

PRESIDENT'S PERSPECTIVE

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Honoring Justice LaVecchia's Distinguished Service and Commitment to Public Service

Her Departure Highlights Critical Need to Fill Vacancies on Bench



When New Jersey Supreme Court Justice Jaynee LaVecchia, as highly respected and regarded a member of the bench as we have known, announced this summer that she would delay her retirement after it became clear that her replacement would not be named promptly, it was a move that spoke volumes to

her selfless nature and dedication to public service.

Justice Lavecchia concluded her term on the high court in December as one of the most consequential justices of modern history, sitting longer than any woman and leaving an incredible body of jurisprudence and procedures having authored more than 240 opinions, all with the noble pursuit of advancing justice in an imperfect world.

Her decision to stay on temporarily was also a move that highlighted the judicial vacancy crisis facing the New Jersey courts. Judicial vacancies are an endemic issue always simmering in the New Jersey legal community; but too often in recent history—such as in this moment—it grows to a full boil of crisis. While some view this as an esoteric issue, it has very real consequences on the members of the public and business owners who turn to the courts to resolve disputes. With too few judges serving the bench, too many must wait for justice.

It is laudable that a package of seven judges was recently approved. They will be welcome additions to the bench, especially in Essex County where the vacancy crisis is profound. However, that barely makes a dent in the overall vacancies throughout the state. The New Jersey State Bar Association has always been proud of the role it plays in vetting judicial and prosecutorial candidates. We remain committed to doing our part to ensure as many qualified candidates are reviewed in a timely fashion. I urge, in the strongest terms, that the Governor nominate and the newly organized

Senate provide thoughtful advice on as many qualified judicial candidates as it takes to eliminate this shortage of judges and ensure our courts are working at full capacity. The residents of this state deserve nothing less.

This is an issue that deserves commitment, energy and vigilance, and those are precisely the characteristics Justice LaVecchia embodied during her long and illustrious career in public service. As much as the judicial vacancy issue requires attention and action, so does her career deserve reflection and gratitude.

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An Inspiring Career of Service

Justice LaVecchia's inspiring career of public service allowed her to gain an understanding of the intricacies of the three branches of government and how they interact. It included working as a deputy attorney general in the Division of Law in the Department of Law and Public Safety and eventually serving as its director, and being responsible for the legal work of all lawyers assigned to the civil side of the New Jersey Attorney General's Office. She also served in the Office of Counsel to Gov. Thomas H. Kean, was Director and Chief Administrative Law Judge for the Office of Administrative Law, and sat as the New Jersey Commissioner of Banking and Insurance.

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Certainly, like civilians, service members face the ordinary issues involving families and taxes. Sally Stenton discusses New Jersey's property tax exemption for 100% disabled veterans. Mike Fleres discusses the issues service members face in family law disputes. Finally, Christopher J. D'Alessandro concludes with an article

discussing his personal experiences intersecting with military and civilian life.

Certainly, the armed forces are made up of people like any other—they have virtues and they have flaws. The stress of military service is certainly something to be considered for veterans reentering society after experiences which the aver-

age person cannot comprehend. However, some of the issues involving veterans are common issues that civilians face as well. This issue of *New Jersey Lawyer* attempts to offer a broad scope of legal challenges faced by those intimately involved in protecting a nation governed by the rule of law. ☪

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She joined the Supreme Court in 2000 and earned a reputation for treating all who appeared before her with respect, probing each legal issue with skill and thoughtful questions and authoring analytically sound decisions that exhibited an overriding sense of fairness and a healthy dose of common sense.

Justice LaVecchia provided a voice and rights to those in need of affordable public housing, one such instance being the 2015 decision in the *Mt. Laurel* line of cases that judges would take over the regulation of affordable housing in New Jersey after government officials in the administration repeatedly failed to comply with an order to establish a new set

of guidelines. She supported access to education for New Jersey schoolchildren in the 2011 *Abbott XXI decision*, authoring the opinion ordering the state to fulfill its promise and return nearly \$500 million in educational funding to primarily urban school districts with large minority populations. And she protected the New Jersey public against civil rights abuses and discrimination in many cases, including, most recently, in *Richter v. Oakland Board of Education* where she authored the Court's majority opinion finding an adverse employment action is not required for a New Jersey Law Against Discrimination Claim to be made, as well as over a decade earlier writing the opinion in *Alexander v. Seton Hall University* that found each payment of unequal wages to female law professors was a separate action under the law.

Beyond her jurisprudence, Justice LaVecchia leaves a legacy on the profession through administrative endeavors as chair and member of various Supreme Court Committees, subcommittees, and other Court-assigned projects, including one that led to New Jersey adopting the Uniform Bar Exam. She also shared her time and expertise generously with members of the legal profession, including speaking at NJSBA events and New Jersey Institute for Continuing Legal Education seminars.

Over four decades of public service, including two on the high court, Justice LaVecchia's intelligence and efforts to advance the fair and impartial administration of justice enriched the lives of every citizen of this state. We are profoundly grateful. ☪

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