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NEW JERSEY DIVORCE GUIDE

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Relentless advocacy.

Results-driven strategy.

Providing legal services in all divorce and family law matters in Somerset County, Middlesex County, Morris County, Hunterdon County, and throughout the State of New Jersey.

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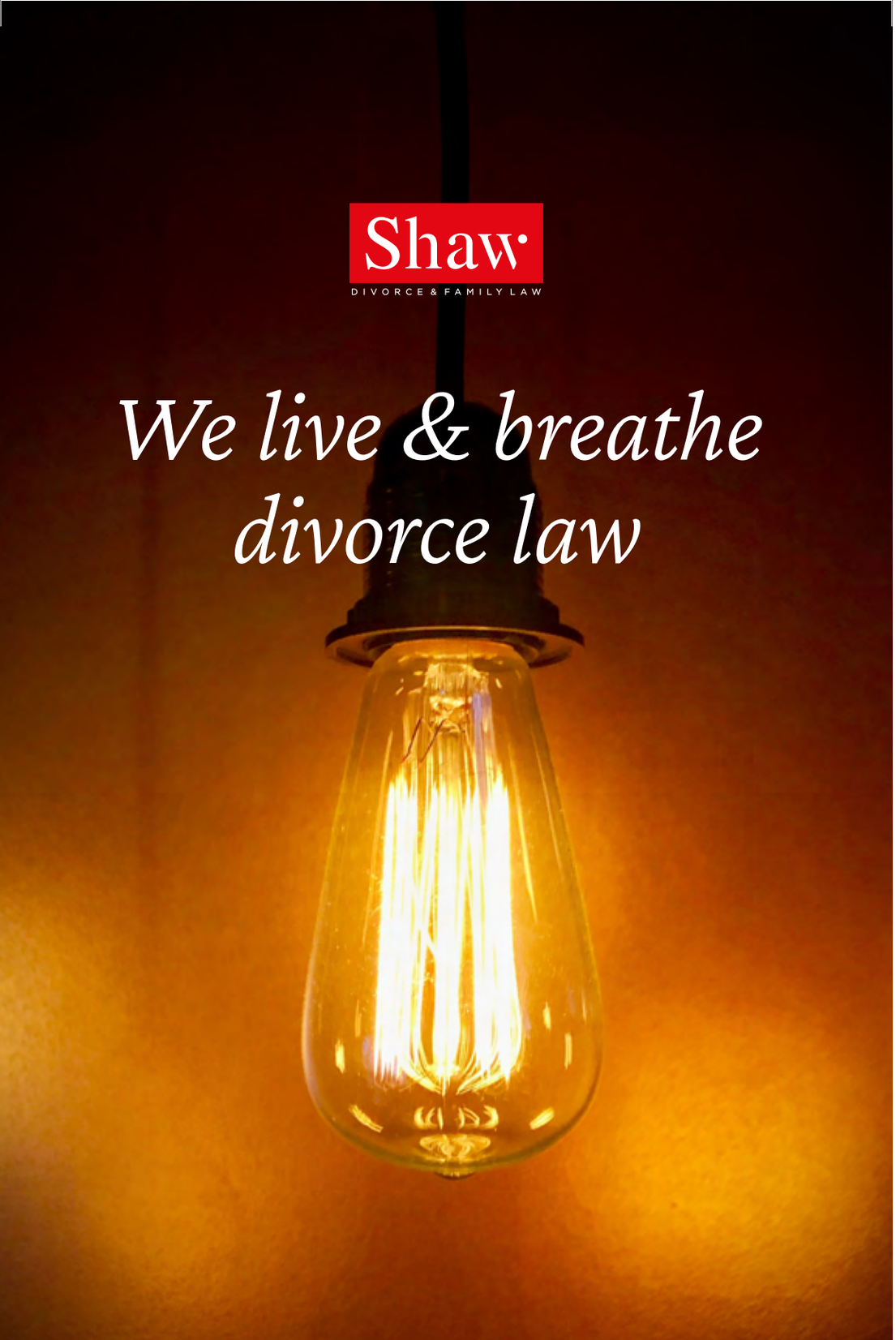
To continue reading this Divorce Guide, you must understand and agree to the following:

- The author of the Divorce Guide is not your lawyer, and there is no attorney-client relationship between you and the author;
- The Divorce Guide is provided for informational purposes only and does not constitute legal advice;
- The author does not guarantee the accuracy of the information provided or its applicability to your case; and
- There are many legal concepts, special rules, and exceptions not discussed here.

If you need legal advice, please call Andrew M. Shaw, Esq. of Shaw Divorce & Family Law LLC at (908) 516-8689 to schedule a free initial consultation.



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PART 1

The Divorce Process

IN THIS SECTION:

- FILING PLEADINGS
- DISCOVERY
- NEGOTIATIONS & MEDIATION
- TRIAL
- UNCONTESTED HEARINGS
- DEFAULT HEARINGS
- DISPUTE RESOLUTION ALTERNATIVES
- OVERALL COSTS & TIMELINE

1. *Filing pleadings*

Pleadings are formal documents that identify the parties and state, in general terms, what he or she wants the Court to order. These documents are filed with the Court and exchanged between spouses. In a New Jersey divorce, the typical pleadings include a Complaint for Divorce, an Answer & Counterclaim, and an Answer to Counterclaim. Generally, no further pleadings are appropriate or allowed.

You start the divorce process by filing a Complaint for Divorce with the Court. In the Complaint, you must list, among other things, each spouse's identity, facts about residency, the grounds for divorce (typically "irreconcilable differences"), and requests on the major issues like custody, child support, alimony, and division of property. These requests are almost always written in general terms. For example, you only need to request an award of alimony; you do not need to request a specific amount. That is because the spouses often do not have enough information at this early stage to frame their requests in specific terms.

The person who files the Complaint for Divorce is called the "Plaintiff," and the person who responds is called the "Defendant." The Court will return a copy to you stamped "filed" and with a unique docket number assigned to it. That docket number will be used to identify your case until Final Judgment and afterward.

After the Complaint has been filed with the Court, the Plaintiff will "serve" (meaning to provide in a particular manner) a copy of the Complaint for Divorce on the Defendant. The Rules of Court are specific about how the Complaint needs to be served on the adversary. Failure to comply with the Rules might render your Judgment of Divorce void. Obviously, it is very important to get it right. The primary method of service is to use a third party to personally hand the Defendant a copy of the Complaint for Divorce while he or she is within the State of New Jersey. If you cannot do that for any reason, the process becomes more complicated, and we strongly recommend retaining an attorney to assist you. Nevertheless, even if you cannot locate the Defendant, you can still obtain a Judgment of Divorce in New Jersey.

Once the Defendant receives the Complaint for Divorce, he or she has 35 days to file an Answer, which responds to the factual allegations in the Plaintiff's Complaint. Typically, the Defendant will not just answer the Complaint for Divorce but will also file a Counterclaim for Divorce. If so, the document filed by the Defendant is known as an "Answer and Counterclaim." Again, the Defendant is required to serve a copy on the Plaintiff in compliance with the Rules of Court.

Once the Answer and Counterclaim is received, the Plaintiff has 35 days to file and serve an Answer to Counterclaim, which responds to the factual allegations in Defendant's Counterclaim.

If the Defendant fails to respond to the Complaint, or if the Plaintiff fails to respond to the Counterclaim, the opposing party may request the entry of default. If default is entered by the Court and not subsequently set aside, the Court will eventually conduct a Default Hearing, which is discussed in greater detail below. Please note, however, that Courts are very lenient in setting aside default when the defaulted party has expressed his or her desire to participate in the proceeding.

PLEADINGS TIMELINE

COMPLAINT

You start the process by filing a Complaint for Divorce with the Court.

DOCKET NUMBER

The Court will return a copy to you stamped "filed" and with a unique docket number assigned to it.

SERVING THE COMPLAINT

The Plaintiff will "serve" (meaning to provide in a particular manner) a copy of the Complaint on the Defendant.

ANSWER & COUNTERCLAIM

Once received, the Defendant has 35 days to file an Answer, which responds to the factual allegations in the Plaintiff's Complaint.

ANSWER TO COUNTERCLAIM

Once the Answer & Counterclaim is received, the Plaintiff has 35 days to file and serve an Answer to Counterclaim.

2. *Discovery*

> Once all the pleadings have been filed, the parties will move to the discovery phase of litigation. Discovery is exactly what it sounds like: the process by which you "discover" information relevant to the case.

The discovery process is designed to ensure that: (1) both sides have access to all the information relevant to settlement and for trial, and (2) all such information is exchanged well in advance of trial. After all, a trial is supposed to be a search for the truth. Generally, a trial should not be conducted by surprise, and each side should be provided a fair opportunity to tell his or her side of the story.

In general, parties may obtain discovery regarding any non-privileged matter that is relevant to the claims raised in the divorce. If that standard sounds broad, it is. Courts are quite liberal when deciding what is or is not relevant to the divorce proceeding. Privileged information is generally, but not always, off limits. The usual privileges asserted include the attorney-client privilege, the physician-patient privilege, and the psychologist-patient privilege, but there are many more. In addition to barring discovery of privileged information, the Court can prohibit discovery of other matters if required to protect a party or person from annoyance, embarrassment, oppression, or undue burden/expense.

It is important to remember that the Court has the authority to bar evidence from being presented at trial if it was requested but not provided during discovery. For example, if the opposing party asked for a list of witnesses you intend to call at trial, and you attempt to call a witness at trial who was not identified on that list, the Court can exclude the witness's testimony. The same is true of documentation and other forms of evidence. For this reason, it is wise to issue catch-all discovery requests that demand production of a witness list as well as all evidence the opposing party intends to rely on at the time of trial.

In terms of the discovery process, after the pleadings have been filed, the Court will schedule a Case Management Conference (often called a "CMC") to review the issues in the case and set deadlines. At that conference, the Court will issue a Case Management Order (often called a "CMO") that sets forth those discovery deadlines. The Court will assign the case to one of four discovery tracks: expedited, standard, priority, or complex. Depending on the track assignment, discovery should be completed within 90 days, 120 days, or a period determined by the Court. As a practical matter, many New Jersey divorces exceed the initial discovery timeframe set by the Court. Even so, there is always the possibility that noncompliance with discovery deadlines will have severe consequences for a case. Therefore, it is best to strictly comply. Furthermore, if one party has complied and the other has not, the Court has the authority to enter discovery sanctions, including dismissal of the noncompliant party's pleadings. Such orders can have a substantial impact on the case and should be avoided whenever possible.

Usually, the first step in discovery is to exchange Family Part Case Information Statements (often called a "CIS"). The CIS identifies basic information including

DISCOVERY TOOLS DEFINED

PHYSICAL & MENTAL EXAMINATIONS

If the physical or mental condition of a party is in controversy, the adverse party may require him or her to be examined by a medical or other expert.

SUBPOENAS

A subpoena commands the recipient to appear for testimony and may require the production of documentation or other evidence. Failure to comply may constitute contempt of court.

DEPOSITIONS

During a deposition, the person being deposed is required to answer questions under oath. His or her answers will be recorded verbatim in a written transcript. Video depositions can be especially useful.

CASE INFORMATION STATEMENTS

Often called a "CIS," this document must be completed by both parties and sets forth critical information including address, employer, income, expenses, assets, liabilities, and more.

INTERROGATORIES

These are written questions to which the opposing party must respond. Sets of interrogatories are exchanged during discovery. If a party fails to fully respond, his or her pleadings may be stricken.

NOTICE TO PRODUCE

This is a request for documentation from the opposing party. Items commonly demanded through a notice to produce include tax returns, bank statements, credit card statements, and more

REQUESTS FOR ADMISSIONS

This is a written statement served on the opposing party, who generally must respond by either admitting or denying the truth of the statement. If no response is received within 30 days, the truth of the statement is deemed admitted.

the parties' names, addresses, children, employment, income, expenses, assets, and liabilities. You are required to attach tax returns, W-2s, and paystubs. The CIS is a critical document during the divorce process. Occasionally, it contains enough information to settle the case.

Experts are critical to divorce cases because the Court often does not have the area-specific expertise needed to decide key issues.

In most circumstances, however, more information is required. Therefore, the parties will issue discovery requests. The typical discovery requests include written questions (known as "interrogatories") and demands for documentation (known as "notice to produce" and often called an "NTP"). Attorneys have standard sets of interrogatories and notices to produce requesting a broad swath of potentially relevant information, and those sets may include hundreds of questions/demands. Parties may also use other discovery tools, including requests for admissions, subpoenas, depositions, physical/mental examinations, and expert reports to obtain and establish the information necessary for settlement or trial.

The usual tools relied upon during the discovery phase of litigation include the following:

1. Case Information Statements;
2. Interrogatories;
3. Notice to Produce;
4. Requests for Admissions;
5. Physical & Mental Examinations;
6. Subpoenas; and
7. Depositions.

Additionally, in divorce litigation, the use of expert reports is extremely common and often critical to resolving complex issues. Of course, the parties can choose to obtain expert reports on their own. Sometimes they agree to obtain joint expert reports (mostly to save money), and sometimes they will obtain individual reports. But even if the parties do not, the Court can force them to if it believes expert testimony would assist in the resolution of an issue in the case. The Court can also decide who will pay for the expert and from which resources. A court-appointed expert's fees are often paid by the parties "without prejudice," which means subject to reallocation by the Court at a later date. The parties may divide those fees equally, proportionally, or in any other manner deemed appropriate.

Experts are critical to divorce cases because the Court often does not have the area-specific expertise needed to decide key issues. For example, experts can be retained to appraise the marital home, assign a value to a business or a pension, or to perform mental and physical examinations. In contentious custody disputes, the parties often obtain Best Interests Evaluations in which a mental health professional renders an opinion on the proper custody arrangement. The types of reports and the situations in which they may prove useful are too numerous to catalogue here.

Typically, but not always, the Court will give substantial weight to the opinion of an expert. The Court has the discretionary authority to fully accept, partially accept, or even completely reject the opinion of an expert.

3. Negotiations & mediation

When should I negotiate?

Now. Negotiations can and should begin as soon as possible. Sometimes a case is resolved even before filing the Complaint for Divorce. The negotiation process is complex and often turns on leverage (i.e., what does each party have to gain or lose?). Two excellent books on negotiation techniques are "Getting to Yes: Negotiating Agreement Without Giving In" by Roger Fisher, William Ury, and Bruce Patton of the Harvard Negotiation Project and "Never Split the Difference: Negotiating As If Your LIfe Depended On It" by Chris Voss, who was a hostage negotiator for the FBI.

What is mediation?

Mediation is a confidential process during which a neutral third-party attempts to help the divorcing spouses resolve the issues in the case. Sometimes, the mediator will sit the parties and their attorneys down in the same room. Other mediators separate the parties and take offers back and forth, which is called "caucusing." The confidentiality of the mediation process means that nothing said is permitted to be relayed to the Court. Therefore, parties are often more open and honest about what they truly want (and why) in mediation than in other contexts.

Custody & Parenting Time Mediation

When a Complaint for Divorce is filed, it is screened by the Court to determine whether custody mediation is appropriate. If so, the Court will schedule a date on which you and your spouse must appear and attempt to resolve the issues of custody and parenting time. Depending on the county in which your divorce was filed, custody and parenting time mediation may occur with or without attorneys present. Typically, it occurs without attorneys present. The program is completely free of charge, and the goal is to help the parties reach a mutually acceptable agreement regarding custody and parenting time.

Early Settlement Panel

During Early Settlement Panel (often called "ESP"), the parties meet with a panel of two or three experienced local attorneys. Beforehand, both parties are required to prepare a memo outlining their positions on disputed issues and to provide that document to the panelists. The panel will review the written submissions, discuss the issues with both sides, and provide non-binding recommendations on how to resolve those issues. Please note that panelists typically do not address custody or parenting time.

Attorneys volunteer to serve as panelists for ESP to help resolve cases. They are neutral third parties, much like mediators, but the process is not mediation. Because you are given access to knowledgeable outside opinions, ESP can be extremely helpful in breaking through roadblocks in negotiations. If all of the issues have been resolved, you typically can obtain a Judgment of Divorce the same day. If the financial issues are not resolved after ESP, the Court will require the parties to pick an economic mediator and to schedule a date for economic mediation.

Economic Mediation

If the parties cannot resolve their financial disputes at ESP, they must attend economic mediation. The economic mediator is usually an attorney, and he or she must have been trained and approved in accordance with the Rules of Court. The mediator's focus is resolving any remaining economic disputes, such as child support, alimony, and dividing property. Again, the mediator does not make any decisions relating to your case, cannot communicate his or her beliefs to the Court, and the process is confidential. The first two hours of the mediator's time, which may include reviewing written submissions prior to conducting the actual mediation, are free of charge. There is no obligation to continue after those two hours have elapsed, but most choose to remain for longer, especially if they are making progress toward settlement.

Intensive Settlement Conference

During an Intensive Settlement Conference (often called an "ISC"), the parties participate in an extended conference at the Courthouse. Their attorneys may also meet privately with the Judge for guidance. Any guidance offered by the Court is non-binding and provided based on incomplete information. That said, it is often a strong predictor of how the Court would decide the issues if fully presented at trial. The ISC process can, and often does, take all day. In the discretion of the Court, there may be more than one ISC. Sometimes, a scheduled trial date will be converted into an ISC at the last minute.

4. Trial

> If both parties are participating in the divorce, there are only two possible outcomes: settlement or trial. Nevertheless, trials are very costly to the Court in terms judicial time and resources. Thus, the Court generally will conduct a trial only after the parties have failed to resolve their disputes in custody mediation, ESP, economic mediation, and one or more ISCs.

At least seven days prior to trial, the parties are required to exchange information, including a list of all witnesses and a list of all evidence to be offered. Of course, this information exchanged pretrial should already have been exchanged during discovery. But often, the exchange during discovery is more hypothetical (i.e., evidence that *may* be offered and witnesses that *may* be called at trial) as opposed to the pretrial exchange, which is more concrete and immediate (i.e., evidence that *will* be offered and witnesses that *will* be called at trial). The parties, however, are not necessarily required to call every witness and to present every item of evidence submitted during the pretrial exchange.

The trial may include opening statements; testimony and cross-examination of the parties, experts, and any other witnesses; introduction of evidence; and closing arguments. The Plaintiff is required to put on his or her case first, and the Defendant is required to put on his or her case second. Of course, this process can be lengthy and extremely expensive. In most counties of New Jersey, it requires one to two years (and sometimes longer) to obtain a realistic trial date. Even once scheduled, trials are not necessarily held on consecutive days. You may periodically receive a day or two of trial until the matter is concluded.

Trials are complicated, and they are governed in part by a separate set of rules with which many family lawyers are less familiar (the Rules of Evidence as opposed to the Rules of Court). We strongly encourage you to hire qualified trial counsel if your case is headed in that direction.

5. Uncontested hearings

At any time, if the parties reach a settlement, the Court will schedule what is called an "uncontested hearing." Once requested, an uncontested hearing will generally be scheduled and conducted by the Court within a few weeks.

During an uncontested hearing, the Court will place the parties under oath and make sure of three things:

1. The parties meet the criteria for jurisdiction (e.g., residency in New Jersey);
2. The parties have established a legal basis for divorce (e.g., irreconcilable differences); and
3. The parties understand and have voluntarily accepted the settlement agreement in lieu of proceeding to trial.

Generally, the Court will not evaluate the agreement or its terms. If the parties have freely and voluntarily accepted the agreement, that's good enough. Then, the Court will enter a Final Judgment of Divorce and provide a copy to each former spouse. Congratulations! It's done.

6. Default hearings

A party can be defaulted for many reasons, including failure to respond to pleadings, failure to provide discovery, or failure to comply with Court Orders. If default is entered and not subsequently set aside, the Court will hold a default hearing.

At least 20 days prior to the default hearing, you must serve the defaulted party with a Notice of Proposed Final Judgment. This document is designed to ensure the opposing party is aware of the relief you intend to seek at the default hearing.

A default hearing is essentially a one-sided trial, but different judges conduct them in different ways. Sometimes the Court will rubber stamp your requested relief. Sometimes the Court will push back against your requests. Regardless, even though the opposing party is in default, you still have the obligation to convince the Court that the relief you are seeking is fair and equitable. Therefore, you should be prepared with the evidence and testimony needed to convince the Court that your requests are appropriate.

If the defaulted party appears at the hearing, his or her level of participation rests in the discretion of the Court. Typically, the defaulted party cannot introduce evidence or engage in opening/closing arguments but may be permitted to cross-examine your witnesses and to challenge the sufficiency of the evidence presented.

After the conclusion of the default hearing, the Court will decide the issues in the case. Either at that time or relatively soon afterward, the Court will enter a Final Judgment of Divorce.

7. Alternative dispute resolution

Resolving issues concerning your divorce can be expensive and difficult. Thus, the Court requires all attorneys to provide to their clients certain information related to alternative dispute resolution. While the readers of this Divorce Guide are not clients of Shaw Divorce & Family Law LLC (unless they have executed a Retainer Agreement with the firm and fulfilled its conditions), the information that we as attorneys must provide to our clients may be helpful to you too.

Only a judge can grant a divorce. During that process, you also may need to address the following issues: division of your property and debts, alimony, child support, custody, and parenting time. A judge can decide all of your issues at trial. There are, however, other methods to resolve these matters. These methods may also be more efficient, less expensive, offer privacy, and may reduce the level of conflict between you and the other party during your court case. You are encouraged to discuss alternate resolutions with your lawyer. What follows are short descriptions of the other methods you may use to help you resolve your case, which have been provided by the New Jersey Judiciary.

Mediation

Mediation is a way of resolving differences with the help of a trained, independent third party. The parties, with or without lawyers, are brought together by the mediator in a neutral setting. A mediator does not represent either side and does not offer legal advice. Parties are encouraged to hire a lawyer to advise them of their rights during the mediation process. The mediator helps the parties identify the issues, gather the information they need to make informed decisions, and communicate so that they can find a solution agreeable to both. Mediation is designed to assist with settling court

cases in an informal, cooperative manner. The court maintains a roster of approved mediators, and private non-roster mediation services also are available. The judge will make the final determination regarding whether to grant the divorce.

Arbitration

If arbitration is selected, the parties will waive their right to having the court decide the issues that will be resolved in arbitration. In this process, an independent third party decides issues in a case. The parties select and hire the arbitrator and agree on which issues the arbitrator will decide. The arbitrator's decision is generally binding and final. While an arbitrator may decide some issues, the judge will make the final determination regarding whether to grant the divorce.

Collaborative law

The collaborative law process allows parties represented by lawyers to work together to resolve disputes without court involvement. The parties and their lawyers meet and, as needed, consult with experts who are not lawyers but are professionals in their fields. These experts may include certified financial planners, certified public accountants, licensed clinical social workers, psychologists, licensed professional counselors, licensed marriage and family therapists, and psychiatrists. All participants understand and agree that this process is intended to replace traditional divorce proceedings. The parties further understand the collaborative law process will end if either party files a divorce complaint. Upon termination of the collaborative law process, the parties are not permitted to hire any lawyers or law firms that represented them in that process for purposes of the divorce.

Use of professionals

As part of or in addition to the methods described above, parties in a divorce matter may seek the assistance of skilled professionals to help resolve issues. These professionals may help the parties resolve all or some of the issues in the case. While this approach may resolve some issues, the judge will make the final decision to grant the divorce or dissolution.

Combination of alternatives

Depending on your circumstances, it may be helpful for you to use a combination of mediation, arbitration, collaborative law, and/or skilled professionals to resolve issues in your divorce matter.

Conclusion

Just as every relationship is unique, every divorce is unique. The specific circumstances of your case determine what methods are best suited to resolve your issues. You are encouraged to ask your lawyer about whether mediation, arbitration, collaborative law, or the use of professionals may assist you in resolving issues in your divorce.

8. Overall costs & timeline

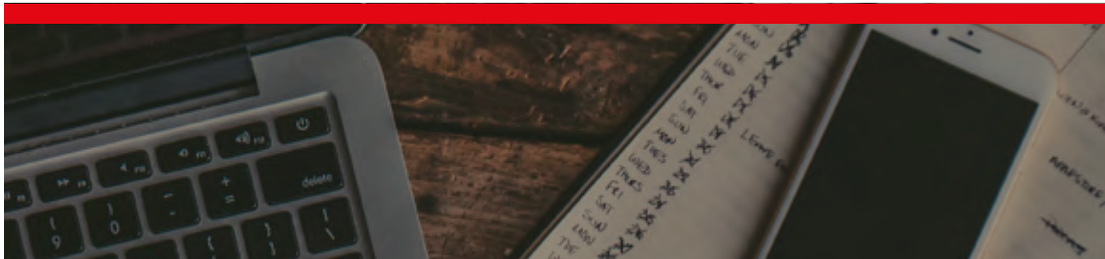
> Although you now have some knowledge of the divorce process, you are probably left with two important questions. First, how much will my divorce cost? Second, how long will it take?

Generally, the typical divorce costs between $5,000 and $25,000 to each spouse. Of course, some divorces cost much less. Obtaining a Judgment of Divorce in an uncontested matter might cost $1,000 or less. We have also seen truly bitter, litigated divorces cost each spouse hundreds of thousands of dollars. Additionally, many prospective clients ask whether a divorce can be handled on a contingent fee basis. In a contingent fee arrangement, the attorney is paid only if successful, and the amount of compensation is generally based on some percentage of the amount obtained for his or her client. While this is quite common in personal injury litigation, it is not an option in the divorce context. The Rules of Professional Conduct prohibit divorce lawyers from entering contingent fee arrangements with their clients. Divorce attorneys in New Jersey usually bill on an hourly basis at rates between $200 and $600 per hour, with the average likely falling somewhere between $300 and $400 per hour.

In terms of duration, it's reasonable to expect a contested divorce proceeding to conclude within 6 to 12 months. The Administrative Office of the Courts has established "12 months from filing" as the "generally accepted normative case processing time frame" for new divorce cases. In plain English, that means the Court believes a divorce should be finalized within 12 months of filing the Complaint. Nevertheless, while that may be the Court's goal, some divorces take many years to resolve (especially if the Appellate Division gets involved). There is some hope, though. Uncontested divorces conclude much faster. Once your case is settled, the Court is highly motivated to provide a Judgment of Divorce, and you are likely to receive one within a few weeks. Some divorce cases are settled even before the Complaint is filed.

The truth of the matter is this: no one can accurately predict the overall costs and timeline of your divorce. The proceeding will come to an end only when: (1) you and your spouse decide on a mutually acceptable resolution, or (2) the Court makes those decisions for you. The time and money required may vary dramatically between cases. There are too many factors involved, including but not limited to the spouses' ability to communicate, cooperate, and compromise; the strategies and attitudes of the attorneys chosen; the Court's control over the proceeding and decision-making authority; and the issues involved. In general, however, increased fighting will drag out the case and lead to increased costs.

For more information about the issue of counsel fees and costs, please continue reading.



IN THIS SECTION:

- CUSTODY
- CHILD SUPPORT
- ALIMONY
- EQUITABLE DISTRIBUTION
- COUNSEL FEES & COSTS

PART 2

The Major Issues

1. Custody

Custody has two components: (1) legal custody, and (2) physical custody.

Legal custody means the responsibility for making major decisions in a child's life, which typically include decisions related to health and education. Joint legal custody is extremely common. Technically, before awarding joint legal custody, the Court is required to find that the parents can cooperate in matters of childrearing. That consideration, however, does not translate into a requirement that the parents have an amicable relationship. Although a positive relationship is preferable, the parents need only be able to isolate their personal conflicts from their roles as parents and to spare the children whatever resentments they may have toward each other. Further, as a practical matter, sole legal custody is usually awarded only in rare circumstances where one parent or the other is deemed unfit (e.g., serious mental health conditions, alcoholism, and drug abuse). Although the law remains the same, modern attitudes have changed.

Physical custody refers to the logistical arrangement by which each parent spends time with children. Physical custody is also called "parenting time" or "visitation." The terms are interchangeable. Notably, establishing physical custody is by necessity a subjective process. Three judges presented with the same facts might arrive at three different schedules.

Joint physical custody (i.e., 50/50 division of parenting time) is rare but becoming much more common over time. Judges have been far more open to 50/50 parenting time schedules in recent years. Such arrangements are more likely when the parents live close together and have similar work schedules, largely for practical reasons related to availability and transportation of the child to and from school.

The Court will set custody in the best interests of the child. The "best interests of the child" means his or her safety, happiness, and physical, mental, and moral welfare. In determining what custody arrangement would serve the best interests of the child, the Court must consider the following statutory factors:

- the parents' ability to agree, communicate, and cooperate in matters relating to the child;
- the parents' willingness to accept custody and any history of unwillingness to allow parenting time not based on substantiated abuse;
- the interaction and relationship of the child with its parents and siblings;
- the history of domestic violence, if any;
- the safety of the child and the safety of either parent from physical abuse by the other parent;
- the preference of the child when of sufficient age and capacity to reason so as to form an intelligent decision;
- the needs of the child;
- the stability of the home environment offered;
- the quality and continuity of the child's education;
- the fitness of the parents;
- the geographical proximity of the parents' homes;
- the extent and quality of the time spent with the child prior to or subsequent to the separation;
- the parents' employment responsibilities; and
- the age and number of the children.

In setting custody, the Court must consider the opinion of a child of sufficient age, but the child's opinion is not binding on the Court. Further, many judges recognize the practical difficulties in enforcing parenting time schedules for children in their teens, and Courts typically will not set custody for a "child" over the age of eighteen, even if he or she remains unemancipated.

All parents, regardless of gender, have equal rights to custody. There was once something called the "tender years doctrine," which stood for the proposition that mothers should generally be awarded custody of young children. That doctrine, however, has been abandoned. The New Jersey Legislature has ended gender-based differences in marital and parental rights, whether rooted in law or custom, and instead determined that parental disputes about children should be resolved in accordance with the child's best interests.

Further, parents enjoy a constitutional presumption over third parties (including grandparents) as to custody. That presumption can be rebutted by proof of gross misconduct, abandonment, unfitness, or the existence of "exceptional circumstances" but never by a simple application of the best interests standard. Only if the presumption has been overcome will the Court apply the best interests standard in a dispute between a parent and a non-parent.

The Court will typically give strong consideration to expert testimony when deciding custody. Nevertheless, the Court has the discretionary authority to accept entirely, partially accept, or completely disregard expert testimony offered at trial.

Of course, the Court would prefer not to hold a trial over the issue of custody at all. In fact, the Court is statutorily required to order any custody arrangement that is agreed to by both parents unless it is contrary to the best interests of the child.

Even after custody has been established, it is always subject to modification based on "changed circumstances." To obtain

modification of custody, the requesting party must establish that: (1) a change of circumstances warranting modification has occurred; and (2) the current custodial arrangement is now not in the best interests of the child.

Finally, if a parent desires to permanently relocate to another state with the child, he or she generally must seek permission from the other parent or from the Court. Assuming the other parent refuses consent, the Court will decide the dispute in accordance with the child's best interests. Even relocation within the State of New Jersey may constitute a change in circumstances warranting modification of custody. Unfortunately, it is currently unclear to what extent a Court Order is required *prior* to relocating within the State of New Jersey. In a recently published case (A.J. v. R.J., No. A-1168-18T4 (App. Div. October 7, 2019)), a mother relocated within the State of New Jersey with her child. The Court ordered her to return. When she did not, the Court transferred custody to the father. The transfer of custody was ultimately reversed by the Appellate Division because the lower Court did not sufficiently analyze whether the transfer would serve the best interests of the child. But even so, the case stands as a cautionary tale for parents who previously believed they had free reign to relocate to anywhere within the State of New Jersey.

CHILD CUSTODY EXPLAINED

LEGAL CUSTODY

The responsibility for making major decisions in the child's life, which typically include decisions related to health and education.

PHYSICAL CUSTODY

Physical custody (a.k.a. "parenting time" or "visitation") refers to the logistical arrangement by which each parent spends time with the child.

JOINT LEGAL CUSTODY

Joint legal custody is extremely common. While there is technically a requirement that parents must be able to cooperate in matters of childrearing, there is no requirement that the parents have an amicable relationship.

SOLE LEGAL CUSTODY

Sole legal custody is generally awarded only in rare circumstances where one parent or the other is deemed unfit (e.g., serious mental health conditions, alcoholism, and drug abuse).

JOINT PHYSICAL CUSTODY

Joint physical custody (equal division of parenting time) is more likely when the parents live close together, largely for practical reasons related to transportation of the children.

2. *Child support*

> It is fundamental that the right to child support belongs to each child. While it may be allocated between parents, any agreement to completely waive child support is unenforceable.

When calculating child support, the Court can take one of two approaches depending on the parties' financial circumstances. First, if the parties' combined gross income is less than $187,200 per year, child support is set under the New Jersey Child Support Guidelines. The Guidelines are a formula based on survey data of average family spending in the State of New Jersey. The Guidelines consider many variables, including the number of children, parents' incomes, and parenting time schedule. You can access an official Guidelines calculator here: https://guidelines.njchildsupport.org. Because the Guidelines make assumptions about which parent incurs certain child-related expenses based on the custodial arrangement, the Court must deviate from the Guidelines if the parents share 50/50 parenting time.

The Rules of Court identify those expenses covered by an award of child support calculated under the Guidelines. That list is relatively comprehensive, but it does not include certain things, including tuition for children in private school. The list of covered expenses is available through the New Jersey Courts website: https://www.njcourts.gov/attorneys/assets/rules/app9a.pdf. For any child-related expenses that are not included in the Guidelines, the Court may add additional payments.

Second, if the parties' combined gross income is more than $187,200 per year, setting child support requires analysis of certain statutory factors, which are as follows:

- Needs of the child;
- Standard of living and economic circumstances of each parent;
- All sources of income and assets of each parent;
- Earning ability of each parent, including educational background, training, employment skills, work experience, custodial responsibility for children including the cost of providing childcare and the length of time and cost of each

parent to obtain training or experience for appropriate employment;

- Need and capacity of the child for education, including higher education;
- Age and health of the child and each parent;
- Income, assets and earning ability of the child;
- Responsibility of the parents for the court-ordered support of others;
- Reasonable debts and liabilities of each child and parent; and
- Any other factors the court may deem relevant.

The amount of child support awarded after analysis of the statutory factors is discretionary. As with any other discretionary decision, three judges presented with the same set of facts might come to three different conclusions.

In addition to basic child support, financially capable parents generally must contribute to their children's college costs. Such payments are clearly related to child support (some argue that they are simply a subsidiary of child support), but the legal analysis governing contribution to college costs is not the same analysis applied to child support. Notably, because the Guidelines make certain assumptions about child-related expenses based on the child physically living in the home of his or her parents, child support must be set under the statutory factors if the child lives away from home at college.

Child support will be calculated as if both parents are working at maximum capacity (even if that's not true). If the court finds that either parent is, without just cause, voluntarily underemployed or unemployed, it has the authority to "impute" additional income to that parent for purposes of calculating support.

Once established by the Court, child support is generally collected via wage garnishment through the County Probation Division. Nevertheless, the parties may agree that child support will be paid directly. Payment through the Probation Division, however, has certain advantages, including that the Probation Division may take certain automatic enforcement measures and will keep a record of how much child support has been paid and when.

When the child is deemed emancipated, all child-related obligations terminate. Emancipation is defined as the child having moved "beyond the sphere of influence" of his or her parents. Emancipation generally occurs when the child reaches eighteen years old and has graduated high school, unless other circumstances make emancipation inappropriate. For example, while parents are not generally required to support a child over eighteen, the child's enrollment in a full-time educational program generally requires continued support.

In February 2017, a new child support law took effect. Under that law, "the obligation to pay child support ... shall not extend beyond the date the child reaches 23 years of age[.]" More information about the new child support law is available on the official New Jersey Child Support website: https://www.njchildsupport.org/termination-infographic.

Some attorneys and judges believe the new law prohibits child support from extending beyond the age of 23. Others, however, view the law as merely procedural in nature. Under the latter interpretation, the law prohibits the Probation Division from continuing to monitor a child support obligation after the child has reached the age of 23 but does not affect the actual duration of the obligation to pay child support. Unfortunately, this debate is not yet resolved.

Additionally, the new child support statute provides that its terms do not prevent the Court from converting a child support obligation to another form of financial maintenance for a child who has reached the age of 23 due to exceptional circumstances, which include but are not limited to mental and physical disabilities.

Finally, child support is always subject to modification based on "changed circumstances." Some examples of changed circumstances identified by the Supreme Court of New Jersey include the following: (1) an increase in the cost of living; (2) increase or decrease in the supporting spouse's income; (3) illness, disability, or infirmity arising after the original judgment; (4) the dependent spouse's loss of a house or apartment; (5) the dependent spouse's cohabitation with another; (6) subsequent employment by the dependent spouse; and (7) changes in federal income tax law. Courts have consistently rejected requests for modification based on circumstances that are only temporary or that are expected but have not yet occurred. When children are involved, an increase in their needs — whether occasioned by maturation, the rising cost of living, or more unusual events — has been held to justify an increase in support by a financially able parent. Further, the children's emancipation or employment may warrant reduction in support. If the requesting party has established a change in circumstances, the Court must review financial information and evaluate what level of support, in light of all the circumstances, is equitable and fair.

Generally, child support cannot be retroactively modified beyond the date on which a request to modify was filed with Court. Therefore, it is important to file your request for modification as soon as possible.

3. *Alimony*

> There are four kinds of alimony: (1) open durational alimony, (2) limited duration alimony, (3) rehabilitative alimony, and (4) reimbursement alimony.

The most common forms of alimony are open durational and limited duration alimony. Open durational and limited duration alimony stem from the common law principle that a financially capable individual has the obligation to support his or her spouse even after divorce. Though strongly challenged in recent years, the right to alimony is firmly established under New Jersey law. The purpose of an award of alimony is to ensure that both spouses continue to enjoy a lifestyle reasonably comparable to the marital lifestyle. Neither spouse has a greater right to that marital lifestyle than the other. The difference between open durational and limited duration alimony is the length of the obligation imposed by the Court.

Rehabilitative alimony is a short-term award for the purpose of financially supporting a spouse while he or she prepares to reenter the workforce through training or education. It is appropriate where a spouse who gave up or postponed his or her own education to support the household requires a lump sum or short-term award to achieve economic self-sufficiency.

Reimbursement alimony was created to help combat the concept that professional degrees and licenses are property subject to equitable distribution. It may be awarded to a spouse who has made financial sacrifices, resulting in a temporarily reduced standard of living, in order to allow the other spouse to secure an advanced degree or professional license to enhance the parties' future standard of living. Reimbursement alimony is limited to monetary contributions made with the mutual and shared expectation that both parties to the marriage would derive increased income and material benefits.

When establishing alimony, the Court is required to consider the following statutory factors:

- The actual need and ability of the parties to pay;
- The duration of the marriage or civil union;
- The age, physical, and emotional health of the parties;
- The standard of living established in the marriage or civil union and the likelihood that each party can maintain a reasonably comparable standard of living, with neither party having a greater entitlement to that standard of living than the other;
- The earning capacities, educational levels, vocational skills, and employability of the parties;
- The length of absence from the job market of the party seeking maintenance;
- The parental responsibilities for the children;
- The time and expense necessary to acquire sufficient education or training to enable the party seeking maintenance to find appropriate employment, the availability of the training and employment, and the opportunity for future acquisitions of capital assets and income;
- The history of the financial or non-financial contributions to the marriage or civil union by each party including contributions to the care and education of the children and interruption of personal careers or educational opportunities;
- The equitable distribution of property ordered and any payouts on equitable distribution, directly or indirectly, out of current income, to the extent this consideration is reasonable, just, and fair;
- The income available to either party through investment of any assets held by that party;
- The tax treatment and consequences to both parties of any alimony award, including the designation of all or a portion of the payment as a non-taxable payment;
- The nature, amount, and length of pendente lite support paid, if any; and
- Any other factors which the court may deem relevant.

Marital fault is generally not a factor when determining the amount of alimony unless it was extreme (e.g., attempted murder.

Except in exceptional circumstances, if the marriage lasted for less than 20 years, the maximum duration of alimony is the number of years of the marriage. Thus, for example, in an 11-year marriage, the maximum duration of alimony would be 11 years. Bear in mind, however, that the duration of an alimony obligation is often substantially below the maximum permissible number of years. In practical terms, longer marriages tend to support longer awards of alimony (i.e., closer to the statutory maximum.

Despite the above, if the marriage lasted for 20 years or more, then alimony is "open durational," which means indefinite in duration. The term "permanent alimony" was often used prior to a statutory amendment that took effect in September

2014. The term "open durational" was selected because it is both more technically accurate and more palatable to spouses paying alimony.

The right to alimony is firmly established under New Jersey law. The purpose of an award of alimony is to ensure that both spouses continue to enjoy a lifestyle reasonably comparable to marital lifestyle.

Many attorneys rely on an unofficial rule of thumb to determine the amount of alimony. In years past, attorneys often stated that alimony should be calculated at 1/3 of the difference between the parties' gross incomes. But effective January 1, 2019, the Tax Cuts and Jobs Act eliminated the ability for paying spouses to deduct alimony from their gross income. Now, alimony must be paid from after-tax income, and it does not count as income to the recipient. Thus, the 1/3 rule of thumb, which was based on alimony being deductible to the payor and taxable to the recipient, has been discarded. Now, attorneys tend to negotiate the amount of alimony somewhere between 20% and 25% of the difference between the parties' gross incomes. Anyone reading this, however, should take caution! These are merely unofficial guidelines frequently used in settlement discussions. They are not written anywhere. In fact, Courts are specifically prohibited from relying on these quick-and-dirty guidelines to establish the amount of alimony.

Alimony will be calculated as if both spouses are working at maximum capacity (even if that is not true). If the court finds that either spouse is, without just cause, voluntarily underemployed or unemployed, it has the authority to "impute" additional income to that spouse for purposes of calculating support.

As stated above, effective January 1, 2019, alimony must be nontaxable to the recipient. Thus, the paying spouse must use his or her after-tax income to pay alimony, and the recipient spouse does not need to pay taxes on the alimony received.

Unlike child support, which cannot be waived because the right belongs to the child, alimony is a right that belongs to the spouse. Therefore, it may be waived by mutual agreement.

Even after it has been established, alimony may be terminated for several reasons. For example, when dealing with obligations established after September 2014, the paying spouse is presumptively entitled to termination of alimony when he or she reaches full retirement age for Social Security purposes. Even so, the presumption of termination may be overcome in appropriate circumstances. For obligations established prior to September 2014, the paying spouse may still be entitled to modification or termination of alimony upon retirement, but the decision is more discretionary.

Further, the paying spouse may be entitled to suspension or termination of alimony if the recipient engages in "cohabitation," which is defined under the alimony statute as "a mutually supportive, intimate personal relationship in which a couple has undertaken duties and privileges that are commonly associated with marriage or civil union but does not necessarily maintain a single common household."

Many attorneys and judges believe that alimony may be *modified*, suspended, or terminated upon a finding of cohabitation. Further, many attorneys and judges believe that modification, suspension, or termination of alimony is appropriate only if one cohabitant financially supports or subsidizes the other under circumstances sufficient to entitle the supporting spouse to relief. Thus, in their opinion, modification, suspension, or termination would be appropriate only when: (1) the third party contributes to the dependent spouse's support, or (2) the third party resides in the dependent spouse's home without contributing anything toward the household expenses.

Others believe that the alimony statute as amended in September 2014 permits only suspension or termination (not modification) of alimony and that suspension or termination may be appropriate even without intertwined finances if, after considering the relevant facts and circumstances, the Court concludes that the recipient of alimony and a third party are engaged in "a mutually supportive, intimate personal relationship in which a couple has undertaken duties and privileges that are commonly associated with marriage or civil union but does not necessarily maintain a single common household." In this latter opinion, while the existence of intertwined finances and sharing of joint living expenses must be considered when determining whether a marriage-like relationship exists, a marriage-like relationship can exist even without such an economic component. Unfortunately, this debate is not yet resolved.

Whether open durational or limited duration, the amount of alimony is always subject to modification based on "changed circumstances." Further, an award of limited duration alimony may be modified based either on: (1) changed circumstances, or (2) the nonoccurrence of circumstances that the court found would occur at the time of the award. Similarly, an award of rehabilitative alimony may be modified based either on changed circumstances or upon the nonoccurrence of circumstances that the court found would occur at the time of the rehabilitative award.

An award of reimbursement alimony, however, shall not be modified for any reason. Further, the duration of alimony is subject to modification only in "unusual circumstances." If the request for modification is based on loss of employment, no application shall be filed until the requesting party has been unemployed, has not been able to return to or attain employment at prior income levels, or both, for a period of 90 days.

In the past, Courts have consistently rejected requests for modification based on changed circumstances that are only temporary. Nevertheless, under the alimony statute as amended in September 2014, the Court is explicitly authorized to temporarily suspend support, or reduce support on terms; direct that support be paid in some amount from assets pending further proceedings; direct a periodic review; or enter any other order the court finds appropriate to assure fairness and equity for both parties. Thus, Courts now may be more inclined to award temporary remedies.

4. *Equitable distribution*

Generally, all property acquired during marriage is subject to division during the divorce process. In New Jersey, the division of marital property in the divorce process is called "equitable distribution." There are three steps to the process of equitable distribution: (1) determining marital property, (2) valuing marital property, and (3) dividing marital property.

The first step in the process of equitable distribution is to decide what property will be eligible for division. In general, the New Jersey Legislature has limited equitable distribution to property that was acquired by either or both parties "during the marriage." For that reason, eligible property is often called "marital property."

In deciding whether property was acquired during the marriage, the marriage typically is deemed to have begun on the date of the wedding ceremony and to have concluded on the date a Complaint for Divorce was filed with the Court. But those rules are not hard and fast. In appropriate circumstances, the marital partnership may be deemed to have commenced prior to the wedding ceremony, and it may be deemed to have terminated before or after the filing of a Complaint for Divorce. The beginning and ending dates are presumptive but can be shifted where fairness requires.

What constitutes marital property is defined broadly and includes all assets and debts, including retirement assets (e.g., pension, 401(k)s, and IRAs). It even includes intangible things like patents and copyrights in music and books. Moreover, it is irrelevant in whose name the particular property is held.

There are, however, certain exclusions from marital property. For example, gifts from third parties and inheritances are generally exempt from equitable distribution even if they took place during the marriage. (Gifts between spouses, however, are subject to equitable distribution.) Further, an engagement ring is considered a conditional gift, and the condition is marriage. Thus, if the engaged couple does not get married for any reason, the engagement ring generally must be returned. But if the couple does get married, the engagement ring is not subject to equitable distribution; it belongs solely to the recipient even after divorce.

Just as there are situations in which marital property may be exempt from equitable distribution, there are other situations in which non-marital property may be subject to equitable distribution. For example, even premarital property may be subject to equitable distribution where the parties have adequately expressed that intention and have acquired the property in specific contemplation of their marriage. This flexibility recognizes that the shared enterprise of marriage may begin even before the actual marriage ceremony. The most common asset to which this rationale is applied is the marital home, which couples often purchase prior to the

marriage with the specific intent that it serves as their jointly owned residence during the marriage.

Provided the resulting funds can be traced, exempt property remains exempt even if it is sold or converted during marriage. But exempt property may be subject to equitable distribution if "commingled" with marital property.

What constitutes marital property is defined broadly and includes all assets and debts, including retirement assets.

In deciding whether non-marital property will be subject to equitable distribution, the Court will often consider the distinction between active and passive assets.

An "active" asset involves contributions and efforts towards its growth and development that directly increase its value. Even if an active asset is otherwise exempt from equitable distribution, the increase to the value of the active asset is considered eligible for equitable distribution to the extent that it may be attributable to the expenditures or the effort of the non-owner spouse, and the Court must determine the extent to which the original investment has been enhanced by the contributions of either spouse during the marriage. The non-owner spouse's contribution to the increase in value transforms an exempt asset into an asset that is included in equitable distribution for limited purposes.

Conversely, the value of a "passive" asset rises or falls regardless of the attention, time, energy, or devotion of its owner. The value of such an asset is dependent exclusively upon market factors. A passive exempt asset will remain exempt regardless of whether its value went up or down during the marriage.

Once the Court has decided the eligibility or ineligibility of the parties' property, it must proceed to the second step of equitable distribution: valuation. Unfortunately, establishing the value of marital property often requires expert testimony. For example, the Court is almost certainly incapable of appraising a home or valuing a business without outside assistance. Additionally, expert testimony is frequently critical in determining how much the value of an active asset has increased during the marriage. Such expert testimony can be time-consuming and expensive to obtain.

Once the Court has defined and valued eligible property, it will proceed to the third step of equitable distribution: dividing marital property. In most circumstances, the Court will divide marital property 50/50. This occurs in part because there is a rebuttable presumption that each spouse made a substantial financial or nonfinancial contribution to the acquisition of income and property during the marriage. Nevertheless, the Court is not required to equally divide marital property between the spouses. There is no hard-and-fast rule requiring the Court to divide marital property in any particular manner whatsoever.

In performing equitable distribution, the Court must consider the following statutory factors:

1. The duration of the marriage or civil union;
2. The age and physical and emotional health of the parties;
3. The income or property brought to the marriage or civil union by each party;
4. The standard of living established during the marriage or civil union;
5. Any written agreement made by the parties before or during the marriage or civil union concerning an arrangement of property distribution;
6. The economic circumstances of each party at the time the division of property becomes effective;
7. The income and earning capacity of each party, including educational background, training, employment skills, work experience, length of absence from the job market, custodial responsibilities for children, and the time and expense necessary to acquire sufficient education or training to enable the party to become self-supporting at a standard of living reasonably comparable to that enjoyed during the marriage or civil union;
8. The contribution by each party to the education, training, or earning power of the other;
9. The contribution of each party to the acquisition, dissipation, preservation, depreciation, or appreciation in the amount or value of the marital property, or the property acquired during the civil union as well as the contribution of a party as a homemaker;
10. The tax consequences of the proposed distribution to each party;
11. The present value of the property;
12. The need of a parent who has physical custody of a child to own or occupy the marital residence or residence shared by the partners in a civil union couple and to use or own the household effects;
13. The debts and liabilities of the parties;
14. The need for creation, now or in the future, of a trust fund to secure reasonably foreseeable medical or educational costs for a spouse, partner in a civil union couple, or children;
15. The extent to which a party deferred achieving their career goals; and
16. Any other factors which the court may deem relevant.

Unlike custody and support orders, equitable distribution generally is not subject to modification based on "changed circumstances."

5. *Counsel fees & costs*

There are two reasons that one spouse may be required to pay for the other's litigation expenses: (1) to level the playing field between spouses of unequal financial means, and (2) to compensate one spouse for the economic consequences of the other's bad faith.

First, it is the public policy of the State of New Jersey to provide both parties with access to marital assets and income (regardless of in whose name the assets and income are held) to permit them to litigate, in good faith, on equal footing. To that end, one spouse may be compelled to provide the other spouse with a litigation fund. This is known as an "advance" of counsel fees, and it is designed to level the playing field. Typically, an advance of counsel fees will be deemed "without prejudice," which means subject to reallocation by the Court at a later date.

Second, when one spouse acts in bad faith and the other spouse is required to incur fees as a result, the negatively impacted spouse may be entitled to reimbursement.

It is the public policy of the State of New Jersey to provide both parties with access to marital assets and income (regardless of in whose name the assets and income are held) to permit them to litigate, in good faith, on equal footing.

This is typically known as an "award" of counsel fees. Examples of bad faith include intentional noncompliance with voluntary or court-ordered obligations, seeking relief for which one knows or should know that no reasonable argument can be made, and intentional misrepresentation of the facts or the law.

In deciding whether to advance/award counsel fees, the Court is required to consider, among other things, the following factors:

1. the financial circumstances of the parties;
2. the ability of the parties to pay their own fees or to contribute to the fees of the other party;
3. the reasonableness and good faith of the positions advanced by the parties both during and prior to trial;
4. the extent of the fees incurred by both parties;
5. any fees previously awarded;
6. the amount of fees previously paid to counsel by each party;
7. the results obtained;
8. the degree to which fees were incurred to enforce existing orders or to compel discovery; and
9. any other factor bearing on the fairness of an award.

The court has the authority to direct the parties to sell, mortgage, or otherwise encumber or pledge assets to the extent the Court deems necessary to permit both parties to fund the litigation.

Additionally, the Court must consider the reasonableness of the fees. For attorneys' fees, the Court must apply the following factors to determine reasonableness:

1. the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
2. the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
3. the fee customarily charged in the locality for similar legal services;
4. the amount involved and the results obtained;
5. the time limitations imposed by the client or by the circumstances;
6. the nature and length of the professional relationship with the client;
7. the experience, reputation, and ability of the lawyer or lawyers performing the services; and
8. whether the fee is fixed or contingent.

The court must also determine the "lodestar" amount, which equals the number of hours reasonably expended multiplied by a reasonable hourly rate.

Andrew M. Shaw, Esq.

MANAGING ATTORNEY

I am a graduate of Georgetown Law, which is one of the highest ranked law schools in the nation. I was selected to the New Jersey Super Lawyers list as a “Rising Star” in 2018, 2019, and again in 2020. I have developed my legal skills working for Justice Helen E. Hoens of the New Jersey Supreme Court and as a judicial law clerk to three Somerset County Superior Court Judges in the Family Part: Honorable Margaret Goodzeit, P.J.F.P.; Honorable Anthony F. Picheca, Jr., J.S.C.; and Honorable Michael F. O’Neill, J.S.C. I am a member of MENSA, and my scholarly articles have been published in the Georgetown Journal on Poverty Law & Policy, the New Jersey Law Journal, and the American Bar Association’s Minority Trial Lawyer Newsletter.

But my credentials alone should not be the reason you retain me. You should retain me because I am aggressive, and I will fight tooth and nail for you and your family. You should retain me because I am strategic, and we will work together from day one to ensure your case is litigated with the forethought and planning necessary for success. You should retain me because I am responsive; I will ensure that each of your questions is answered and that you will always understand: (1) what is happening in your case, (2) why it is happening, and (3) what to expect next.

If you require someone with the skill and dedication to advocate effectively on your behalf, I am ready.

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Rutgers University
Bachelor of Arts, 2010

ACTIVITIES & AFFILIATIONS

American Bar Association
Family Law Section

N.J. State Bar Association
Family Law Section

N.J. State Bar Association
Appellate Practice Special Committee

Somerset County Family Law Practice Committee

American MENSA

BAR ADMISSIONS

State of New Jersey

U.S. District Court for the District of New Jersey

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