

PRESIDENT'S PERSPECTIVE

EVELYN PADIN

Focusing on due process for all and a historic chapter in NJSBA history



I am only the eighth woman to serve as the president of the New Jersey State Bar Association in its 120-year history. I am also the first Latina—a proud Puerto Rican woman—to serve as president. While it has arguably taken too long to break the mold, I am truly humbled and honored to be here.

I am the proud daughter of a small businessman who operated a travel and insurance agency in Jersey City. It was there that I learned how to be a businesswoman. My mother was a psychiatric social worker at St. Mary's Hospital in Hoboken. It was from her that I learned the lessons of humility and compassion.

I opened my first solo office in my father's travel and insurance agency in Jersey City, with just a computer, a printer and a telephone. I didn't have much but I had something that was crucial: I had a connection to the Hispanic community, and they embraced me.

Like so many attorneys who come from diverse backgrounds throughout the state, I am so grateful that I was able to come home and serve my community. I share this story and my journey because it is part of me and an important part of what I will bring to my term as president of our association. I stand here humbly before you and am mindful of the fact that it is my job as the leader of this bar association to serve you and the public.

This association has a strong voice. We will speak out on issues related to due process, the rule of law, an independent Judiciary and access to justice for all. These are fundamental rights guaranteed to all by our Constitution.

I want to highlight five key goals for my presidency:

1. This year we will be going into underserved communities to give residents a voice. We will organize and mobilize volunteer lawyers in Camden, Elizabeth and other cities

throughout the state to help people who wouldn't otherwise have the chance to meet with an attorney to get legal advice and guidance to solve their problems and improve their lives.

2. We are going to put into place the tools to fulfill the mission of Immediate Past President John E. Keefe Jr.—who faced a medical crisis and from this was born Lawyers Helping Lawyers. I am grateful that he is with us and I acknowledge John's bravery and leadership. This program will be a lifeline for attorneys who are suffering in the midst of a medical crisis. I want you all to know that our association is here to help.
3. We are going to continue to fight to advance legislation to level the playing field for professionals when it comes to malpractice insurance reform. The system is broken and needs to be fixed. This legislation is about fairness and will provide critical relief to lawyers in this state, while also protecting consumers.
4. We will partner with the Community Food Bank of New Jersey to help provide food for children who are hungry and who confront food instability every day. This will give lawyers across New Jersey a chance to pitch in and support the most fragile in our society.
5. I saved the issue closest to my heart for last: We will continue to walk the walk to make our profession more welcoming and inclusive and more reflective of the rich tapestry of the people who call New Jersey home.

Every day it becomes more and more evident how much it matters that our profession reflects our communities. It matters in the fair adjudication of the cases that come to our courts—that a person from a diverse background in Jersey City can see diverse judges like the Hon. Kimberly Espinales-Maloney or the Hon. Sheila Venable, and know that they will be treated fairly by one of their own.

It bolsters their faith in the legal system when the public

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Alex Shalom and Claudia Demitro, who often find themselves on opposite sides of many legal issues affecting criminal justice in their senior roles with the American Civil Liberties Union of New Jersey and the Division of Criminal Justice, find common ground in their article opening this issue, where they highlight the many positive developments in our system of pretrial release since the enactment of bail reform. Veteran criminal defense attorney Blair Zwillman then discusses New Jersey's leading role in this area of law, and compares how other jurisdictions are approaching the notion of bail reform in their own ways.

Assistant Mercer County Prosecutor Joseph Paravecchia details the key court decisions interpreting the bail reform statutes and court rules in an article that every attorney practicing in criminal law should clip and save for future reference. Brandon D. Minde and Elizabeth A. Farrell, in private practice at the Dughi, Hewit & Domalewski firm, analyze the structure, interpretation and significance of the public safety assess-

ment tool, one of the key components relied upon in assessing whether a defendant should be released pending trial and, if so, under what conditions.

When the state seeks to detain a defendant pending trial, important constitutional issues arise. Daniella Gordon, a partner with the law firm of Hyland Levin Shapiro, reviews court decisions addressing the accused's right of confrontation in the context of the detention hearing. Elizabeth Jarit, managing attorney of the appellate section of the New Jersey Office of the Public Defender, provides key insight into court decisions affecting discovery obligations and rights at pretrial detention hearings. Another veteran criminal defense attorney, Jack Furlong, provides a primer on what to expect at various key events that occur under the new system of bail reform, and points out that things aren't always what they seem.

The issue is rounded out by two additional compelling articles. David Calviello and Jessica A. Gomperts, both career senior assistant prosecutors in the

Bergen County Prosecutor's Office, provide a point/counterpoint analysis of bail reform's touted successes, while New Jersey Public Defender Joseph Krakora, a key player in New Jersey's bail reform movement, writes about how the rationale and goals underpinning bail reform should compel our criminal justice decision makers to next tackle sentencing reform.

We hope this issue of the magazine assists our readers by providing not only a better understanding of the mechanics of bail reform and its obvious successes, but also by focusing our critical eyes on areas for needed improvement. Equally important, we believe this issue will also serve to remind our legal community of the meaningful change we can accomplish when all stakeholders are willing to come together, engage in respectful and honest dialogue, and take action to further the ends of justice.

We would like to thank Lisa Trembly, a member of the *New Jersey Lawyer* Editorial Board, for her invaluable assistance with this issue. ☪

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sees that we have Latina prosecutors such as Camelia Valdes from Passaic County and Esther Suarez from Hudson County. It bolsters their faith when the public sees for the first time in state history that the chief law enforcement officer, our New Jersey Attorney General Gurbir Grewal, is Sikh American. We need to ensure that the judges who preside in our state's courthouses reflect the people they serve. That is meaningful, and we have more work to do.

Moving forward, we will continue to make diversity and inclusion a part of the fabric of the association so that every discussion and decision takes those issues into account.

As president, I have the privilege of appointing people to serve on committees. I assure you that this year, our committees will be more diverse than ever. The people I have asked to join will step up. We will expand opportunities for diverse members of our profession to serve on panels, speak and present. That means our sections and committees—the lifeblood of our organization—will have more support and guidance for

making diversity and inclusion a reality at the NJSBA.

I look forward to working together with all of you in the year ahead as we work to remove barriers and keep them down; to guarantee that people of diverse backgrounds—whether they are LGBTQ, African American, or Asian American—are treated with respect and have access to opportunities in our profession; and to encourage everyone to put their talents for the common good of our noble profession, our justice system and our communities.

Thank you for the chance to work for you. I promise to make you proud. ☪