State yet remain disproportionately underrepresented in the judiciary and other key leadership roles throughout the State.

This evening we are proud to award the **Corporate Sponsor of the Year Award** to *Consilio*, an annual Amigo sponsor. Johanny Olmedo is always *presente* to participate in committees or on panels or whatever we need. The **Law Firm of the Year Award** is presented to *Lowenstein Sandler*, for their unwavering and long-lasting support of the HBA-NJ. We are honored to present the **Margarita Echevarria Award** to *Judge Julio Mendez (Ret.)*, Atlantic City Assignment Judge for his very successful judicial career and what he means to our community.

The HBA-NJ continues to use its influence to put forth programming that enhances the lives of our members and to take a stance against the injustices that our community continues to face. We ARE the voice of the Latino legal community. My goal is to continue to “*Advocate Passionately and Inspire Consistently*” so that the new generation of Latinos coming up can have an incredible future!

I want to thank my amazing, hardworking and need I say ‘voluntary’ Board of Trustees for their unwavering support of me throughout the year and their steadfast commitment to our mission. Without you, this important work we do cannot get done. Thank you to our Past Presidents, sponsors, members, friends, allies and family for being here this evening

and continuing to support our programs and our purpose! *Now, have an incredibly enjoyable evening and let’s remember to celebrate the little things!*



*Besos y abrazos,*

Tabatha L. Castro, Esquire

42<sup>st</sup> President, Hispanic Bar Association of New Jersey



## MESSAGE FROM THE PRESIDENT-ELECT

July 4, 2022

Welcome HBA familia!

It is my pleasure to welcome you to our 41<sup>st</sup> Annual Scholarship Gala and Awards Dinner at the beautiful Venetian. With the pandemic held somewhat at bay, we are excited to experience this venue and celebrate our students and awardees in person.

I am honored to serve as your Mistress of Ceremonies tonight and sad to inform you this will be my last year doing so. God willing, I get installed as the next President on Wednesday, November 16, 2022 at the Park Chateau. Please save that date! I know that I have huge shoes to fill and pray that I can do the job with the utmost of respect and integrity and meet, if not exceed, expectations during my year.

We continue to work hard this year with our few live events and am looking forward to getting back to the new normal with tonight's extraordinary event. Congratulations to our scholarship recipients – they are all deserving, hardworking students. This year, we are again awarding \$50,000 in scholarships and \$55,000 to be deposited in the HBA Foundation endowment. We are also awarding scholarships to two high school students from our American Dream Pipeline programs.

Lowenstein Sandler, LLP, Consilio and the Hon. Julio Mendez (Ret.) and the Hon. Roberto Alcazar (Ret.) Remember these awardees names. Our board was in unanimous agreement to select this year's honorees and they all deserve the special accolades bestowed upon them. We are truly a blessed organization to have such talented and dedicated entities and individuals remain staunch supporters of our cause. Our honorees can never truly be rewarded for their contributions to the HBA-NJ, but hopefully these awards tonight will remind them of how much we, as an organization, thank them for their time, belief in us and their support.

Finally, while you are saving the date for my installation as President on November 16, 2022, please also save April 1, 2023, the date for the 42<sup>nd</sup> Annual Scholarship Gala and Awards Dinner at The Shadowbrook in Shrewsbury. I am so excited to share with all of you what the Universe has placed at my feet.



Thank you for coming tonight and congratulations again to all the award and scholarship recipients.

Gratefully,

Albertina Webb, Esq.  
*Hispanic Bar Association of New Jersey President-Elect*

**ROBERT MENENDEZ**  
NEW JERSEY

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208 WHITE HORSE PIKE  
SUITE 18-19  
BARRINGTON, NJ 08007  
(856) 757-5353

Dear Friends,

Please accept my best wishes as you gather during the Hispanic Bar Association of New Jersey (“HBA-NJ”), 41st Annual Scholarship Dinner and Gala. Tonight celebrates the continuing advocacy HBA-NJ and their work to promote diversity and inclusion within the legal profession. I would also like to congratulate the remarkable students who have earned this evening’s Scholarships, and look forward to the great things they will surely accomplish as they pursue their education.

Since 1980, HBA-NJ has remained committed to the elevating generations of Hispanic legal professionals to serve the public interest and preserve the integrity of jurisprudence vital to our nation’s system of law and justice. I am honored to join this organization as it recognizes all the initiatives and programs that highlight their dedication to the community.

I am thankful to represent a state that is so diverse and inclusive, with families and cultures from every corner of the world. As your senior United States Senator, I extend my best regards to the Hispanic Bar Association of New Jersey, and congratulate them celebrate during what will sure to be a festive Gala.

Sincerely,



Robert Menendez  
United States Senator



## NEW JERSEY LEGISLATIVE LATINO CAUCUS

GABRIELA M. MOSQUERA  
Deputy Majority Leader  
ASSEMBLYWOMAN, 4th DISTRICT

NELLIE POU, CHAIR  
Senate Majority Caucus Chair  
SENATOR, 35th DISTRICT

ELIANA PINTOR—MARIN  
Assembly Budget Chair  
ASSEMBLYWOMAN, 29th DISTRICT

YVONNE LOPEZ  
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ASSEMBLYWOMAN, 19th DISTRICT

M. TERESA RUIZ  
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SENATOR, 29th District

ANGELICA M. JIMENEZ  
Deputy Speaker  
ASSEMBLYWOMAN, 32nd DISTRICT

ANNETTE QUIJANO  
Majority Conference Leader  
ASSEMBLYWOMAN, 20th DISTRICT

NILSA I. CRUZ-PEREZ  
SENATOR, 5th DISTRICT

PEDRO MEJIA  
ASSEMBLYMAN, 32nd DISTRICT

ANNETTE CHAPARRO  
Deputy Speaker Pro Tempore  
ASSEMBLYWOMAN, 33rd DISTRICT

July 8, 2022

Dear Friends,

On behalf of the State Legislative Latino Caucus of New Jersey, I am proud and delighted to once again have the pleasure of extending to the Hispanic Bar Association of New Jersey our most heartfelt congratulations on the occasion of their 41<sup>st</sup> Annual Scholarship Dinner and Gala.

As Chair of the Caucus, I am keenly aware of the value of the work that your organization and its individual members do for Latino communities and for New Jersey in general. The Hispanic Bar Association endeavors to provide vital legal services to our rapidly-growing Latino population and to the community at large. Furthermore, your laudable scholarship program also helps our Latino youth on the path towards economic advancement while also culturally enriching our state's legal profession by helping more young Latinos become attorneys. This work is integral to the goal of preparing young Latinos to become the future leaders in their communities and our state, and the Caucus as a whole looks forward to working with the young leaders your efforts will produce. It isn't hard to imagine any one of your young scholarship recipients being in a position to join this Caucus someday soon.

On behalf of the Legislative Latino Caucus, I once again thank the Officers, Trustees, and individual members of the Hispanic Bar Association for all the amazing work that you do to make New Jersey a better place.

Sincerely yours,

Nellie Pou,  
Senator, 35<sup>th</sup> Legislative District  
Chair, New Jersey Legislative Latino Caucus

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TEL: 973-247-1555 \* FAX: 973-247-1550 \* EMAIL: NJLATINOCAUCUS@GMAIL.COM



## NEW JERSEY GENERAL ASSEMBLY

ANGELICA M. JIMENEZ  
ASSEMBLYWOMAN, 32<sup>ND</sup> DISTRICT  
5600 KENNEDY BOULEVARD, SUITE 104  
WEST NEW YORK, NJ 07093  
PHONE: (201) 223-4247  
FAX: (201) 223-4624  
EMAIL: ASWJIMENEZ@NJLEG.ORG

COMMITTEES:  
CHAIR, HUMAN SERVICES  
VICE-CHAIR, HOUSING  
HEALTH AND SENIOR SERVICES

June 30, 2022

Dear Friends:

I would like to take this opportunity to congratulate the Hispanic Bar Association of New Jersey on their 41<sup>st</sup> Annual Scholarship Dinner and Gala. As a member of the Hispanic Community, it brings me great pride to welcome and celebrate this organization for their dedication to diversity, equity, and inclusion.

The HBA-NJ is a network of experts in the legal profession and since its inception in 1980, has made a commitment to expand the knowledge, assist, and establish a relationship between those more experience professionals in the field of law and students who have shown an interest in pursuing a career that will enable them to resolve the many issues affecting Hispanics within the legal community. The Legal profession community is complex, which is why having an organization dedicated to high standards of integrity and honor, serving as an anchor that offers a safe space to share perspectives that eases the burden from mentors, mentees, and the communities they serve, are essential to our great state of New Jersey.

I extend my heartfelt and warm congratulations to you all. I admire the ability that the HBA-NJ has empowered our community and continues to make us proud!

Sincerely,

A handwritten signature in cursive script that reads "Angelica M. Jimenez".

Angelica M. Jimenez  
Assemblywoman



## NEW JERSEY STATE BAR ASSOCIATION

JERALYN L. LAWRENCE, PRESIDENT  
Lawrence Law LLC  
776 Mountain Boulevard, Suite 202  
Watchung, NJ 07069908-645-1000 • FAX: 908-645-1001  
jlawrence@lawlawfirm.com

To all of our friends and colleagues of the Hispanic Bar Association of New Jersey:

We celebrate you tonight at another one of your incredible events! On behalf of the entire New Jersey State Bar Association membership, please accept our heartfelt congratulations on your 41st Annual Scholarship Gala and Awards Dinner. You are amazing and the amount of money you have raised is inspiring.

As you celebrate this year's honorees, we celebrate and honor you. The passion, influence and vibrancy the HBA-NJ brings to the state's legal profession is awesome. The NJSBA salutes your organization for its significant and meaningful work to further the standing of the legal profession. The HBA-NJ has worked to advance diversity and inclusion in the profession, has tirelessly built bridges across generations of Hispanic legal professionals and has nurtured a pipeline for those rising in their careers. The energy the HBA-NJ brings to the issues it fights for and the collegial relationships it fosters are unparalleled.

The NJSBA is grateful for the opportunities to collaborate in advancing these goals and stands ever-ready to be your partner in further cultivating the standards of integrity and honor that serve as a cornerstone of law and justice in our society.

We extend a special congratulations to the well-deserving scholarship recipients as well as this year's honorees:

Corporate Partner of the Year Award: Consilio  
Law Firm of the Year Award: Lowenstein Sandler LLP  
Margarita Echevarria Award: Hon. Julio Mendez, A.J.S.C. (ret.)

We wish you all a healthy, productive and fulfilling year. We look forward to working with you along the way and are here for you whenever you need.

Keep having fun and doing good.

Congratulations again,

Jeralyn L. Lawrence, Esq.  
President

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732-249-5000 • FAX: 732-249-2815 • EMAIL: president@njsba.com • njsba.com

# JUDICIARY OF THE STATE OF NEW JERSEY HISPANIC JUDGES

## FEDERAL CIRCUIT

Hon. Julio M. Fuentes *U.S. Court of Appeals*

## DISTRICT

Hon. Jose L. Linares *U.S. District Court*  
Hon. Evelyn Padin *U.S. District Court*  
Hon. Joseph H. Rodríguez *U.S. District Court*  
Hon. Esther Salas *U.S. District Court*  
Hon. John Michael Vasquez *U.S. District Court*

## ADMINISTRATIVE LAW

Hon. Esmeralda C. Cabrera (ret.) *U.S. Immigration Court*  
Hon. Alberto J. Riefkohl *U.S. Immigration Court*

## STATE

### SUPREME COURT

Hon. José L. Fuentes  
Hon. Roberto A. Rivera-Soto (2006-2011)  
Hon. Faustino J. Fernández-Viña (ret.)

### APPELLATE DIVISION

Hon. Carmen H. Álvarez (ret.) Hon. Maritza Berdote-Byrne Hon. Marianne Espinosa (ret.) Hon. Ariel A. Rodriguez (ret.)

### SUPERIOR COURT

*Hon. Lisa Miralles Walsh Assignment Judge for Union Vicinage.*

Hon. Yolanda Adrianzen	<i>Passaic Vicinage</i>	Hon. Octavia Meléndez (ret.)	<i>Camden Vicinage</i>
Hon. Roberto Alcázar (ret.)	<i>Union Vicinage</i>	Hon. Julio L. Mendez (ret.)	<i>Hon. Atlantic/Cape May Vicinage</i>
Hon. Veronica Allende	<i>Hudson Vicinage</i>	Marybel Mercado-Ramirez	<i>Passaic Vicinage</i>
Hon. Arthur J. Batista	<i>Essex Vicinage</i>	Hon. Dennis V. Nieves	<i>Middlesex Vicinage</i>
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		Hon. Ana C. Viscomi	<i>Middlesex Vicinage</i>

### DIVISION OF LABOR WORKERS' COMPENSATION

Hon. Arcides Cruz Hon. Rose Mary Granados Hon. Nilda Hernanadez Hon. José A. LaBoy Hon. Diane E. Montes-Infante

### ADMINISTRATIVE LAW

Hon. Caridad F. Rigo (ret.)

## RECIPIENT OF THE CORPORATE PARTNER OF THE YEAR AWARD

*The Corporate Partner of the Year Award* recognizes a business sponsor who has shown both dedication and support to diversity and inclusion within the Hispanic Bar Association.

### CONSILIO LLC

*| consilio cares*

**Serving the public interest, advancing the standing of the legal profession, and preserving high standards among Hispanic lawyers is important.**

At Consilio, we agree. That is why we proudly support the Hispanic Bar Association and their Scholarship Gala & Awards Dinner



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## RECIPIENT OF THE LAW FIRM OF THE YEAR AWARD

The *Law Firm of the Year Award* recognizes a law firm for showing a genuine commitment to both diversity and the mission of the HBA-NJ. Recipients of this award are proven advocates of diversity and inclusion, and promoters of a more inclusive legal community.



LOWENSTEIN SANDLER LLP IS HONORED TO BE NAMED “LAW FIRM OF THE YEAR”  
BY THE HISPANIC BAR ASSOCIATION OF NEW JERSEY.

Inclusivity has been an integral part of Lowenstein’s DNA since its inception.

We are proud of the fact, that over the years, three Lowenstein partners have been named President of the Hispanic Bar Association of New Jersey, with Reynold Lambert serving in that role most recently. In addition, associates Jennifer Monge and Yelky Perez have actively participated in HBA programs. Monge is currently a member of the HBA-NJ board, and Perez earned a scholarship from the HBA-NJ as a law student.

This legacy illustrates the firm’s steadfast, multi-generational commitment to the organization and support of HBA-NJ’s initiatives and programs, all of which are aimed at breaking down barriers, fostering a more diverse legal landscape, and addressing and alleviating issues affecting the Latin community in New Jersey.

Lowenstein takes an intentional approach to advancing the development, recruitment, retention, and promotion of underrepresented talent in the legal profession by setting strategic goals, implementing effective training, enhancing underrepresented talent recruiting efforts, providing talent development programs, and implementing policies that break down

systemic barriers. This intentional approach ensures that inclusivity permeates every aspect of our firm’s culture.

In the past two years, the firm has been recognized as one of Vault’s 2022 Best Law Firms for Diversity; was named to Bloomberg Law’s inaugural Diversity, Equity & Inclusion (DEI) Framework; for the third consecutive year was named a Compass Award winner by the Leadership Council on Legal Diversity; received a 100 percent rating for the sixth year in a row on the Human Rights Campaign Foundation’s 2022 Corporate Equality Index (CEI); and, the firm has achieved and exceeded Mansfield Rule Certification standards.

We are delighted to participate in the 41<sup>st</sup> Annual Scholarship Gala & Awards Dinner.

*Lowenstein Sandler is a national law firm with over 350 lawyers based in New York, Palo Alto, New Jersey, Utah, and Washington, D.C. The firm represents leaders in virtually every sector of the global economy, with particular emphasis on investment funds, life sciences, and technology. Recognized for its entrepreneurial spirit and high standard of client service, the firm is committed to the interests of its clients, colleagues, and communities.*



## RECIPIENT OF THE 12<sup>TH</sup> ANNUAL MARGARITA ECHEVARRIA TRAILBLAZER AWARD

*The Margarita Echevarria Trailblazer Award*, named after the HBA-NJ's first president, pays tribute to her courage and foresight as a trailblazer for New Jersey Hispanic lawyers. The award recognizes the pioneers among us – individuals who have dared to blaze new trails and break through glass ceilings.

Through their efforts, these individuals advance the cause of Hispanic lawyers and help create opportunities for the Hispanic community as a whole.

### THE HON. JULIO MENDEZ, A.J.S.C. (RET.)

*Retired Assignment Judge of the Superior Court*

Judge Mendez distinguished judicial career spans 20 years, appointed to the bench in 2002. He was designated Assignment Judge of the Atlantic Cape May Vicinage by Chief Justice Stuart Rabner effective November 1, 2011. He served in that capacity until his retirement on March 1, 2022. As Assignment Judge he served as a member of the Judiciary Judicial Council for 10 years, partaking in the governance of the New Jersey Judiciary for a decade.

Judge Mendez's judicial career began in Vicinage 15, including the counties of Cumberland, Gloucester, and Salem. In June of 2005, he was named Presiding Judge of the Family Part for Vicinage 15, serving until he was named Assignment Judge. He has the remarkable distinction of serving as a judge in all divisions and handling all dockets, with 11 of his trial court opinions approved for publications. He also served as teacher and mentor for Judges, taught at judicial college, presented local and statewide CLE programs, and was actively engaged with the local, specialty and State Bar associations.

Judge Mendez was often called upon to serve in statewide judiciary committees and working



groups including as the Chair of the Supreme Court Committee on Municipal Court Operations, Co-Chair of Ad Hoc Committee on Domestic Violence, Chair of the Drug Court Working group, Co-Chair of the Judicial Council Management and Operations Committee, and as Co-Chair of the Supreme Court Municipal Court Reform Working Group. During his tenure on the bench, he also chaired the Children in Court Committee of the Conference of Family Presiding Judges and served on the New Jersey Supreme Court Family and Municipal Practice Committees. He also actively participated in national Organizations, and often presented programs nationally. He is currently on the Board of NAPCO, the national association of presiding judges and chief court administrators.

Judge Mendez contributions and exemplary career have been acknowledged by multiple recognitions, including New Jersey State Bar Thurgood Marshall award. Judge Mendez received his J.D. from Rutgers School of Law-Camden. He became a member of the New Jersey Bar in 1981.

## GALA SPECIAL GUEST SPEAKER

### HON. ROBERTO ALCAZAR, J.S.C. (RET.),

*HBA-NJ Past President*

The Honorable Roberto Alcazar, J.S.C. (Ret'd) is the 10<sup>th</sup> president and a lifetime member of the Hispanic Bar Association of New Jersey ("HBA-NJ"). His term, 1989-1990, was marked by the increased presence of the HBA-NJ within our local and national legal communities, as well as continued community outreach.



True to Hon. Alcazar's theme, "Forging Ahead to a Brighter Future," the HBA-NJ developed closer ties with the local bar, the New Jersey State Bar Association ("NJSBA"), by increasing the presence of its membership within, and as leaders, of several state bar committees. In addition, The Hon. Alcazar, along with representatives of the Garden State Bar Association and Asian Pacific Bar Association, advocated for the addition of Specialty Bar seats to the NJSBA's Board of Trustees. This milestone was accomplished thanks to Hon. Alcazar's extensive lobbying efforts, as well as the support of visionary and inclusive-thinking officers and trustees. As another effort to establish ties within the local bar, the Hon. Alcazar also served as the Specialty Bar Representative in the New Jersey Trial Lawyers Association.

The Hon. Alcazar also worked tirelessly to increase the visibility of the HBA-NJ and New Jersey Lawyers at the national level, via its involvement with the Hispanic National Bar Association ("HNBA"). As immediate past president, the Hon. Alcazar travelled to San Antonio, Texas, in 1991 to lobby the HNBA board alongside Professor Wilfredo Caraballo and our 24<sup>th</sup> President, Carlos Ortiz, Esq., with an eye to having the HNBA choose New Jersey as the 1992

convention venue. The efforts paid off and New Jersey hosted the HNBA 1992 convention in Atlantic City. Daniel Guadalupe, Esq., our 12<sup>th</sup> president was appointed convention chair. He then appointed as vice-chairs Zulima Farber, Esq., former Public Advocate and Attorney General, and Aida Cabello, Esq., our 4<sup>th</sup> and 13<sup>th</sup> past presidents respectively. During that convention

we elected Hugo Chaviano, Esq., a New Jerseyan who had relocated to Chicago to study law at Northwestern, to the HNBA board. He ascended to the HNBA presidency in due succession. Many of HBA-NJ members attended that gala in Miami Beach, FL., a few years later. New Jersey remains involved within the HNBA to this day with many of our past presidents moving on to become regional and national Presidents of the HNBA.

The Hon. Alcazar, along with the HBA-NJ Board, also established the logo that we are all so familiar with today and that has distinguished us among Hispanic bars across the United States. The very talented then Arts Director for the NJSBA, Gail Star, together with our president, created our historic logo, which embodies the fiery spirit of our Hispanic/Latino culture, as well as our mission to advance balance in the law. The "h" in the logo is non-tentative, leans, and looks forward, as our organization does. You may notice that our logo has no reference to NJ. However, all other Hispanic bar associations in the country know it is ours!

The HBA of NJ has now exponentially grown and is poised for even greater growth. Our 10<sup>th</sup> president wishes the future leadership of the HBA of NJ continued growth and a brighter future!

## PAST PRESIDENTS OF THE HBA-NJ

Margarita Echevarria, Esq. 1980-1981  
Hon. Severiano Lisboa, III, J.S.C. 1981-1982  
Hon. Héctor E. Desoto, J.S.C. 1982-1983  
Zulima V. Farber, Esq. 1983-1984  
Hon. Hector R. Velázquez, J.S.C. 1984-1985  
Grisselle Camacho-Pagán, Esq. 1985-1986  
Joseph A. Ginarte, Esq. 1986-1987  
Virginia Class-Matthews, Esq. 1987-1988  
Raúl F. Tous, Esq. 1988-1989  
Hon. Roberto Alcázar, J.S.C. 1989-1990  
Edwin Flores, Esq. 1990-1991  
Daniel R. Guadalupe, Esq. 1991-1992  
Aída L. Cabello, Esq. 1992-1993  
Hon. Estela M. de la Cruz, J.S.C. 1993-1994  
Rafael Pérez, Esq. 1994-1995  
Hon. José L. Linares, U.S.D.J. 1995-1996  
Hon. Lourdes I. Santiago, J.S.C. 1996-1997  
Marco A. González, Esq. 1997-1998  
Ramón de la Cruz, Esq. 1998-1999  
Hon. Maritza Berdote Byrne, J.S.C. 1999-2000  
Ileana Montes, Esq. 2000-2001  
Hon. Esther Salas, U.S.D.J. 2001-2002  
Hon. Pedro J. Jiménez, Jr., J.S.C. 2002-2003  
Carlos Ortiz, Esq. 2003-2004  
Camelia M. Valdes, Esq. 2004-2005  
Liza M. López, Esq. 2005-2006  
Ivette R. Álvarez, Esq. 2006-2007  
Milagros Camacho, Esq. 2007-2008  
George Rios, Esq. 2008-2009  
Miguel Alexander Pozo, Esq. 2009-2010  
Suzette T. Rodriguez, Esq. 2010-2011  
Daniel Mateo, Esq. 2011-2012  
Louis Acevedo, Esq. 2012-2013  
Anna Maria Tejada, Esq. 2013-2014  
Michael J. Plata, Esq. 2014-2015  
Carlos M. Bollar, Esq. 2015-2016  
Arlene Quiñones Perez, Esq. 2016-2017  
Hector D. Ruiz, Esq. 2017-2018  
Julia A. López, Esq., 2018-2019  
Melinda Colón Cox, Esq., 2019-2020  
Reynold Lambert, Esq., 2020-2021

# **HBA-NJ'S 41<sup>ST</sup> ANNUAL GALA LAW STUDENT SCHOLARSHIP RECIPIENTS**

## **LOWENSTEIN SANDLER SCHOLARSHIP**

**Deana Gonzalez - University of Pennsylvania Law School**

## **ARCHER LAW SCHOLARSHIP**

**Mateo Diaz - Seton Hall Law School**

## **THE CASTRO FIRM SCHOLARSHIP**

**Nkora Carr - Rutgers Law School (Camden)**

## **CONSILIO SCHOLARSHIP**

**Sara Vasquez - Rutgers Law School (Newark)**

## **HILL WALLACK LLP SCHOLARSHIP**

**Randolph Portugal - Seton Hall Law School**

## **HUDSON COURT REPORTING SCHOLARSHIP**

**Vanessa Gomez - Rutgers Law School (Newark)**

## **REED SMITH LLP SCHOLARSHIP**

**Christian Mejia - Penn State Dickinson Law**

## **SMOLIN LUPIN & CO. SCHOLARSHIP**

**Anaiis Gonzalez - Rutgers Law School (Newark)**

## **STARK & STARK SCHOLARSHIP**

**Sofia Camara - Rutgers Law School (Newark)**

## **WEBSTER BANK SCHOLARSHIP**

**Giselle Barragan - Widener Law School**

## **DAY PITNEY LLP SCHOLARSHIP**

**Taylor Castaneda - Seton Hall Law School**

## **PRUDENTIAL SCHOLARSHIP**

**Genesis Maldonado - Rutgers Law School (Newark)**

## **BAKER HOSTETLER SCHOLARSHIP**

**Edianys Lima Enriquez - Rutgers Law School (Newark)**

## **RIKER DANZIG LLP SCHOLARSHIP**

**Gabriella Greenhoward - Rutgers Law School (Camden)**

## **BEACON HILL STAFFING GROUP SCHOLARSHIP**

**Vanessa Calixto - Rutgers Law School (Camden)**

## **MCDERMOTT, WILL & EMERY SCHOLARSHIP**

**Amelia Blanco - Union City High School**

## **CSÉPES LAW OFFICES SCHOLARSHIP**

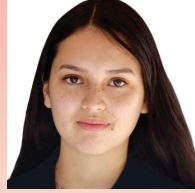
**Lesly Calixto - Passaic High School**

# HBA-NJ'S 41<sup>ST</sup> ANNUAL GALA SCHOLARSHIP RECIPIENTS LAW SCHOOL STUDENT BIOGRAPHIES

## DEANA GONZALEZ

*University of Pennsylvania Law School*

Deana Gonzales was born in Newark, New Jersey to immigrant parents from Peru and Ukraine. The first few years of her life were ridden with poverty until her mother became a teacher. Since then, education became an integral part of her life. After graduating high school with honors, Deana went to Cornell University to major in Environment and Sustainability. During college, she interned at the Hispanic Federation, the Human Services Coalition of



Tompkins County, and at the U.S. House of Representatives Committee on Science, Space, and Technology. Deana enjoys research and writing, which led to her becoming co-author of two research publications in academic journals.

Today, Deana attends the University of Pennsylvania Law School where she is the Vice-Chair of the Environmental Law Project and Academic Chair of the Latinx Law Students Association.

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## MATEO DIAZ

*Seton Hall University School of Law*

Mateo is a first generation American of Cuban and Nicaragüense decent. As a student he has held the roles of Vice President and Co-President of LALSA, Vice President and President of LAMBDA, Lexis Student Representative, BARBRI Student Ambassador, and helped launch the Trans Affirming Alliance. His work led the student body to choose him as a recipient of four annual leadership awards. Outside of school, Mateo has served as an HBA-NJ student representative, a



Verizon legal intern, a Splunk Legal Intern, a law clerk with McOmber McOmber & Luber, an at-large non-voting member of the New Jersey State Bar's Young Lawyer Division sitting on both the social and mentorship committees, an assistant to the President of the Hispanic National Bar Association, and an alumni advisor to Delta Upsilon at Seton Hall University. Mateo strives to be the person who he needed when he was younger and strongly believes that visibility matters.

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## NKORA CARR

*Rutgers Law School - Camden*

Nkora Carr is a rising 3L at Rutgers Law School-Camden. She was born in Brooklyn and raised in Long Island, New York. Nkora attended Penn State University, where she double majored in Creative Writing and Sociology. At Rutgers, Nkora is the incoming 3L class president for the Student Bar Association, the bar association liason for Alianza, and the managing articles editor for Rutgers Race and the Law



Journal. Nkora's note was chosen to be published next year. She completed an externship with the Honorable Charles W. Dortch, Jr., P.J.F.P. Nkora was a Summer Associate in Reed Smith's Philadelphia office in 2021 and will be joining the firm again for the summer of 2022. Nkora wants to use her law degree to advocate for minority children in the juvenile justice system.

# HBA-NJ'S 41<sup>ST</sup> ANNUAL GALA SCHOLARSHIP RECIPIENTS LAW SCHOOL STUDENT BIOGRAPHIES (Cont'd)

## SARA VASQUEZ

*Rutgers University School of Law – Newark*

Sara Vasquez is a rising 2L at Rutgers Law School and an alumna of Seton Hall University where she obtained a degree in Diplomacy and International Relations. As a first-generation American and Newark native, Sara enjoys representing her Colombian heritage through multiple positions at Rutgers, such as co-president of the Association for Latin American Law Students and the Immigrants' Rights Collective as well as a member of the Minority Student Program. Additionally, her involvement with programs such



as the NJ Governor's Hispanic Fellows Program and the Hispanic Bar Association of New Jersey has allowed her to build a strong network with mentors from who she enjoys learning. In her academic and professional careers, Sara strives to remain connected with her community through Shalom Community Services and her local church. This summer, Sara is looking forward to continuing to foster meaningful connections throughout her time as a law clerk at PSEG.

## RANDOLPH PORTUGAL

*Seton Hall University School of Law*

Randolph Portugal is a rising 3L at Seton Hall Law School. Before law school, he advocated for children and families in his roles in El Centro de Recursos Para Familias at Catholic Charities, Ocean County Head Start, and The Department of Child Protection and Permanency. In his 2L year, Randolph became the President of the Criminal Law Society and the Public Relations Chair of the Latin American Law Student



Association. Randolph is the Committee Chair for the Student Bar Association's Academics and Curriculum Committee and he is the Council Chair for Seton Hall Law School's Honor Council. He served as the Region III Representative for the Hispanic National Bar Association's Law Students Division for 2021-2022. Finally, Randolph is a Summer Associate for McGivney, Kluger, Clark, & Intoccia.

## VANESSA GOMEZ

*Rutgers University School of Law – Newark*

Vanessa is a first-generation American whose parents immigrated from Colombia. She is a rising 2L at Rutgers Law School- Newark, where she is a Dean's Merit Scholar, Ambassador to the Minority Student Program, Barbri Student Representative, Treasurer of the Association of Latin American Law Students Association, and member of the Women's Law Forum. Vanessa was born and raised in New Jersey and graduated from the University of Maryland



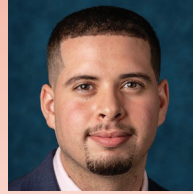
College Park in 2016 with a degree in Communication Studies. Prior to starting at Rutgers Law School, she worked in the HR/ Recruiting industry for several years. In her free time, Vanessa enjoys traveling, playing with her dog, and watching documentaries. Through LatinoJustice's Corporate/Law Firm Alliance Summer Program, Vanessa is spending her summer as a legal intern with T-Mobile and summer 2023 as a summer associate with Hogan Lovells in Washington D.C.

# HBA-NJ'S 41<sup>ST</sup> ANNUAL GALA SCHOLARSHIP RECIPIENTS LAW SCHOOL STUDENT BIOGRAPHIES (Cont'd)

## CHRISTIAN MEJIA

*Penn State Dickinson Law*

Cristian Roberto Mejia was born in the Bronx, by parents from the Dominican Republic. His family immigrated to Bayonne, New Jersey, where they still reside. Cristian is a graduate of Montclair State University, and currently attends



Penn State Dickinson Law as a rising 3L, where he is seeking a Certification in Civil Rights, Equal Protection and Social Justice. Upon graduation he intends to return to New Jersey to practice and help service his community.

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## ANAIS GONZALEZ

*Rutgers University School of Law - Newark*

Anais Gonzalez is a native New Jerseyian. She graduated from Ramapo College with a B.A. in Law & Society, cum laude, in 2018. Anais is a rising 2L at Rutgers Law - Newark. She has an interest in civil rights and policy



reform. This summer she is a legal intern with the ACLU-NJ. This upcoming school year, Anais will be serving as the co-president of the Women's Law Forum, the Vice President of Academic Affairs of ALALS, and the secretary of Street Law.

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## SOFIA CAMARA

*Rutgers University School of Law - Newark*

Sofia Camara is a rising 3L at Rutgers Law School-Newark. She was born in Brazil and immigrated to the United States with her family when she was young. Sofia earned a bachelor's degree



in International Affairs from Florida State University. Sofia was the past Co-President of the Association of Latin American Law Students and is interested in Immigration Law, Health Law, and Privacy Law.

## HBA-NJ'S 41<sup>ST</sup> ANNUAL GALA SCHOLARSHIP RECIPIENTS LAW SCHOOL STUDENT BIOGRAPHIES (Cont'd)

### GISELLE BARRAGAN

*Widener University Commonwealth Law School*

Born and raised Toms River, New Jersey, first-generation Latina, Giselle Barragan decided to seek "The American Dream" and pursue a degree in law. A rising 2L at Widener University Commonwealth Law School, Giselle feels the pride of being part of the Latin American Law Students Association at Widener. She encourages others to join the



LALSA at Widener so they feel a sense of home and community among other Latin students while attending law school. She loves speaking Spanish on any given opportunity. She also loves organizing and being part of LALSA's events. During her next 2 years at Widener, she hopes LALSA will continue to grow into a strong club in which Latinos and non-Latinos can both come together.

### TAYLOR CASTANEDA

*Seton Hall University School of Law*

Taylor is a Denver native who now attends Seton Hall Law School and is entering her 2L year. From a very young age Taylor always felt as though she was meant to be either a politician or a lawyer. From advocating for myself as a child when my parents refused to change my bedtime, to advocating for the constituents when she was a legislative aid, and now as a leader at Seton Hall Law, Taylor puts the needs of others

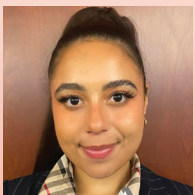


before her own. People often tell her to focus on herself, but she cannot work when she know her peers, community members, and others are hurting or need some motivation. Taylor lives for putting a smile on other's faces, aiding in making difficult decisions, and keeping her word. The words she lives by are "never sell yourself out" and "never forget where you come from."

### GENESIS MALDONADO

*Rutgers University School of Law - Newark*

Genesis is a rising 3L at Rutgers Law in Newark and am passionate about intellectual property law. This passion stems from her lifelong love for music. Genesis was born and raised in New York by two inspiring parents who always encouraged her to fight adversity with hard work and persistence. Genesis is a community-oriented individual and enjoys being a part of different organizations. At Rutgers, she is a



Moot Court Board member, the upcoming 2022-2023 Co-Editor-in-Chief for the Women's Rights Law Reporter, and a teaching fellow for first-year students. Genesis was the event coordinator for the ALALS 2022 flagship event, "Fiesta Con Sabor." This event honored Latino attorneys and their dedication to the law and the Latino community.

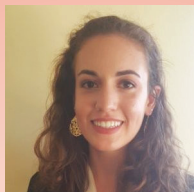


# HBA-NJ'S 41<sup>ST</sup> ANNUAL GALA SCHOLARSHIP RECIPIENTS LAW SCHOOL STUDENT BIOGRAPHIES (Cont'd)

## EDIANYS ENRIQUEZ

*Rutgers University School of Law – Newark*

Edianys Lima Enriquez was born in Cuba and immigrated at a young age with her family to New Jersey. Her mother worked her way up to Assistant Manager at the local McDonald's and her father worked hard as a diesel mechanic to make ends meet. She obtained a Bachelor of Arts in Sociology in 2017 from The College of New Jersey. Her passion to make a change in immigration law led her to Rutgers University School of Law - Newark where she began her legal journey.



Ms. Lima Enriquez later set her eyes on Southern California to gain further perspective on immigration law in another region of the country.

Ms. Lima Enriquez recently witnessed the debilitating effects of the law on her trip to Tijuana with Rutgers Staff Attorneys and fellow students. As an aspiring member of the bar, it is her life's mission to ensure access to justice.

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## GABRIELLA GREENHOWARD

*Rutgers University School of Law – Camden*

Gabriella Greenhoward is a rising 2L at Rutgers Law School in Camden. Gabriella is from Rockaway Beach, Queens, NY. In addition to her love of spending time at the beach, she also enjoys reading, trying new recipes, and spending time with her family. Gabriella received her B.A. in English from Moravian University in 2021. She participated in a 3+3 B.A./J.D. program that allows her to receive both degrees in six years. This past year, Gabriella proudly served as the President of the Black Law



Students Association and the Secretary for LALSA. Gabriella was also a Marshall Brennan Constitutional Literacy Fellow, which allowed her the opportunity to teach constitutional law to 11<sup>th</sup> grade students in Camden. Teaching the students was the most meaningful experience of Gabriella's law school career so far. She is looking forward to completing her legal education at Rutgers Law and achieving her dream of becoming an attorney.

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## VANESSA CALIXTO

*Rutgers University School of Law – Camden*

Vanessa Calixto is a rising 2L at Rutgers Law School-Camden. She is also a first-generation college graduate with a bachelor's degree in Political Science with a concentration in Pre-Law from Stockton University. Before heading to law school Vanessa gained experience working as a paralegal, primarily dealing with immigration



matters. This summer she is interning with the Honorable Michael J. Blee, the Assignment Judge for Atlantic/Cape May counties. Ultimately, Vanessa has an interest in working in the immigration field, but she is also looking forward to exploring other areas of the law.

# HBA-NJ'S 41<sup>ST</sup> ANNUAL GALA SCHOLARSHIP RECIPIENTS AMERICAN DREAM HIGH SCHOOL PIPELINE PROGRAM STUDENT BIOGRAPHIES

## AMELIA BLANCO

*Union City High School*

I am Amelia Blanco and I recently graduated with the class of 2022 from the José Martí STEM Academy. I was born and raised in Union City to parents of Cuban descent, who embody perseverance and continuously pushing me to become an educated and outspoken young woman. Although I graduated from an honorable STEM highschool, I have always been more inclined to the humanities. I am eager to pursue a legal



career and plan to attend the Rutgers-Newark School of Criminal Justice in the fall. I strive to be a respectable and successful lawyer, for myself and my community, providing due process for all Americans. I joined the Hispanic Bar Association's Pipeline program my freshman year of highschool, learning from my mentor the intricacies of various areas of the legal profession as well as advancing my presentation skills.

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## LESLY CALIXTO

*Passaic High School*

My name is Lesly Calixto and I was born in the city of Passaic, New Jersey. My parents migrated from Mexico all the way to the United States to have a better chance at life, but most of all, to be able to give their children a better future. I graduated from Passaic High School this year and I am pursuing a dual major of psychology and criminal justice at Cazenovia College. During my high school years, I participated in a club



called the Octagon Club and I also took a weekly criminal justice at Passaic County Community College where I started to develop an interest in law. The American Dream Pipeline program helped me have a better understanding what it is like to study law and be a lawyer. I plan to attend law school at New York University after I graduate from Cazenovia College. I hope to one day accomplish my dream of becoming a trial lawyer.

# HISPANIC BAR ASSOCIATION OF NEW JERSEY AMERICAN DREAM PIPELINE MENTORSHIP PROGRAM

During its 34<sup>th</sup> year, the Hispanic Bar Association of New Jersey (“HBA-NJ”) founded the American Dream Pipeline Program with the Passaic Public Schools.

The HBA-NJ believes that the judiciary and legal profession in the State of New Jersey and in this country should accurately reflect its citizenry. As such, the HBA-NJ’s goal has always been to foster a more diverse legal landscape and to address the many issues that affect the Latino community in New Jersey. We believe mentoring and inspiring young students is key to ensuring that diversity and inclusion continues to exist in this profession.

Under the leadership of HBA-NJ Past President Anna María Tejada (a former Passaic High School student herself), the American Dream Pipeline Program (“Pipeline Program”) was established in Passaic High School in 2013. The Pipeline Program’s main goals focus on providing students with exposure to the legal profession and guidance from attorney mentors sharing similar backgrounds and life experiences. The Pipeline Program is geared towards high school students (“mentees”) from urban communities, who come from families that immigrated to the United States and are most likely first-generation college-bound students. The purpose of the Pipeline Program is to provide the mentees with opportunities to meet attorneys and other professionals who have come from similar circumstances and can provide guidance to the mentees as they navigate through high school and start their own college application process.

Currently, the program in Passaic High School is in its ninth year under the leadership of Jacqueline Peña. Given the success of the program in Passaic High School, the HBA-NJ expanded its program to Union City in 2015-2016. The Union City program is chaired by Jonathan Barrera and is in its seventh year.

Under the efforts of several HBA-NJ mentors, the mentees have received assistance with the college application process, learned about the legal system, the art of networking, and how to pursue a career in the law. Through lively conversation—with the mentees often asking challenging questions—the HBA-NJ mentors have been able to demystify the legal system and put some real-world insight into the “Law & Order” understanding most have of attorneys and the legal process. The program has featured monthly guest speakers who have addressed the practice of criminal, civil, and family law; the N.J. Dream Act; and the state and federal judicial systems. Additionally, the students have participated in field trips to the United States District Court for the District of New Jersey, where they have seen the Honorable Esther Salas, U.S.D.J. in action on the bench, have engaged in discussion with Judge Salas about her personal and professional journeys, and toured her chambers and courtroom. The students also attend the Annual Women’s Empowerment Leadership and Law Conference and its Annual Installation and Scholarship Gala and Awards Dinners.

## THE HISPANIC BAR ASSOCIATION OF NEW JERSEY LIFETIME MEMBERS

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Nicole Albano, Esq.  
Hon. Roberto Alcazar, J.S.C. (ret.)  
Jose Bastarrika, Esq.  
Hon. Supti Bhattacharya, J.S.C.  
Milagros Camacho, Esq.  
Melinda Colon Cox, Esq.  
Monica de los Rios, Esq.  
Margarita Echevarria, Esq.  
Zulima Farber, Esq.  
Evelyn A. Faria-Waldman, Esq., CAMS  
Daniel Guadalupe, Esq.  
Reynold Lambert, Esq.  
Julia Lopez, Esq.  
Daniel Mateo, Esq.  
Hon. Jaclyn Medina, J.S.C.  
Franklin Montero, Esq.  
Raj Mukherji, Esq.  
Arlene Quiñones Perez, Esq.  
Nuris Portuondo, Esq.  
Miguel Alexander Pozo, Esq.  
Hon. Alberto Rivas, J.S.C.  
David Rivera, Esq.  
Hon. Esther Salas, U.S.D.J.  
Hon. Lourdes Santiago, J.S.C. (ret.)  
Hon. Lisa Miralles Walsh, A.J.S.C.  
David Wissert, Esq.  
Danielle Alvarez Wolf, Esq.

# HIGHLIGHTS FROM THE HBA-NJ'S 42<sup>ND</sup> ANNUAL INSTALLATION & SWEARING-IN CEREMONY

*Event Chairs: Albertina Webb, Esq. and Jose Calves, Esq.*

On November 11, 2021, the HBA-NJ held its 42<sup>nd</sup> Annual Installation and Swearing-in Ceremony at the Liberty House in Jersey City, New Jersey. The Honorable Judge Octavia Melendez, J.S.C. (RET.) installed President Tabatha Castro, Esq. and the 2021-2022 Officers and Trustees.



# HIGHLIGHTS FROM THE HBA-NJ's YLC 2021-2022 EVENTS

*Event Chairs: Dennise Mejia, Esq. and Jennifer Monge, Esq.*

## HBA-NJ YLC Annual Charitable Drive

On November 20, 2021, the HBA-NJ Young Lawyers Committee hosted its Annual Charitable Sandwich Drive at Hill Wallack, LLP. It was a success! Over 664 sandwiches and snacks were delivered to homeless shelters in Hoboken and Atlantic City. In line with the spirit of giving, the Young Lawyers Committee also distributed canned goods and hygiene products to the Trenton Area Soup Kitchen from products collected from its Thanksgiving Drive. Many families and individuals were thankful for these efforts!



# HIGHLIGHTS FROM THE HBA-NJ's YLC 2021-2022 EVENTS

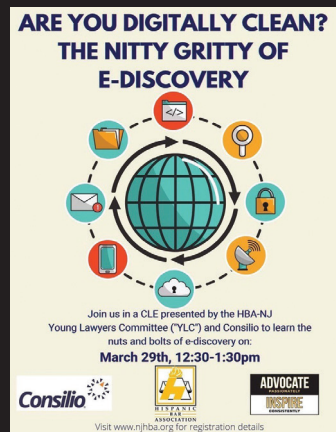
*Event Chairs: Dennise Mejia, Esq. and Jennifer Monge, Esq.*

## HBA-NJ YLC Annual Holiday Mixer & Toy Drive

On December 8, 2021, the HBA-NJ celebrated its Annual YLC Holiday Mixer & Toy Drive where over \$2,300 in toys and donations were received. These toys were delivered to children in the Mercer County DCF and to children in need in Monmouth County and Ocean County. With the help of our supporters and sponsors, we were able to put smiles on children's faces during the holiday season.

## HBA-NJ YLC and Consilio CLE: Are You Digitally Clean? The Nitty Gritty of E-Discovery

On March 29, 2022, the HBA-NJ Young Lawyers Committee and supporter, Consilio, hosted a free virtual CLE for a primer on how e-discovery is conducted, from governance and identification of materials, to service. We had close to 30 attendees! The CLE was beneficial to both our litigation and transactional attorneys and all legal service providers who were interested on what electronic materials are open to discovery and how to direct an e-discovery search for the best production results.



# HIGHLIGHTS FROM THE HBA-NJ'S 12<sup>TH</sup> ANNUAL CORPORATE COUNSEL CONFERENCE

*Event Chairs: Cristal Lambert, Esq., Hector D. Ruiz, Esq. and Alex Gonzalez, Esq.*

On February 10, 2022, the HBA-NJ partnered with Prudential Financial Inc. to host its 12<sup>th</sup> Annual Corporate Counsel Conference “A Roadmap to Meaningful Engagement: Serving a New Age of Stakeholders.” The virtual program featured welcome remarks from HBA-NJ President Tabatha L. Castro (Managing Attorney, The Castro Firm, Inc.) and Carlos R. Gonzalez (Chief Legal Officer – International, Prudential Financial, Inc.), as well as two panels: “Creating and Maintaining Successful Cross-Functional Business Partner Relationships” and “Meeting and Exceeding ESG Goals and Objectives.” The first panel featured moderator Antonio Gutierrez (Chief Business Affairs Officer and General Counsel, First in Service in Travel) and panelists Thomas Warnock (Associate General Counsel, Corteva Agriscience), José Ramon González (Chief Legal Officer & Corporate Secretary, Equitable Holdings) and José González (President & CEO, Federal Home Loan Bank of New York). The second panel featured moderator Alex Gonzalez (General Counsel & Corporate Secretary, Braven Environmental) and panelists Willie Hernandez (Head of Legal, Messenger, Meta Platforms), Rich Reich (Senior Vice President, General Counsel & Corporate Secretary, New Jersey Resources), Marta Carreira-Slabe (Division General Counsel & Compliance Officer, Aon) and Alan B. Cardenas (Vice President & Deputy General Counsel, Coursera).

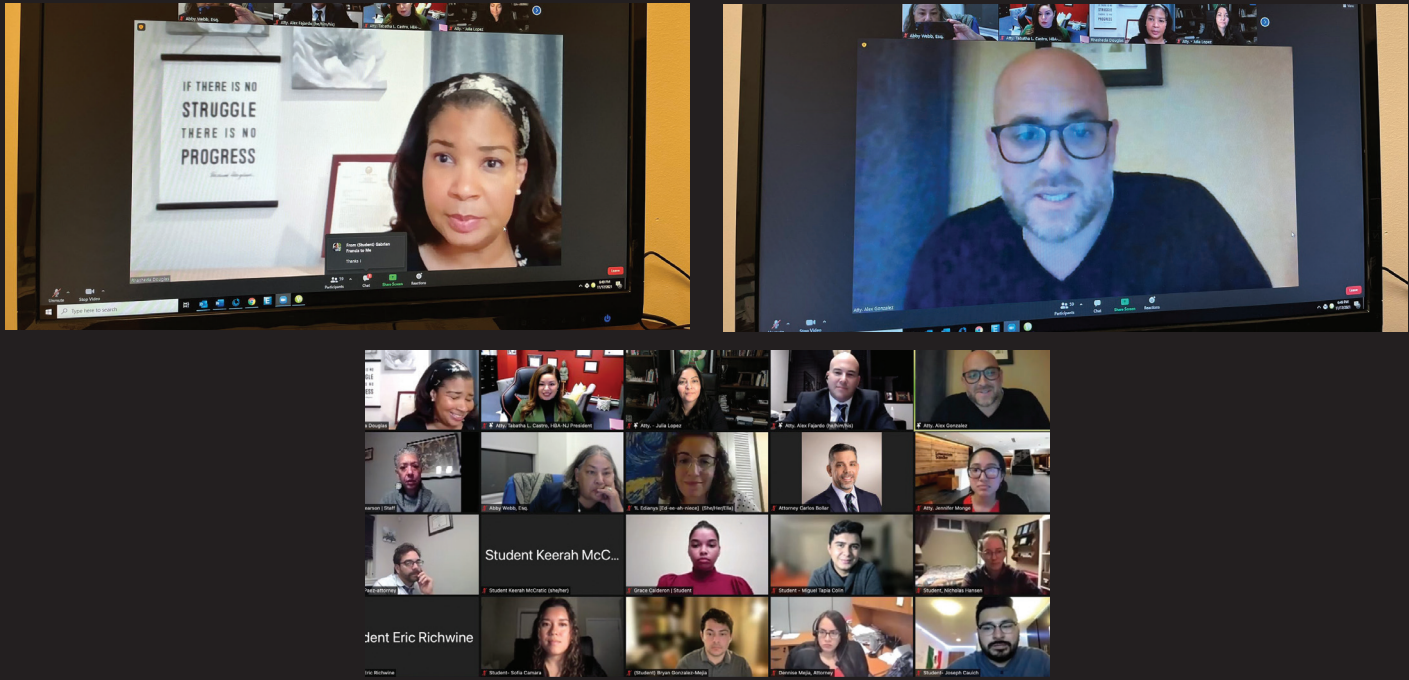




## HIGHLIGHTS FROM THE HBA-NJ'S LAW SCHOOL MENTORSHIP PROGRAM

*Event Chair: Albertina Webb, Esq.*

On Wednesday, November 17, 2022, the HBA-NJ hosted its Annual Mentorship Kickoff Program and Networking Reception virtually featuring guest speakers Rhasheda S. Douglas, Assistant Dean of the Minority Students Program (MSP) at Rutgers University School of Law and Alex Gonzalez, Esq., General Counsel and Corporate Secretary at Braven Environmental.



## HIGHLIGHTS FROM THE HBA-NJ's AND ROWAN UNIVERSITY'S PRE-LAW SOCIETY PANEL

*Event Chair: Jose Calves, Esq.*

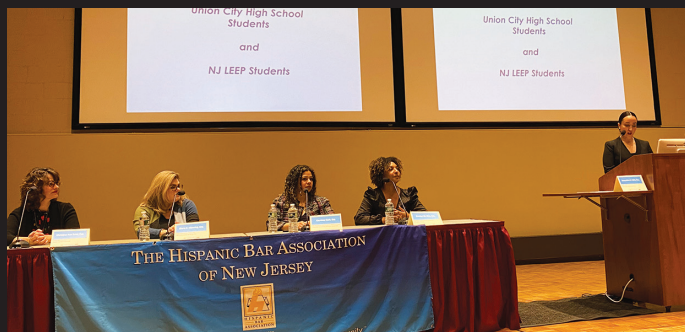
On December 12, 2021, the HBA-NJ visited Rowan University and presented a panel discussion to the University's Pre-Law Society. Panelists included Robert Lamilla, Camille McKnight, Jennise Rivera, Dana Stefanoni, and Jose Calves.



# HIGHLIGHTS FROM THE HBA-NJ'S 2022 ANNUAL WOMEN'S EMPOWERMENT LEADERSHIP & LAW (W.E.L.L.) CONFERENCE

*Event Chairs: Jacqueline Peña, Esq. and Alba Aviles, Esq.*

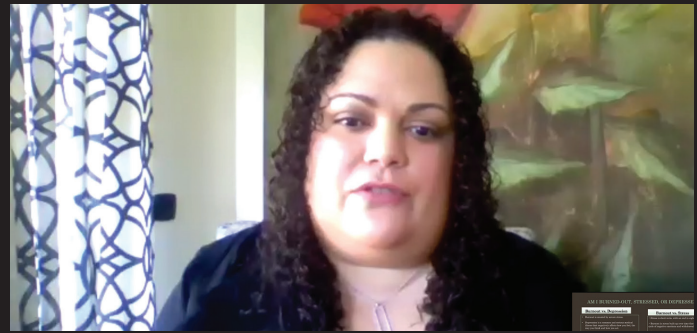
The HBA-NJ held its 2022 Annual Women's Empowerment Leadership & Law Conference in-person on April 9, 2022 at Essex County College in Newark, NJ. This year's W.E.L.L. Conference theme was *Aspire to Inspire: Leaning into the Latina Legal Legacy*. Close to 100 individuals attended the W.E.L.L. Conference, which was comprised of two panels and a keynote speaker. During the first panel, *Trailblazers: Increasing the Latina Presence Across Practices and Industries*, attendees listened to women across different sectors on how to retain, grow, and increase the presence of women, in particular women-of-color, in spaces that have traditionally been held by men. During the second panel, *Beyond the Courtroom: Women in the Room Where it Happens*, attendees listened to women in roles in government and non-profits on how women could become change-agents outside of the traditional private practice path. Finally, Keynote Speaker NJ State Senator M. Teresa Ruiz delivered a powerful speech regarding the importance of becoming involved in our general communities and government and her own personal experience of being one of the few Latinas in the New Jersey State Legislature.



# HIGHLIGHTS FROM THE HBA-NJ AND SOMERSET COUNTY BAR ASSOCIATION'S JOINT PROGRAM “LEGAL BURNOUT AND THE GREAT RESIGNATION: TIPS AND TRICKS ON HOW TO COPE.”

*Event Chair: Nathania Reyes, Esq.*

On April 14, 2022, the HBA-NJ and the Somerset County Bar Association hosted a joint CLE program: Legal Burnout and the Great Resignation: Tips and Tricks on How to Cope. The program dove into prevalent topics currently plaguing the legal field, such as: burnout, depression, anxiety, etc. The panelists discussed these issues in depth and provided tips and tricks for how attorneys can better manage these issues while still excelling in their legal careers. The CLE was moderated by HBA-NJ's Region 8 Trustee, Nathania Reyes and the panel included the Honorable Haekyoung Suh, P.J.S.C., past HBA-NJ president, Melinda Colon Cox, Hill Wallack Associate, Amani Abdellah, and Licensed Clinical Social Worker Colette McLean.



# HIGHLIGHTS FROM THE HBA-NJ'S LAW FIRM OWNERS BOOTCAMP

*Event Chairs: Maritza Rodriguez, Esq. and Kiomeiry Csepes, Esq.*

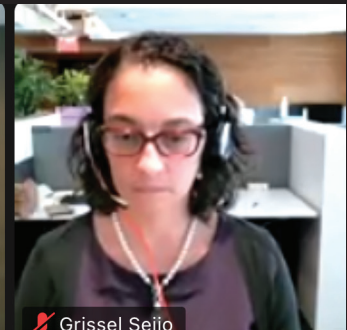
HBA-NJ hosted a lively Law Firm Owners' Bootcamp at the historic Camden Adventure Aquarium in Camden, New Jersey on May 5, 2022, with panels discussing topics such as scaling your practice, the financials of owning a law firm, business development efforts, best billing practices and the use of marketing and social media. The crowd was surrounded by not only great speakers but actual live sharks and other sea creatures to enjoy. A Cocktail Reception hosted by Webster Bank was held in the Camden Aquarium Beer Garden. In addition to our supportive annual sponsors, we also had Netsquire, AAF, Stopper Lopez, Gomez Law Group, Javerbaum Wurgaft collaborate and sponsor this worthwhile event.



## HIGHLIGHTS FROM THE HBA-NJ'S M.E.N.T.E. CONFERENCE

*Event Chairs: Alex Fajardo, Esq. and Maria Cortes, Esq.*

The HBA-NJ hosted its Second Annual Mental Education & Nurturing Through Engagement (M.E.N.T.E.) Conference on May 17, from 5:00 p.m. to 6:30 p.m. This year's event was held virtually and tackled mental health struggles silently affecting the legal profession and our community. Our panelists shared personal stories and expert advice as part of the HBA-NJ's efforts to eradicate stigmas in our profession surrounding mental health, answered questions, and equipped attendees with tools to help them and their loved ones navigate the challenges to mental health posed by the legal profession.



Maria Cortes

Grissel Seïio



Alex Fajardo (he/him/his)



Dr. Ruben Lambert

# HIGHLIGHTS FROM THE HBA-NJ'S 19<sup>TH</sup> ANNUAL SUN, SURF & SEMINARS CONFERENCE BARCELONA, SPAIN

*Event Chairs: Jose Calves, Esq. and Arianna Mouré, Esq.*

The HBA-NJ made history this year by hosting its 19th Annual Sun, Surf & Seminars conference (SSS) in the beautiful city of Barcelona, Spain – the first time the HBA-NJ took SSS to Europe. Conference attendees received 8 CLE credits while making lifelong memories and sharing cultural experiences. In addition to learning about comparative law from a panel of Spanish attorneys, which included Amazon Spain's Legal Director & Associate General Counsel, Ana Buitrago, attendees visited the famous 'Las Ramblas' for fine dining, laid out at the hip Barceloneta Beach, tasted 'copas de cava' at wineries, and toured the celebrated Salvador Dali Museum and the medieval city of Girona (where Season 6 of Game of Thrones was filmed). Some attendees also had the once-in-a-lifetime opportunity to have lunch in Madrid with the United States Ambassador to Spain, Julissa Reynoso. The HBA-NJ thanks the SSS Committee for their hard work organizing this successful conference after a two-year pandemic postponement. A standing ovation is also in order for the magical city of Barcelona for satisfying the traveling palate of our diverse group of SSS travelers. ¡Vale!



# HIGHLIGHTS FROM THE HBA-NJ'S AMERICAN DREAM HIGH SCHOOL PIPELINE MENTORSHIP PROGRAM

*Passaic Pipeline Program Chairs: Anna Maria Tejada, Esq., Jacqueline S. Peña, Esq. & Andy Mercado, Esq.  
Union City Pipeline Program Chairs: Jonathan Barrera, Esq. & Danielle Karczewski, Esq.*



# HIGHLIGHTS FROM THE HBA-NJ'S A NIGHT WITH THE HNBA PRESIDENT CARLOS BOLLAR

*Event Chairs: Albertina Webb, Esq. and Tabatha Castro, Esq.*

On June 23, 2022, the HBA-NJ and HNBA Region III hosted a joint celebration at Casa d'Paco in Newark, NJ honoring HNBA President Carlos M. Bollar. Event attendees celebrated Carlos's HNBA presidency as well as his successful term as the 36<sup>th</sup> president of the HBA-NJ.





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## How to Conduct an Internal Business Investigation, Document a Report, and Why It Matters

BY DAN BRECHER, ESQ. (Originally published on [scarincihollenbeck.com](http://scarincihollenbeck.com))

Internal investigations play a pivotal role in maintaining a productive workplace and reducing a business's potential liability. However, to reap these benefits, it is equally important to know how to write a factual, solid, representative report of an internal investigation that will withstand scrutiny and provide appropriate information for future reference in a litigation or government investigation.



### Importance of Internal Reporting Systems

Businesses with robust internal reporting systems are generally more successful. According to one report, companies with internal whistleblowing systems saw greater workforce productivity as measured by Return on Assets, fewer material lawsuits brought against the company overall, and lower settlement costs if a lawsuit did occur. In order for internal reporting to be effective, employees must believe that their concerns will be taken seriously and investigated in an impartial manner. Below are several hallmarks of an effective

internal reporting system:

- The program is adequately resourced, allowing the company to respond promptly, thoroughly, and effectively to complaints;
- Policies and procedures are translated into all languages commonly used by employees;
- The system offers employees multiple avenues of complaint, including a method to report complaints regarding managers and senior executives;
- The company is responsive to complaints by employees and by other individuals on their behalf;
- The process protects the privacy of alleged victims, individuals who report misconduct, witnesses, alleged wrongdoers, and other relevant individuals to the greatest extent possible;
- The company monitors whether individuals who report potential wrongdoing, witnesses, and other relevant individuals are subjected to retaliation,

and imposes sanctions on individuals responsible for retaliation;

- Procedures are in place to ensure that individuals alleged to have engaged in wrongdoing are not prematurely presumed guilty or prematurely disciplined; and
- The resolution of the complaint is conveyed to the complainant and other involved parties.

### Importance of Comprehensive Internal Investigations

Once an internal complaint is made, companies must conduct a fair and comprehensive investigation. Whether you are dealing with workplace harassment or potential regulatory violations, the goal of an internal investigation is to determine whether the reported/suspected conduct occurred; what the circumstances were; who was involved; and whether a law or company policy was violated. Below are several tips for success:

- Investigations must proceed promptly.

*continued on page 41*

## Can My Child Choose Which Parent to Live with During a New Jersey Divorce?

BY: MAURICE GIRO, ESQ., (Originally Published in *Giro, LLP, Attorneys at Law.*)

A divorce occurs between two spouses, but the children are also heavily affected. While property division and alimony are important, parents often care more about custody than any other aspect of their divorce. Each parent may believe that they are best-suited to act as the primary custodial guardian, but what about the children? Don't they get to decide?



If you are going through a divorce in New Jersey and you are approaching a major custody battle, it makes sense to get in touch with a qualified family law attorney as soon as possible. Our legal professionals can help you strive for the best possible results in your divorce. While your child's preference may play a role in the overall decision, it is just one of many factors that a judge may consider.

### A Child Can not Choose their Parent in New Jersey

In many other states, children can choose which parent they wish to live with once they reach

*continued on page 42*

Upon receiving an internal complaint, it is often a good idea to speak with the complainant and conduct an initial investigation as soon as possible. Attaining a general understanding of the issues can help determine how best to proceed with a formal investigation. As the investigation progresses, it can be helpful to keep the complainant informed of the process.

- Conducting an investigation in name only can be worse than doing nothing at all. It is imperative to thoroughly investigate the complaint, review all relevant policies and procedures, and interview all potential witnesses.
- Removing potential bias is also essential to an effective investigation. In some cases, this may require obtaining the services of a neutral third-party, such as outside counsel.
- It is important to preserve confidentiality, with respect to the complainant, witnesses, and those who have been accused of wrongdoing. When conducting the investigation, it is also wise to limit access to only those who need to be involved.
- As you proceed, be

sure to preserve any evidence you collect, including documents, email correspondence, and interview notes. Documenting your investigation through a written report is discussed further below.

- In many cases, it may not be readily apparent whether the alleged wrongdoing is illegal and must be reported to state and federal regulators. To determine the best course of action, it is often necessary to involve experienced legal counsel, whether it is in-house counsel or an outside firm.
- Once the investigation ends, all involved employees will want to know how the issue was resolved, including what corrective action was taken, if any. At this point, it is also advisable to inform employees how to raise concerns about potential retaliation.

### **Writing an Effective Investigation Report**

Because an investigation that is not documented properly is akin to one that never happened, it is essential to know how to write a formal investigative

report. A well-written report can be a tremendous asset by demonstrating your organization's timely and thorough response, as well as the integrity of the investigation. Below are some of the key elements of an effective report:

- **Executive summary:** Most investigative reports begin with an executive summary that provides a brief summary of the complaint and the relevant policy or regulation that may have been violated. The summary should also detail the investigative mandate and the final conclusions reached. While a detailed outline can be useful in guiding the investigation, the summary should be written last, as it should reflect the final outcome and not what the investigators initially believe it may be.
  - **Allegations/facts:** This section of the report should discuss the background facts to the subject allegation or incident, including the employees and departments involved. Facts that also may be relevant include the relationship between the employees, their job duties, and the
- activities of the departments involved. A timeline of events may be warranted too. Relevant policy or regulation: This section of the report should discuss the policies, rules, regulations, or other legal obligations implicated by the allegations, as well as how they informed the scope of the investigation. For each potential policy or legal violation, it is important to discuss the elements required and the burden of proof.
- **Evidence:** This section should also detail the documents considered, including the sources of the documents and how they were authenticated. It should also discuss the interviews conducted and provide summaries of all witness statements.
  - **Analysis:** This section should discuss the position taken by each relevant party, i.e., the reporter, the subject of the investigation, and any key witnesses, along with the evidence supporting each position. This section should also address what facts were

*continued on page 42*

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*“A well-written report can be a tremendous asset by demonstrating your organization’s timely and thorough response, as well as the integrity of the investigation.”*

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deemed relevant or irrelevant, what facts were disputed, and how the credibility of the parties was assessed.

- **Findings/conclusion:** For each conclusion reached, the report should restate the applicable legal standard and findings of fact that support the conclusion. There are typically three types of conclusions: sustained (the investigation reveals that the evidence satisfies the burden of proof in support of the allegation); not sustained (the evidence does not satisfy the burden of proof); inconclusive (the investigator is unable to determine if an allegation has merit).

When writing the report, it is essential to be impartial and professional. The report should be comprehensive, in that it documents all aspects of the investigation and addresses all of the issues raised. However, at the same time, an effective report must be clear, succinct, and straightforward to read.

### **Key Takeaway**

An effective internal investigation process protects the financial interests of your business, as well as its reputation. It can not only reveal misconduct and regulatory violations, but also identify

ways to improve how your business operates. Because most managers, human resource professionals, and compliance officers are not trained investigators, it is often advisable to work with experienced counsel when conducting an internal investigation and preparing the resulting report.

*Dan Brecher is Counsel at Scarinci & Hollenbeck, LLC, and Chair of the firm's Securities and Investment Banking Group. His experience includes serving as general counsel for NYSE and NASD/FINRA member brokerage firms, representing companies in hundreds of public and private securities offerings, and advising institutional and high net worth clients. Mr. Brecher is counsel of record in several landmark securities, business, and education rulings. He's a court-appointed mediator in the SDNY and a mediator and arbitrator at FINRA. Mr. Brecher is a nationally known author and lecturer on corporate, securities, and investment banking themes. He's appeared on CNN and other national and local media. His essays have appeared in Barron's, The Practical Lawyer, Boardroom Reports, Bottom Line/Personal, and other publications. He co-wrote Chapter 24 of Matthew Bender & Co.'s "New York Forms of Jury Instruction, Officers' and Directors' Liability." Mr. Brecher has spoken at FINRA Arbitrator Skills Programs and wrote a chapter on client disputes against brokers. He was the principal speaker and co-author of "Buying and Selling a New York Business" for Lorman Education Services. Dan was Chairman of Birch Family Services, Inc.'s Board of Directors for ten years and is now Vice Chairman. Birch provides housing and career training for autistic young adults. ☞*

a certain age. But that is not the case in New Jersey. Technically speaking, a child has the right to choose their custodial parent when they turn 18. But since this is the age of majority in New Jersey, most children are no longer considered dependent minors when they turn 18. When they reach this age, all parental rights are transferred to the child, and they can essentially do whatever they want. So in reality, this New Jersey law is a moot point.

### **Not So Fast**

But with all that said, a family court may still consider the wishes of a child during a custody trial. Some attorneys claim that it is an "unwritten rule" that a judge will listen to a child's preferences with considerable seriousness after the age of 14. Even if the child is under the age of 14, a judge may consider their decision in addition to the other issues relevant to their best interests.

### **Other Factors to Consider**

But there are many other factors that may be relevant in a custody battle. Your child's preference still matters, even if they are far too young to actually express that opinion in court. For example, a parent has a much better chance of receiving primary physical custody if they spend more time with a child and learn more about their needs, desires, and hobbies. If you can show that you and your child clearly had a close bond

during the marriage, then there may be no need for them to express their opinion.

*Maurice Giro, Esq. is managing member of Giro Attorneys at Law, LLC, a firm whose practice focuses on elder, estate and family law. Mr. Giro helps families advocate for their rights. He helps his clients secure their assets and provide for their families whether as the result of divorce or custody disputes, or other life events. Mr. Giro is sympathetic and takes the time to understand his clients' situations and ambitions. He knows the laws impacting the transfer of assets and can aid his clients and their family. Mr. Giro's experience allows him to help in a variety of situations: whether his clients need to protect valuable and complex assets subject to a divorce, or through a trust, plan for Medicare and Medicaid benefits for long-term care, or pass on simple assets and personal items through a will, he can deliver exceptional results. ☞*

# New Jersey Passes Law Prohibiting Those Who Purchase Properties in Foreclosure for Less Than Fair Market Value from Intervening in Action or Redeeming Property: **More Harm than Good?**

BY: MICHAEL R. O'DONNELL

**O**n September 24, 2021, Governor Murphy signed a law amending N.J.S.A. § 54:5-89.1, with the amendment preventing investors who purchase homes subject to a tax foreclosure for below fair market value from intervening in foreclosure actions to redeem those properties. The statute at issue addresses the rights of people with unrecorded interests in properties that are in foreclosure for unpaid taxes or municipal




prior version of the law, “[h]omeowners who are in the process of foreclosure are being approached and convinced that their property value has dropped significantly and is worth much less than they know. They are being told the best option is to get what they can get for their home now before the value declines anymore. Some of these elaborate schemes weave in false appraisals and lawyers backing up the buyers’ deception. For the many who believe these so-called real estate investors or ‘title raiders’ that you may find

state. To know they are being deceived out of their homes in the middle of a fight against foreclosure is unacceptable. This new law marks the beginning of an ongoing effort to address the concerns homeowners have with the foreclosure process, lending and predatory practices that are taking homes away from families.”

The amendment, however, could cause more harm than good. If a property owner does not have sufficient funds to redeem a tax sale certificate, the property is lost to the tax sale certificate holder and the property owner receives nothing. Under the prior scheme, the investor has to intervene in the foreclosure and demonstrate that the property owner received more than nominal consideration, as adjudicated by the Court. *See, e.g., Simon v. Cronecker*, 189 N.J. 304 (2007). If approved by the Court, the investor usually redeems and the homeowners received cash and often an extended (albeit short) time to stay in the property, often rent-free, before the property is turned over to the investor. While not perfect, and there are more than enough examples of unscrupulous investors taking advantage of a homeowner’s plight, the homeowner would receive consideration for his property, and the courts had a say in protecting the homeowner from

outrageously low offers. If investors now have to pay fair market value for properties, one can anticipate that there will be less bidding for properties pre-foreclosure and more homes foreclosed on and lost with the homeowners receiving nothing. Time will tell if this noble amendment works for those unfortunate homeowners or it will be a case of the best intentions leading to wrong results.

*Michael R. O'Donnell is a Co-Managing Partner of Riker Danzig LLP. He provides a range of commercial litigation services to clients, particularly financial institutions, title insurance companies and reinsurers. His work includes real estate and title disputes and related legal malpractice claims, lender liability and the work-out of problem loans, commercial lending, sophisticated judgment collections, fraud and fraudulent transfer claims, title disputes, reinsurance collections, oppressed shareholder claims, RICO claims and D&O and fidelity bond issues. Mike has defended title underwriters and agents and financial institutions in class actions ranging from claims of overcharges on settlement services to violations of the Expedited Funds Availability Act. He is the Past Chair of the District XB Ethics Committee of the Supreme Court of New Jersey, a Life Fellow of the American Bar Foundation, and a member of the Association of the Federal Bar of New Jersey. Mike is also a member of the Board of Directors of Zufall Community Health Centers. He earned his J.D. from the University of Virginia School of Law, and his B.A. from the University of Notre Dame.* 

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*“They watch their homes being re-sold for more than they were offered for it.”*

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liens. Under the statute, anyone with such an interest in the property is bound by the foreclosure judgment, however, once the person records the interest, they may apply to intervene in the action. Under the prior version of the law, “[n]o person, however, shall be admitted as a party to such action, nor shall he have the right to redeem the lands from the tax sale whenever it shall appear that he has acquired such interest in the lands for a nominal consideration after the filing of the complaint,” with exceptions for relatives or those who purchased the property at a judicial sale. According to the Assembly members who sponsored the amendment, under this

through 1-800 number posters, flyers, or online ads on Craigslist, they watch their homes being re-sold for more than they were offered for it.”

Under the amendment, the law now states that no person can intervene in an action or exercise the right of redemption if they “acquired such interest in the lands for less than fair market value after the filing of the complaint[.]” Thus, those who pay more than nominal consideration but less than fair market value are now barred from intervening or redeeming. According to the sponsors, “New Jersey has some of the highest foreclosure rates in the nation. Homeownership and equity equate to wealth for many families in the

# NJ Legacy Solar Transition Incentives Get Limited Extension Opportunity

BY: MATTHEW A. KARMEI As published in NJ Spotlight June 17, 2022.

New Jersey is providing limited relief to solar projects being developed under a legacy incentive program, known as the Transition Incentive Program, and additional targeted relief may be coming from the New Jersey Legislature for certain projects in this program.



As has been widely reported, solar developers in New Jersey are having difficulties completing construction within the timeline required to remain eligible for the incentives available under the TI Program. In particular, solar developers are facing a wide range of difficulties in meeting the applicable completion deadlines, including supply chain issues as well as delays in the process of connecting to the grid.

At a recent agenda meeting of the Commissioners of the New Jersey Board of Public Utilities, President Joseph L. Fiordaliso, discussed the challenges faced by developers seeking interconnection: “If anything keeps me awake at night it is the fact that we are going to have wind turbines out there, we have solar programs out there, and there is no place to plug them in. The utilities must without any question continue to work, and I know they are,

but continue to work on infrastructure to ensure the fact that they are able to accept clean energy generation into their system otherwise what we are doing is for naught.” As discussed in more detail below, while the New Jersey Board of Public Utilities has recently denied petitions for individual projects seeking extensions of the applicable TI deadlines, the New Jersey Board of Public Utilities has now issued an order providing a path for certain projects to seek a limited and conditional 6-month extension to the construction deadlines applicable to solar projects admitted into New Jersey’s Transition Incentive (TI) Program. The New Jersey Legislature also is considering a longer extension for a limited subset of TI Program projects located on a on a brownfield, on an area of historic fill or on a properly closed sanitary landfill facility.

## TI Program Deadlines

Although applicable deadlines vary based on circumstances specific to each project, many projects within the TI Program had a completion deadline of April 30, 2022 determined in accordance with Board

rules, the dates in their conditional registration and prior general extensions. Projects within the TI Program must complete construction and obtain Permission to Operate from the local electric utility to remain eligible for the incentives.

TI projects are entitled to receive financial incentives referred to as Transition Renewable Energy Certificates or TRECs. The TI program replaced the original Solar Incentive program, and in turn is being replaced by the Successor Solar Incentive program, referred to as the “SuSi Program.” Generally, the incentives under each new program are less lucrative than under the prior programs, and that is certainly the case for commercial projects comparing the TI Program and the SuSi Program.

## NJBPU Provides Conditional 6-Month Extension

As noted above, the New Jersey Board of Public Utilities issued an order providing the availability of a conditional 6-month extension to TI Program projects that meet certain criteria detailed in the order, including:

1. The project can demonstrate that it was electrically and mechanically complete prior to its TI Program expiration date;
2. The project can demonstrate that it had received and satisfied all necessary permits from all authorities having jurisdiction over the project prior to its TI Program expiration date; and
3. Project construction was proceeding based on a representation from the EDC that any necessary interconnection upgrades would be completed prior to the project’s TI Program expiration date, that the upgrades were fully funded by the project developer, but that despite the developer’s best efforts, the estimated upgrade completion date was unilaterally extended by the EDC.

The Board’s order provides additional detail on the criteria to be met, and the documentation required to meet these criteria. Project developers should consult with experienced counsel to ensure that the necessary documentation is provided in a timely manner.

*“If anything keeps me awake at night it is the fact that we are going to have wind turbines out there, we have solar programs out there, and there is no place to plug them in.”*

### Extension Process

Previously, in order for a project developer to obtain an extension of the deadlines set forth in the TI program, the developer was required to file a petition for an in accordance with N.J.A.C. 14:1-4 and -5. In seeking an extension, a project developer is required to show that waiver of the deadlines is based on “good cause” or that failure to provide a waiver “would adversely affects ratepayers, hinders safe, adequate and proper service, or is in the interest of the general public.” N.J.A.C. 14:1-1.2(b).

The Board’s recent order determines that good cause is shown where a project meets the criteria in the order and allows projects to demonstrate good cause through the normal, administrative post-construction documentation process.

Projects that do not meet these criteria must submit petitions to attempt to obtain relief from the deadlines, but such relief may be difficult to obtain. Projects within pending petitions have until July 8, 2022 to notify the Board Secretary that they intend to seek relief of the conditional extension process provided by this order. In such cases, the Board will hold their pending petitions in abeyance.

## Project developers should be guided by the criteria provided, and document additional grounds for extensions carefully.

In contrast, the SuSi program has a built-in extension mechanism, which allows projects to request one six-month extension. As set forth in N.J.A.C. 14:8-11.5(i), SuSi program extension requests will be reviewed “on a case by on a case-by-case basis, based on consideration of extenuating circumstances for the delay in completing the facility, evidence that the facility has made progress towards completion, and the likelihood of timely and successful completion of the solar facility.”

### New Jersey Legislature Considers Extension for Subsection (t) Projects

The New Jersey Legislature has introduced bills that would provide a separate extension for TI Program projects located on a on a brownfield, on an area of historic fill or on a properly closed sanitary landfill facility, which are

governed by Subsection (t) of the TI Program. While the bills have not yet advanced significantly through the legislative process, if adopted as currently written the legislation (S2732/A4089) would provide deadline extensions for the length of certain interconnection delays.

### Conclusion

TI projects will continue to come up against applicable deadlines, and the New Jersey Board of Public Utilities has provided only limited relief from applicable deadlines. Project developers should be guided by the criteria provided, and document additional grounds for extensions carefully. It remains to be seen whether the legislature will act to extent the TI Program on the limited basis already suggested, or on some broader terms.

*Matthew Karmel is an environmental attorney at Riker Danzig representing solar developers as well as other businesses helping to make the world a better and more sustainable place. Matthew’s particular focus and experience has garnered wide recognition, including from Best Lawyers in America®, a peer review of U.S. lawyers, which included Matthew on its “Ones to Watch” list in the field of Environmental Law and from Waste360, which included him on its 2022 “40 under 40” list. *

# Disruptive Technologies and Litigation: Classifying and Valuing Bitcoin

BY: MICHAEL A. FERNÁNDEZ<sup>1</sup>

**B**itcoin (symbol  $\square$ , common digital asset exchange ticker symbol “BTC,” and plural “bitcoins”) is a digital currency, also referred to as a cryptocurrency. There are no physical bitcoins. Rather, the currency exists as data maintained on a public ledger – the “blockchain.” Bitcoins on the Bitcoin blockchain (or other digital assets on separate public blockchains) are “stored” in public addresses, and those addresses and the bitcoin quantities held in those addresses are contained on a public ledger fully transparent to anyone with access to the blockchain.

Since Satoshi’s White Paper was first published in 2008, Bitcoin and crypto assets have become the subject of contracts and numerous other private arrangements. Unsurprisingly, there has been a growing volume of litigation over how to classify Bitcoin and how to value it for purposes of calculating damages for statutory violations, breaches of contract, and torts. This brief article summarizes the competing approaches taken by courts in dealing with both of those issues.



## What is Bitcoin?

Over roughly the past decade, the nature of Bitcoin and other crypto assets has been the subject of extensive litigation. To date, there is no U.S. Supreme Court or state supreme court precedent that has definitively addressed the nature of Bitcoin. Nonetheless, as will be seen below, a variety of courts have classified Bitcoin as money and a commodity for purposes of different statutory regulatory regimes.

In one of the earliest litigations concerning Bitcoin, a federal district court concluded that Bitcoin is “money” for purposes of the Securities Act of 1933 and Exchange Act of 1934. *See, e.g., Sec. & Exch. Comm’n v. Shavers*, No. 4:13-CV-416, 2013 WL 4028182, at \*2 (E.D. Tex. Aug. 6, 2013) (“It is clear that Bitcoin can be used as money. It can be used to purchase goods or services, and as Shavers stated, used to pay for individual living expenses.”). This decision was followed by *United States v. Faiella*, 39 F. Supp. 3d 544 (S.D.N.Y. 2014) in which Judge Rakoff found that bitcoin qualified as “money” for purposes of indicting and prosecuting defendants under federal money laundering statutes. Since then, a variety of courts have found that Bitcoin, at a minimum, has certain attributes of money.

*See, e.g., State v. Espinoza*, 264 So. 3d 1055, 1067 (Fla. Dist. Ct. App. 2019) (holding that “because Bitcoin unambiguously serves as a ‘medium of exchange,’ it necessarily qualifies as “monetary value” for purposes of sections 560.125(1) and 560.125(5)(a).”).

A number of courts have also found that Bitcoin is a commodity for purposes of the Commodity Exchange Act where there is “futures trading in virtual currencies (specifically involving Bitcoin).” *See, e.g., Commodity Futures Trading Comm’n v. My Big Coin Pay, Inc.*, 334 F. Supp. 3d 492, 498 (D. Mass. 2018) (collecting cases).

Despite the many lower court cases addressing the nature of Bitcoin, it remains an open question whether it can be both “money” and a “commodity.”

## Calculation of Monetary Damages: An Issue of Timing

The value of a Bitcoin or other crypto assets can vary wildly. The question of how to value such assets for purposes of a damages award has been a subject over which much ink has been spilled. Despite this, to date, there is no U.S. Supreme Court or state appellate court precedent articulating a standard for valuing such assets.

In the absence of binding precedent, courts across the country have advanced a variety of different approaches to value Bitcoin for purposes of calculating damages.

Following the customary rule used by many states in calculating damages for conversion claims, the Ninth Circuit has held that the amount of damages to award for conversion should be based on the value of the Bitcoin when the conversion occurred. *See, e.g., Ox Labs Inc. v. BitPay, Inc.* 848 F. App’x 795, 796 (9th Cir. 2021) (“the default remedy for conversion [in California] is to award damages equal to the value of the property at the time of conversion.”).

Consistent with the “New York” approach used to value assets of fluctuating value,<sup>2</sup> a Delaware lower court recently relied on the “highest market price the stock reached within a reasonable time of plaintiff’s discovery of the breach” to value certain crypto assets. *Diamond Fortress Techs., Inc. v. EverID, Inc.*, 274 A.3d 287, 307 (Del. Super. Ct. 2022). A third approach that has been used to calculate damages is to permit the jury to consider the Bitcoin’s maximum value prior to verdict. This is the approach that was used in *Kleiman v. Wright*,



wherein the District Court concluded that the appropriate measure of compensatory damages is the “highest value of the Bitcoin and IP at issue between the time of the conversion and the date of the jury’s verdict.” *Kleiman v. Wright*, No. 18-CV-80176, 2021 WL 5447110, at \*4 (S.D. Fla. Nov. 22, 2021).  
\*\*\*\*

Bitcoin has come out of its infancy. As of May 2022, crypto assets have generated more than 200 class action lawsuits and other private litigations.<sup>3</sup> It is safe to assume that state appellate courts will have more opportunities to weigh in on the nature of crypto assets and how to value them. Until such time, however, those issues will likely continue to be heavily litigated in a context of continued uncertainty.

*Michael A. Fernández is a partner at Rivero Mestre LLP and an Adjunct Professor of Law at the Fordham University School of Law. The views expressed herein are his own and do not reflect the views of his clients. He can be reached at mfernandez@riveromestre.com*

<sup>1</sup>The author acknowledges and thanks Rivero Mestre LLP summer law clerk Sabrina Serber for her assistance in the preparation of this article.

<sup>2</sup>Under this approach, a court would consider the highest intermediate value of the asset between the time of its conversion and a reasonable time after the owner has received notice of it to enable him or her to replace the asset. See generally Restatement (Second) of Torts § 927 (1979).

<sup>3</sup>Sam Skolnik, *Crypto Lawsuit Deluge Has Big Firms Scrambling to Keep Up*, BLOOMBERG LAW, May 17, 2022 <https://news.bloomberglaw.com/business-and-practice/crypto-lawsuit-explosion-has-big-law-scrambling-to-keep-up>

## NUTS & BOLTS OF SPECIAL EDUCATION LAW FOR NON-PRACTITIONERS

BY: TERESA L. MOORE, ESQ., Riker Danzig LLP

The niche practice of special education law comes into play when a child with a disability needs particular educational services due to the disability, but the child’s school district resists providing those services.



Seventeen percent of all students in New Jersey receive special education services from their districts, ranging from being taught by a certified special educator to a personal aide in school to education in a private school for children with disabilities. The number of students receiving special education is rising nationwide, largely because many children are being identified as being on the autism spectrum and/or suffering from school anxiety. The right to receive services can extend from preschool age all the way up to age 21.

### Basics of Special Education Law

Federal law, particularly the Individuals with Disabilities Education Act (“IDEA”), 20 U.S.C. §1400 *et seq.* and Section 504 of the Rehabilitation Act, 29 U.S.C. §794, together with their implementing regulations, largely governs the education of children with disabilities. N.J.S.A. 18A:46-1 *et seq.* and Title

6A of our administrative regulations implement the federal law.

The IDEA is intended “to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living.” 20 U.S.C. §1400(d). School districts must identify children with disabilities and evaluate their eligibility for special education and related services or a 504 accommodations plan. If a child with a disability is eligible for special education or for a 504 plan, the school district must provide the child with programming and services individualized for the child, or with accommodations of the disability that will enable the child to learn. The IDEA requires school districts to provide special education in the “least restrictive environment” that can provide meaningful educational benefit to a child. 20 U.S.C. §1412.

New Jersey uses fourteen categories of disability to identify children who are eligible for special education. The categories are auditory impairment,

autism, intellectual disability, communication impairment, emotional regulation impairment, multiple disabilities, deaf/blindness, orthopedic impairment, other health impairment, preschool child with a disability, social maladjustment, specific learning disability, traumatic brain injury and visual impairment. N.J.A.C. 6A:14-3.5.

Each child who is eligible for special education receives an Individualized Education Program (“IEP”) that will describe the programming and services to be provided to the child. For those who qualify, services such as physical therapy, occupational therapy, counseling, speech and language therapy, and transportation may be provided.

Detailed dispute resolution procedures are set forth in the IDEA and in New Jersey regulations that include mediation, an administrative hearing, or a complaint investigation by the state Department of Education. During litigation, the child’s educational placement must “stay put” in the last agreed-upon placement, unless an administrative law judge orders a change in placement pending the outcome of a hearing. Fee-shifting is available under the IDEA to parents who prevail in litigation against their school district.

## Educational Placement in Private School

In some instances, the local school district of a child with a disability does not offer an educational setting that is appropriate to the needs and abilities of the child. When that occurs, the child may be entitled to be placed at a private school that can address the disability, paid for by the school district. In one recent case, Riker Danzig obtained a private school placement for a teenager with autism whose local public school district had failed to provide an appropriate education for him in the district's program for students on the autism spectrum. Due to the severity of the teenager's disability, he will be entitled to be educated through the year he turns age 21. This result is significant for the child who is now in an appropriate educational

judges have determined that children suffering from anxiety and similar conditions should be educated in a private school at public expense. Examples of such cases include *D.A. and P.A. on behalf of D.A. v. Livingston Bd. of Ed.*, OAL Docket No. EDS 02614-16 (2017) (ordering placement of a child with school anxiety at a private day school for children with disabilities); and *M.P. and I.P. on behalf of S.P. v. Millburn Township Bd. of Ed.*, OAL Docket No. EDS 05984-13 (2015) (upholding placement of a child with severe anxiety at a private residential school for children with disabilities).


The problem of bullying has been a much-publicized issue for schools in recent years. Children can be educated at private schools at public expense if school anxiety results from bullying. See, e.g., *L.B. on behalf of J.B. v. Roselle Bor.*

18A:37-13 *et seq.* HIB occurs when there is a reasonable perception that an incident was motivated "by any actual or perceived characteristic of a target (e.g., "he is overweight," "she is deaf," "he is not smart"), that takes place at school or at a school-sponsored activity, when the incident disrupts the ordinary operation of the school or, more usually, the target's rights, and as long as a reasonable person should know that the incident would cause physical or emotional harm or would insult or demean the target or create a hostile environment for the victim.

Although the harassing or bullying conduct need not occur on school grounds to be found to be HIB, when a school employee is made aware of the incident and the incident substantially disrupts or interferes with the orderly operation of the

The United States Department of Education, Office for Civil Rights, has determined that over 10% of all HIB incidents involve "allegations of discrimination against a student with ADHD." If the victim of HIB or the aggressor have an IEP or 504 plan, the child's support team must convene as soon as possible to make certain that the student is receiving all the benefits and supports in the IEP or 504 plan, and to revise the IEP or 504 plan if necessary.

HIB can be actionable not only under the Anti-Bullying Bill of Rights Act, but also under the New Jersey Law against Discrimination ("NJLAD"), N.J.S.A. 10:5-1 *et seq.* The seminal case in New Jersey finding a cause of action under NJLAD for student to student harassment is *L.W. v. Toms River Reg'l Sch. Bd. of Ed.*, 189 N.J. 381 (2007) (school district can be liable for harassment when the district knew or should have known of the harassment but failed to take actions reasonably calculated to end the offensive conduct).

*Riker Danzig LLP has a dedicated team of lawyers experienced in assuring that children receive in school the services to which they are entitled. If you are interested in a consultation or acting as co-counsel with us, please contact Teresa Moore, chair of our School Law team, at [tmoore@riker.com](mailto:tmoore@riker.com) *

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*"Children can be educated at private schools at public expense if school anxiety results from bullying."*

---

setting, and for the district, which is likely to be paying tuition at the private school for the remaining years of the child's education of up to half a million dollars.

One disability that has frequently led to litigation over private placements is anxiety, whether general anxiety, school avoidance or school phobia. These conditions may result from bullying or failure to achieve in school academically or socially. In numerous cases, New Jersey administrative law

*Bd. of Ed.*, OAL Docket No. EDS 05079-16 (2018) (holding that a child with learning disabilities who was a victim of bullying should be educated at a private school for students with disabilities).

### Harassment, Intimidation & Bullying of Children with Disabilities

Harassment, intimidation, and bullying ("HIB") has been given an expansive definition under the New Jersey Anti-Bullying Bill of Rights Act, N.J.S.A.

school, or with the target child's right to education, there can be a finding of HIB. This issue comes up frequently in what the Act calls "electronic communication," often through social media posts. The Anti-Bullying Bill of Rights Act specifically bans HIB by use of a "telephone, cellular phone, computer, or pager," regardless of whether the device was used on school grounds.

Bullying of children with ADHD has been particularly prevalent.

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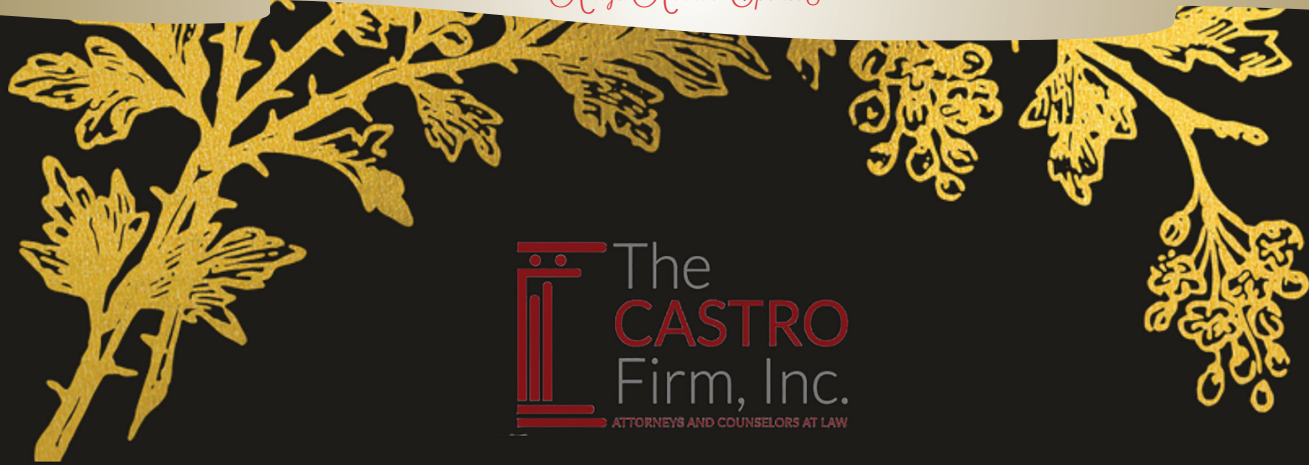
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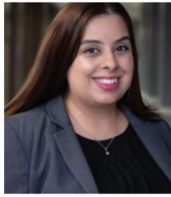


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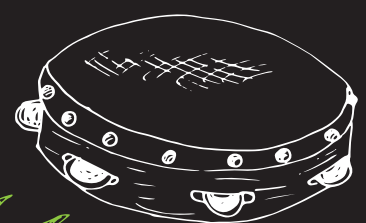


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