NEW JERSEY STATE BAR ASSOCIATION

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April 7, 2017

Honorable Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Rules Comments
Hughes Justice Complex
P.O. Box 037
Trenton, NJ 08625-0037

Re: Comments on Rules Committee Reports

Dear Judge Grant:

The New Jersey State Bar Association (NJSBA) submits its recommendations and comments regarding the 2017 reports of the Complementary Dispute Resolution, Family Practice, Municipal Court Practice and Rules of Evidence committees.

At the outset, and on behalf of our 18,200 members, we appreciate the opportunity to participate in the rule-making process, and are grateful for the Court's consideration of our views and recommendations. This submission, as with all of our comments and suggestions, are compiled after careful evaluation by many of the association members who have a particular and specialized understanding of each area of law addressed therein. The process we engage exposes each proposal to a crucible representing the collective wisdom and deliberative consideration of the leading practitioners in the specific NJSBA sections or committees that stand to be impacted. Indeed, our members take this important responsibility, and we diligently report back to them how the Court responds to their suggestions and recommendations.

The state bar makes the following comments on each separate proposal:

Report of the Committee on Complementary Dispute Resolution

The NJSBA has concerns with two proposals recommended by the Committee on Complementary Dispute Resolution, as follows:

1. R. 1:40-4(b) – directs that mediators seeking to compel payment of their fee should file an action in the appropriate part of the Law Division.

This proposed change would require that all mediators, including economic mediators appointed in the Family Part, who need to make an application for fees because the litigants

do not make payment (per the court's Order referring the matter) start an action in Law Division (Special Civil Part) to collect.

Many of our members undertake a considerable amount of economic mediations (and have since the inception of the program). This is a very effective program and advances the efficiency of the judiciary by moving many cases off the courts' burdened calendars. Beyond the "two hours free," many practitioners even discount their hourly rate on these matters as an accommodation to all.

Currently, if mediators are not paid by the litigants, they most often file an application directly with the judge who appointed them. Several counties have instituted a policy where the court will enter a one page Order to Show Cause requiring the litigants to appear at a return date if the fees have not been paid. This has been very effective and it is fair, as the litigant is put on notice and allowed to respond to the application. Typically, the filing of such a fee application prompts payment even before the court is called upon to rule on the fee application.

The NJSBA believes that, if the rule is changed, a provision should be added that the mediator can apply to the court of appointment for a summary disposition as to the reasonableness of the fee and an order for payment. The proposed rule would require mediators to not only expend the two free hours in mediation, but additional hours to file suit in order to collect payment for the court-ordered mediation. This would put mediators in the position of now having to file a separate lawsuit to collect fees which will not only discourage individuals from serving in this important role, but will further add to the court's crowded calendar. In short, the existing summary process works well, is more efficient, and advances the interest of justices for all concerned.

2. R. 1:40-12(b)(1) -- establishes qualifications for mediators and arbitrators in Court-Annexed Programs.

While no specific amendment is proposed, the NJSBA notes that civil mediators are exempt from additional specialized training if they want to serve in the Family Part, however Family Part mediators are required to take a supplemental civil mediation course. The NJSBA believes the need for qualifications for mediators in family should align with the qualifications for mediators in other divisions under R. 1:40-12.

Report of the Family Practice Committee

The NJSBA agrees with and supports many of the recommendations contained in the Family Practice Committee's Report. The association, however, offers the following specific comments on the following proposals:

1. R. 1:38 – excludes certain records from public access

The NJSBA appreciates the Committee's willingness to expand confidentiality of Family Part pleadings and other documents maintained by the Family Part by including additional

documents in the exclusion list contained in R. 1:38. As a general rule, the NJSBA strongly believes that the private lives of divorcing and non-dissolution litigants should not be open to public access. For that reason, while the NJSBA supports the Committee's recommendations, it believes they do not go far enough. As outlined in the attached Dec. 7, 2016 letter to the Court, the NJSBA once again urges the Court to exclude all Family Part documents from public access.

Nonetheless, the NJSBA supports the specific amendments to R. 1:38 proposed by the Family Practice Committee as a step in the right direction.

The first amendment seeks to include "settlement agreements incorporated into judgments or orders in dissolution and non-dissolution actions" as excludable documents under the rule. R. 1:38-3(d)(1). This will provide litigants with the confidence that their agreements containing detailed information and personal information will be protected. The NJSBA also believes that non-consensual orders and court rulings, if publicly accessible and containing personal identifiers, information culled from a Case Information Statement (CIS) or personal information regarding children, should be redacted before the information is released.

The second proposed amendment expands R. 1:38-3(d)(a)(1) to include "Notices required by R. 5:5-10 including requisite financial, custody and parenting plans." This is appropriate, as these notices include detailed financial and personal information, often identical to information contained in the CIS.

The third proposed amendment expands R. 1:38-3(d)(13) to include "parenting time and visitation plans" pursuant to court rules including R. 5:8-5. This is intended to protect children whose personal information will be included in these documents.

The fourth proposed amendment recommends that R. 1:38-3(a) establish a "good cause" standard for the release of documents after review and recommendation from the Supreme Court Advisory Committee on Public Access is consistent with the NJSBA's previous recommendation.

Finally, the Committee recommends that R. 1:38-1 clarify that "[r]estrictions on access shall not apply to named parties in any litigation." The NJSBA supports this recommendation in concept, but suggests further clarification and amendment. In Family Part matters, third parties can be named for discovery purposes, such as business partners or entities in which a party may have an interest. In matters where adultery is pled as a cause of action for divorce, the co-respondent is a named party. The NJSBA does not believe that these named parties should be given unfettered access to the Family Part file. Accordingly, we request that a third-party plaintiff or defendant in a Family Part matter be permitted access to only the narrowest scope of documents and information that specifically implicate issues impacting the third party's involvement.

Again, overall, the NJSBA supports the proposed amendments to R. 1:38 to expand confidentiality to litigants in the Family Part. The association shares the Family Practice Committee's concerns of the harm that can occur if the personal information is used

improperly by unauthorized third parties, including identity theft. The NJSBA also shares the Committee's concerns in protecting children whose detailed personal information will be included in documents filed with the courts. To further address those concerns, the NJSBA reiterates its comments expressed in its Dec. 7, 2016 letter, and its request that all Family Part documents be protected from public access unless good cause is shown to release them. At a minimum, if orders and judgments are publicly accessible, they should be redacted to remove personal identifiers, information culled from a CIS and most importantly, personal information regarding children.

2. R. 5:4-2 – requires a separate cause of action in a dissolution complaint where dissolution or termination of a civil union or domestic partnership is sought.

The NJSBA supports this proposal. Owing to the discrimination experienced by same-sex couples in recognition of their relationships over the last decade, these couples have often entered into more than one type of legally recognized relationship in different jurisdictions, including New Jersey. Accordingly, when these couples seek to end their relationship, it is important that each legal union be specifically dissolved or terminated to finalize the closure of each legal status in order to avoid future confusion and legal problems. This recommended rule change encourages each official relationship to be specifically addressed, and also serves the purpose of better educating the bar as to the multiple relationship statuses many same-sex couples have acquired over the years. Indeed, it will better define the party's rights and obligations if all statuses are required to be revealed at the time of the initial pleading. We ask that the Court consider that, while a New Jersey domestic partnership terminates by operation of law when that couple subsequently enters into a New Jersey civil union, we are not aware that any other subsequent relationship for a couple (marriage, out-of-state relationship) creates the same automatic termination. For example, as there is no statutory mechanism for the entry of a committed same-sex couples into marriage, if a civil-union couple marries, their civil union remains a valid, registered relationship with the state of New Jersey. As such, we suggest the Court modify this provision as necessary to provide a final and sweeping mechanism for same-sex couples to conclude all existing relationships by way of the final order, including those they may have forgotten to disclose, or which they may not have been automatically terminated by the laws of New Jersey or another state when they entered into a subsequent statutory or other union.

3. R. 5:7-1 – allows out-of-state couples seeking to dissolve a New Jersey civil union to file an action in New Jersey.

The NJSBA supports this proposal. As it stands today, couples who entered into a New Jersey civil union and then moved out of the state may find themselves without recourse to dissolve their civil union if their state of residence does not provide them a forum to do so. These couples are then left in legal limbo unable to dissolve their unions and move on with their lives. The recommended changes to the rule would remedy this inequity and provide out-of-state couples in a New Jersey civil union the relief they need. It would also allow for the equal treatment of New Jersey civil-union couples with New Jersey domestic partnership-couples, whose partnership may be terminated in New Jersey, regardless of state of residence, under an amendment to the same rule several cycles ago.

4. R. 5:7A – makes language changes to reflect the current practice of domestic violence hearing officers hearing applications for temporary restraining orders.

The NJSBA believes the proposed amendment makes sense, but it should include the term "hearing officer" wherever the term "judge" is used, not just in the first reference.

5. R. 5:8-5 – establishes a due date for filing a custody and parenting time/visitation plan following unsuccessful mediation

The proposed 14-day timeframe to file a custody and parenting time/visitation plan following an unsuccessful mediation might be difficult for practitioners and litigants to meet. The NJSBA suggests that this be expanded to 30 days.

6. Appendix V - Family Part Case Information Statement – amends the Family Part Case Information Statement in two sections to require the identification of college and postsecondary expenses as an issue in dispute, and to reference a list of the required documents to be filed in support thereof.

The NJSBA supports this proposal, as it requires a thorough list documents, but the NJSBA recommends it be reorganized so that the document categories are grouped together: pre-college expenses, college expenses, college status, proof of payment and source of funds (parent and child).

7. Appendix XXVI – amends Appendix XXVI to provide for the collection of an unpaid mediator's bill in the Family Part, in addition to the current procedure in the Special Civil Part.

The NJSBA agrees with this recommendation as the Family Part is in the best position to assess the reasonableness of fees charged in connection with a matter pending in the Family Part. This is consistent with the NJSBA's comments on the Report of the Complementary Dispute Resolution Committee. The NJSBA suggests a few clarifications to the language in the actual Appendix, however. The language at the top indicates that the Appendix provides guidelines for compensation of mediators "serving in the Civil and Family Economic Mediation Programs." This should be changed to reference mediators "serving in the Statewide Mediation Program for Civil, General Equity and Probate cases, as well as the Family Economic Mediation Program." The language in paragraph 16 of the Appendix should also be clarified to reflect that only mediators in the Family Economic Mediation Program may seek enforcement in the Family Part.

8. R. 5:6-9 – Termination of Child Support Obligations – Recommends a new rule to conform to N.J.S.A. 2A:17-56.67, effective Feb. 1, 2017.

The proposed amendments appear to mirror the interim protocol published in a February 7, 2017 Notice to the Bar. The NJSBA noted several areas of the proposal that were generating confusion and suggested some revisions in a March 23, 2017 letter. That letter is attached,

and the comments are renewed in response to the Family Practice Committee's recommendation.

Report of the Committee on Municipal Court Practice

1. Appendix to Part VII Rules Limitations on Plea Agreements -- eliminates a ban on plea bargaining in minor marijuana possession charges, and includes a ban on plea agreements in matters where an individual allows another to drive under the influence of alcohol, consistent with the holding in State v. Hessen, 145 N.J. 441 (1996).

The NJSBA supports allowing plea bargaining in drug cases, but opposes the ban on plea agreement where an individual "allows another to drive" under the influence of alcohol. That language creates a *mens rea* requirement that would be difficult to establish, and courts would be inundated with trials that prosecutors would be unable to prove. Prosecutors should, therefore, continue to have discretion to dismiss "allowing" offenses when a defendant is charged with the underlying N.J.S.A. 39:4-50.

2. R. 7:8-12(a) and (b) -- confirms Municipal Court judge's authority to impose monetary and other sanctions on attorneys and defendants who, without cause, do not appear or fail to timely make penalty payments.

The NJSBA opposes the changes to R. 7:8-12(a) because they are duplicative of R. 1:2-4(a), create an unintended distinction between prosecutor and defense attorneys, and will cause confusion. For example, the proposal contains terms such as "timely application for an adjournment," "reasonable attention," and "aggrieved party," but it is unclear what those terms mean. As an overarching practical matter, with over 500 municipal courts and only 5 days in a week, an attorney should not have the added burden of having multiple cases on the same date and time, and having to worry about being sanctioned when their reasonable adjournment requests are denied, when their "ready hold" requests are denied, or when they arrive to a subsequent court late.

The NJSBA supports R. 7:8-12(b) because it provides a measure of protection to defendants that did not previously exist by placing limits on the sanctions that can be issued against defendants.

3. R. 7:9-5 -- places limits on monetary assessments for contempt of court.

The NJSBA supports this rule change because it provides protection against unreasonable sanctions for failure to pay fines, but preserves a judge's discretion to impose lesser or no sanctions as circumstances may dictate.

Report of the Committee on the Rules of Evidence

1. N.J.R.E. 603, 604 and 803(a)(1)(B) – eliminates use of religious oath for witnesses.

The NJSBA supports these proposed changes. Changing the oath to a non-religious based statement is in keeping with the law as it has developed in other jurisdictions, removes the concern raised by the case cited, and still establishes a clear understanding of the consequences for intentionally false testimony. As a practical matter, perjury is already punishable under the laws of our state and so removing the religious connotation and replacing it with notice of the legal consequences still carries appropriate cautionary weight.

2. N.J.R.E. 530 – permits a court to enforce an anti-waiver agreement regarding inadvertently disclosed information.

The NJSBA has concerns about this proposal, as it requires an affirmative step to protect a privilege that otherwise exists. This essentially creates a presumption that an inadvertent disclosure operates as a waiver of privilege, unless an advance agreement provides otherwise. The federal courts have adopted a much more predictable approach that provides greater protection to attorneys without requiring them to take steps in advance. Under F.R.E. 502, the disclosure does not operate as a waiver in a federal or state proceeding if: (1) the disclosure is inadvertent; (2) the holder of the privilege or protection took reasonable steps to prevent disclosure; and (3) the holder promptly took reasonable steps to rectify the error, including (if applicable) following Federal Rule of Civil Procedure 26 (b)(5)(B). The NJSBA believes this is a much more predictable approach, and recommends that the Court consider adopting a similar rule rather than the one proposed.

3. N.J.R.E. 1001(c) and (d) – allows electronically scanned documents to be considered "originals."

The NJSBA believes this proposal is practical and appropriate.

The NJSBA has no comments regarding the Report of the Minority Concerns Committee.

The New Jersey State Bar Association thanks the Supreme Court for publishing the rules committee reports and allowing the bar to submit comments and recommendations. Our leaders also look forward to addressing the Court at the public hearing when it is scheduled. The opportunity to participate in all aspects of the rule-making process, which has a significant impact on the practice of law in New Jersey, is deeply appreciated. If you have any questions regarding these recommendations, please do not hesitate to contact me.

Respectfully submitted.

Thomas H. Prol, Esq.
President

/sab
cc: Robert B. Hille, Esq., NJSBA President-Elect
Angela C. Scheck, NJSBA Executive Director

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December 7, 2016

Honorable Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Hughes Justice Complex
Box 037
Trenton, NJ 08625-0037

Re: Proposed Amendment to Rule 1:38 Regarding Access to Family Part Court Records

Dear Judge Grant:

On behalf of the New Jersey State Bar Association, I wish to renew a request to amend Rule 1:38 to limit distribution of Family Part records to litigants and their counsel absent a showing of good cause. The issue was first raised by the NJSBA in 2008 in response to the Report of the Special Committee on Public Access to Court Records. It is the NJSBA's understanding that the issue will be on the agenda for discussion at a meeting of the presiding judges of the Family Part next week.

The NJSBA urges a revisitation of the issue in light of the imminence of e-filing and internet access to the courts, which would make information filed in the Family Part more accessible to the public than ever before. The result of this easy access to sensitive information would allow wide dissemination that could potentially harm Family Part litigants and their children. Specifically, the NJSBA proposes the attached draft change to Rule 1:38 for the Court's consideration.

The primary reason the NJSBA is seeking confidentiality of Family Part records is the potential of immeasurable harm to children and the destruction of families in transition that could arise from the dissemination of the personal information contained in those records. While there are a number of carved-out exceptions under Rule 1:38, those cannot adequately address how personal issues in Family Part matters are a part of the fabric of almost every document filed in a matter. Matrimonial pleadings often recite allegations about a child's mental and physical health, special needs and personal preferences. They also typically include information about their parents' income, work history, mental and physical health, and personal and business associations. To enable a court to properly assess a matter, the pleadings must contain information about a litigant's earning capacity, financial contributions during a marriage, domestic violence history, inheritances and other personal issues. Employers, business associates, family members, child care providers, neighbors and teachers are all relevant to a Family Part action; however, they have no control over the information filed about them or their businesses with the courts.

With e-filing and access to records over the internet, children would be able to access documents from their parents' divorce. Neighbors, classmates and school personnel would be able to read about the most personal aspects of someone's life for purely prurient reasons. Prospective employers would be able to access past earnings, marital history, net worth and medical history. Mere allegations of spousal abuse, mental illness, drug addiction or infidelity cold wreak havoc on a person's prospective employment and ability to move on with his/her life post-divorce.

In addition to concerns about technology, the NJSBA's family law practitioners have noted county-by-county inconsistencies in connection with allowing or prohibiting access to this information, notwithstanding Rule 1:38. For example, there are documented inconsistencies about whether the parties must include the marital settlement agreement in the court record, even if both attorneys request that it only be identified during an uncontested proceeding.

In 2005, in Smith v. Smith, 379 N.J. Super. 447 (Ch. Div. 2005), the court ruled against third parties to a matrimonial action who sought to seal the record of their daughter's matrimonial proceedings. Judge Jack Sabatino, then a trial court judge, found that the third party's personal interest did not suffice to overcome the strong presumption of open judicial proceedings. The court, however, stated,

> The day may come, and perhaps it will be soon, when all courthouse filings are routinely harvested in data banks and instantly transmitted around the world via the internet. Electronic filing is rapidly becoming the norm in federal court, and our state courts are not far behind. The digital storage of such filings may well make them far easier to retrieve by outsiders. It is not hard to imagine that each scurrilous allegation contained in some court filing could eventually turn up in a "Google search." Such broadcasted diatribe has the capacity to defame not only celebrities and public officials, but also average citizens whose backgrounds could be researched on the World Wide Web by prospective employers, business associates, loan officers, government regulators, social clubs, and perhaps even would-be Saturday night dates. Those looming technological developments may warrant the judiciary to reconsider, prospectively, the current balance of interests in favor of open court proceedings. Id. at 458-59.

The NJSBA respectfully suggests that the time has come for the Court to revisit the issue and address access to Family Part records in a way that protects children, Family Part litigants and all of the third parties involved in their lives. We believe the changes proposed to Rule 1:38 do that.

Thank you in advance for your courtesies in considering this issue. Please feel free to contact me if you require any further information.

Sincerely,

Thomas H. Prol
President

/sab
cc: Robert B. Hille, NJSBA President-Elect
Timothy F. McGoughran, chair, NJSBA Family Law Section
Angela C. Scheck, NJSBA Executive Director

Proposed Changes to Rule 1:38

Submitted by the New Jersey State Bar Association

All Family Part pleadings, Affidavits, Certifications, Case Information Statements, Findings of Fact, Conclusions of Law, Judgments of Divorce, Orders, both *pendent lite* and final, written Agreements, Memoranda of Understanding, including any attachments thereto, shall not be distributed to any person except a party to the litigation or the attorney or counsel of a party, except by order of the court, upon a showing of good cause.

To demonstrate good cause, the disclosure must have a public purpose that outweighs the privacy interests of the parties, their minor children or other persons whose information appears of record.

Any person seeking disclosure must file a Motion pursuant to Rules 1:6-2 and 5:5-4 with notice to the parties and all persons whose information appears of record. The notice must specify the information and/or documentation being sought, the reason for seeking such information, and an explanation for why the information being sought cannot be obtained from a less intrusive means.

In granting the application for disclosure, the court must make findings and specify the good cause shown for such disclosure. If good cause is shown, the court shall order the release of only that information necessary to address the purpose for which the information is sought and shall have the power to limit the scope of the disclosure of the information being released to ensure that said information is only used for the purpose in which it is needed based on good cause shown.

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March 22, 2017

Hon. Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Comments on Indigent Birth Parents in Adoptions
Hughes Justice Complex; P.O. Box 037
Trenton, New Jersey 08625-0037

Re: Termination of Child Support Obligations - Interim Protocol

Dear Judge Grant,

As you know, the New Jersey State Bar Association worked with the Administrative Office of the Courts and other groups to enact S-1046/A-2721, codified at N.J.S.A. 2A:17-56.67 et seq., to eradicate a backlog of child support obligations overwhelming the probation department and ensure that the department would continue to receive federal funding.

The interim protocol established by the Court in response to the legislation and disseminated as a Notice to the Bar on Feb. 7, 2017, however, has generated confusion over the status of certain child support obligations and has generated a number of concerns. The provisions of that notice were also included in the recommendations of the Family Practice Committee's Rules Report. The NJSBA respectfully requests that the interim protocol be reconsidered and a revised notice be issued to clarify the true effect of the new law. The NJSBA also intends to provide similar comments on the recommendation contained in the Family Practice Committee Report urging that the language proposed by the Committee be revised before final adoption.

While the legislation was not intended to substantively change the current laws on emancipation, a collateral effect is that there is widespread confusion in practice. Family law practitioners report that their clients, who have worked painstakingly and diligently in coming to settlement agreements addressing child support and emancipation, perceive the notices from the Court as granting the probation department the authority to emancipate a child at the age of 19 or 23 under the new law, irrespective of those agreements. This is wholly inaccurate. However, the notices from the court to recipients of child support through probation do not make this distinction evident, and custodial parents and children are being deprived of their right to receive support when children are not yet emancipated, even though they may have reached age 19 or 23.

This is not only a problem for clients with existing agreements or court orders. It is also a problem for all future cases as New Jersey law does not provide for automatic emancipation at the age of 19 or 23. The NJSBA encourages the Court to consider several revisions that would clarify the purpose and effect of the recent law, and make clear that it does not invalidate the robust body of case law defining emancipation as a point at which a child is self-sufficient and has moved beyond the sphere of influence of his or her parents.

Specifically, as relates to paragraph (a) of the memorandum included with the notice, entitled "Duration of Support," the NJSBA recommends that the phrase "unless otherwise provided in a court order or judgment," be in bold print and underlined to draw the reader's attention to this exception to child support termination. This modification alone would make it clear to the interested party that any prior court orders and judgments will control on the issues of child support and emancipation.

Second, the sentence that reads, "[I]n no case shall a child support obligation extend beyond the date the child reaches the age of 23," should be stricken entirely from the memorandum, as it is inaccurate.

Third, reference to healthcare coverage in that paragraph should be deleted as it goes beyond the language of the statute. Moreover, in many cases, provisions for healthcare coverage in child support agreements are not necessarily tied to direct monetary child support and should not be affected by the new law.

Next, paragraph (b)(3) of the memorandum implies that a probation officer, alone, will have the authority to review an obligee's documentation and written request for a continuation of child support beyond a child's 19th birthday and make a determination about continuing support. That, coupled with the language indicating, "no additional notice shall be provided to the parties" is alarming. Interested parties need to be assured that absent a court order or judgment governing child support and emancipation, only judges shall have the authority to determine the sufficiency of evidence that may permit the continuation of child support, and if the evidence is deemed insufficient, notice to be provided.

If in fact the determination is going to be made by a probation officer the court should establish, and publish, the procedural actions that will be taken after the initial determination is made by the probation officer such as the right to an immediate appeal to a Superior Court Judge which is the case in other matters heard by probation hearing officers.

Further, we recommend that paragraph (g), which accurately reflects the law, be moved up so that it will play a more prominent role in the opening paragraphs, but with introductory language explaining that all prior orders and agreements requiring child support to be paid beyond a child's 23rd birthday control in full force and effect, and that all future payments beyond a child's 23rd birthday shall be paid directly once the probation department closes its account. The current language implies that a child's emancipation is simultaneous to the probation account closing, which is misleading.

Finally, paragraph (g)(2) provides for conversion of a child support obligation "to another form of financial maintenance." This should be highlighted in the notice and the notice should further provide some information as to what other forms of financial maintenance it refers to and how a parent can go about obtaining it.

The NJSBA hopes the court will consider these issues, as family law practitioners are reporting an increasing number of inquiries on the new law, with particular confusion over the above referenced language in notices from the court. It is the NJSBA's hope that with some minor adjustments, further confusion can be avoided regarding the probation department's role and duty in this matter.

As always, we thank you for your time and attention. Should you wish to discuss this further or require any further information, please feel free to contact me.

Sincerely,

Thomas H. Prol
President

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cc: Robert B. Hille, NJSBA President-Elect
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