



NEW JERSEY STATE BAR ASSOCIATION

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March 22, 2017

Honorable Christopher J. Christie
Office of Governor
State House
125 West State Street
P.O. Box 001
Trenton, NJ 08625-0001

Re: Tenure of Workers' Compensation Judges

Dear Governor Christie:

The New Jersey State Bar Association (NJSBA) is aware that an alarming number of workers' compensation judges who are statutorily eligible for tenure have not yet been renominated for such. In some instances, judges have been tenure-eligible for several years, with no action being taken on their status. This negatively impacts the efficient operation of the judiciary, erodes the morale of the judges currently serving in the Division of Workers' Compensation, and diminishes the ability to attract qualified new judges to the Division.

The ability to make independent decisions without fear of jeopardizing future employment is vital to any judicial body and strikes at the heart of judicial independence. Whether true or not, there is a perception that untenured judges remain at risk in a precarious and unsettled status, especially when the untenured status continues for a long time without explanation.

Presently, there are more than a dozen workers' compensation judges who are tenure-eligible. These experienced judges manage a system that requires a high level of legal and medical expertise. Three years of untenured service, as required by statute, is an investment for the judge, the Division of Workers' Compensation, and the employees that fund the workers' compensation system. The unexplained delays in granting qualified judges tenure not only jeopardizes that investment, but impedes the working order of the Division of Workers' Compensation and hurts real people with real injuries who rely on the Division to administer their cases.

The New Jersey workers' compensation system has rightfully acquired a reputation of being one of the best in the nation. Like I know you do, the NJSBA wants to keep it that way. We respectfully request that those workers' compensation judges who have qualified for tenure be

renominated and that their names be submitted for Senate consideration without further delay.
We would be grateful for your attention to this important issue.

Respectfully,

A handwritten signature in blue ink, appearing to read 'T. Prol', written over a horizontal line.

Thomas H. Prol
President

/sab

cc: Gregory Acquaviva, Esq., Governor's Counsel
Hon. Russell Wojtenko, Jr., Director and Chief Judge
New Jersey Division of Worker's Compensation
Robert B. Hille, Esq., NJSBA President-Elect
Gary Adams, Esq., chair, NJSBA Workers' Compensation Section
Angela C. Scheck, NJSBA Executive Director