THE UNITED STATES
DISTRICT COURT FOR
THE DISTRICT OF NEW JERSEY
HISTORICAL SOCIETY

Spring 2017

Volume XVIII, Issue 1

NUNC PRO TUNC

Inside this Issue:

Celebrating:
The 2016 Chairman's Ball

An Exhibit:
New Jersey 350
By Robert E. Bartkus, Esq.

Portrait Unveiling:
The Hon. John C. Lifland

Remembering:
The Hon. Leonard I. Garth
&
The Hon. Frederick B. Lacey

Commemorating:
The Society's 2016 Trip
to the Supreme Court
of the United States

From the President:
The Society Helps
Celebrate the Court's
Holiday Party
By Keith J. Miller, Esq.

2016 Clarkson S. Fisher Award Co-Winning Submission:
"Courthouse"
By Hope Skibitsky, Esq.

On Behalf of The Historical Society:
Patrick J. Murphy III, Esq.
Editor

A New Chief

Chief Judge Jose L. Linares

Former Chief Judge Jerome B. Simandle

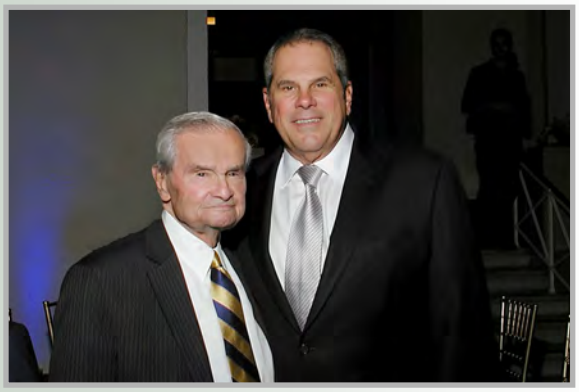
On May 31, 2017, the Hon. Jerome B. Simandle stepped down as our Court's Chief Judge and "passed the gavel" to the Hon. Jose L. Linares, our new Chief Judge. The Historical Society shall proudly commemorate that transition during a ceremony at the U.S. Post Office and Courthouse in Newark at 4 p.m. on June 29, 2017. **Save the date!**

The 2016 Chairman's Ball: A Tradition Returns

On the evening of October 14, 2016, after several years' hiatus, the Historical Society's Chairman's Ball took place at the Newark Museum. The Ball was well-attended by members of the Federal Family and featured a tour of the 1886 Ballantine Victorian Mansion annexed to the Museum. Given that historical centerpiece, the bar was fittingly well stocked, and guests danced the night away to dynamic entertainment provided by the White Light Band. Special thanks Jemi G. Lucey, Esq. and Laurence E. Fundler, Esq. for planning the event. Of course, pictures are worth a thousand words; thus, please enjoy a sampling of the photographs taken during the Ball, courtesy of Bill Levy. *Editor's Note: With limited exceptions, captions have been omitted due to space constraints.* — *PJM*

Chairman Donald A. Robinson, Esq. and his assistant Gale Raffield.

Jemi G. Lucey, Esq. and President Keith J. Miller, Esq.



An Exhibit
NJ 350: This is New Jersey

By: Robert E. Bartkus, Esq., Vice-President of the Historical Society

Recently, visitors to the three federal courthouses in the District of New Jersey were able to delve into New Jersey's past with the display of "NJ 350: This Is New Jersey" on loan from the Newark Public Library.

A series of large format posters, the Exhibit depicts important events and phases of New Jersey's history. Curated by Thomas Ankner, a librarian in the Charles F. Cummings New Jersey Information Center at the Newark Public Library, the pieces originally were displayed in the Main Atrium of the Newark Public Library to commemorate the state's 350th Anniversary. Each piece contains a different set of photographs, sketches and other artwork from a particular era, along with short written descriptions of the periods and images depicted.

The Exhibit also honors the memory of John T. Cunningham, a historian that dedicated his life to writing about the history of New Jersey. Cunningham published his first book about New Jersey in 1953. When he died in 2012 at the age of 96, his family donated his papers to the Newark Public Library. Many of the quotes interspersed throughout the NJ 350 Exhibit are from his writings. Additionally, the images and works of art that illustrate the Exhibit are from the Charles F. Cummings New Jersey Information Center and the Special Collections of the Newark Public Library.

The Historical Society kicked-off the Exhibit in September, 2016, with a reception on the first floor of the Martin Luther King, Jr. Courthouse in Newark, just outside the jury assembly room. As the Exhibit moved from Newark to Trenton and then to Camden, court staff, jurors and other visitors repeatedly voiced their interest. Those usually hurrying through the corridors took time to study and read about our history. "For a history buff, I love this. I plan to read it at lunch time over the next few weeks." Another was overheard: "It's great that an exhibit can attract so many courthouse staff and visitors to pause and read it." In each courthouse, the Exhibit opened up otherwise blank walls: "It feels like the space was designed for the exhibit. It really completes the space."

The Historical Society was pleased to have been able to organize the Exhibit, especially with the help of Jim Waldron and Mo Wong. We also thank the Newark Public Library, and especially Tom Ankner. The original Exhibit was made possible through a grant from the New Jersey Historical Commission.

On Display in the Camden Courthouse

On Display in the Trenton Courthouse

A Portrait of
The Hon. John C. Lifland, U.S.D.J. (Ret.)

On the afternoon of December 5, 2016, a portrait of the Hon. John C. Lifland, U.S.D.J. (Ret.) was unveiled and presented to the Court by the Lifland Family in the ceremonial courtroom of the U.S. Post Office and Courthouse in Newark. The unveiling was presided-over by then-Chief Judge Jerome B. Simandle. Throughout the courtroom were an array of Judges, including special guests the Hon. Richard Linn of the United States Court of Appeals for the Federal Circuit, and Judges Kenneth Grispin and Robert Kirsch of the New Jersey Superior Court. Also in attendance were generations of Court personnel, many of Judge Lifland's former law clerks, and distinguished guests including Judge Lifland's wife Jean, their daughters Emily, Elizabeth and Laura, and their son-in-law Tom Michaud.

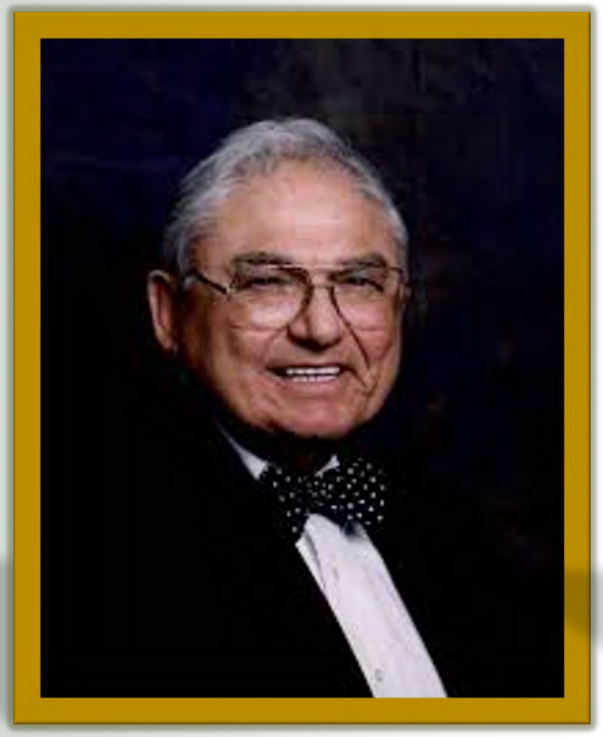
Judge Lifland's portrait, painted by artist Alan Brown, hanging in Courtroom 4 of the U.S. Post Office and Courthouse in Newark

The ceremony featured numerous speakers, prominently including former Chief Judges Anne E. Thompson, John W. Bissell and Garrett E. Brown, Jr. — all of whom were Judge Lifland's colleagues on our Court, and collectively represent all of the still-living Chief Judges with whom Judge Lifland served during his more than 19-years on the bench. Judge Lifland's wife Jean and their children also addressed the gathering, and offered touching and humorous remembrances that illustrated the many facets of Judge Lifland's dynamic life and career. When it was his turn to speak, Judge Lifland unsurprisingly exhibited the humor, genuine humility, and preference to offer rather than to receive praise that are the hallmarks of his unique character. Judge Lifland poignantly remarked as follows in pertinent part:

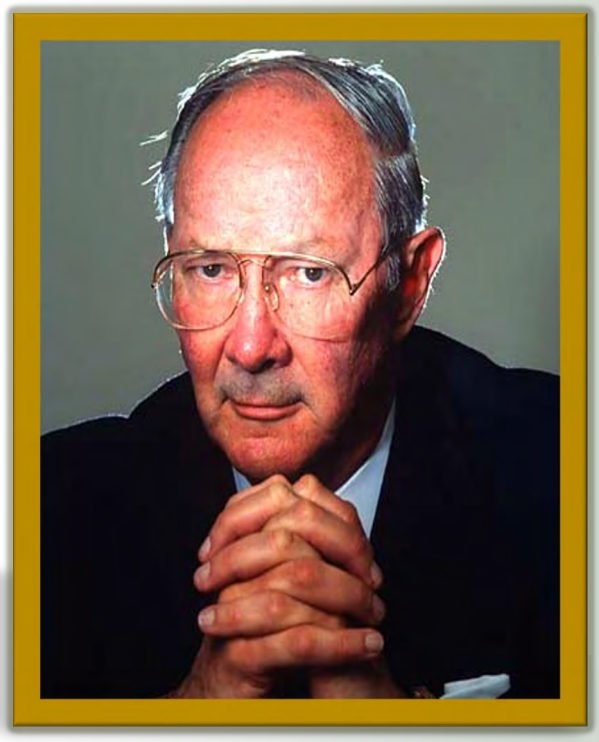
> *I served under the three Chief Judges we've heard from, and I want to thank them particularly, because none of them mentioned my six-month list. I also served under Chief Judge John Gerry, which was an honor. Judge Gerry sat there when I was sworn in — a day I won't forget. Nor will I forget Judge Gerry's enduring words, which indeed endure to this day: that we Judges are just temporary custodians of an institution which serves the public by providing fairness and justice. And that institution, this Court, has been doing that for well over 200 years. And it will continue to do so with all the new custodians as they come aboard. That remains true to this day and will remain true forever.*

— PJM

Remembering Two Titans



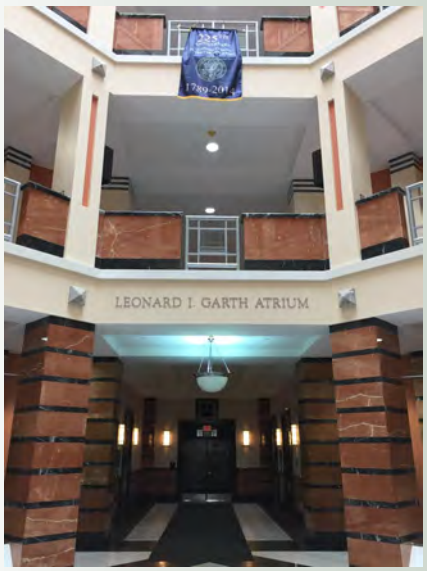
Hon. Leonard I. Garth, U.S.C.J.
(1921-2016)



Hon. Frederick B. Lacey, U.S.D.J. (Ret.)
(1920-2017)

Our Federal Family mourns the recent loss of two iconic former Judges of the United States District Court for the District of New Jersey: Leonard I. Garth and Frederick B. Lacey. These extraordinary men, who were colleagues on the bench of our Court in the early 1970s, exemplified the "greatest generation" of which they were part.

Judge Garth's historic service to this Country began during World War II, when he served as a first lieutenant in the U.S. Army and fought in North Aftrica. After graduating from Columbia University and Harvard Law School, Judge Garth practiced law until he was appointed to our Court by President Nixon in 1969. Thus began Judge Garth's extraordinary tenure with the federal judiciary, which continued for almost 50 years. Judge Garth served on the bench of our Court for 4 years until his elevation to the United States Court of Appeals for the Third Circuit in 1973. During his more than 43 years as an active member of the Third Circuit, Judge Garth authored volumes of jurisprudence, and mentored more than 100 law clerks — most prominently the Hon. Samuel Alito, former U.S. Attorney for the District of New Jersey, one-time colleague of Judge Garth's on the Third Circuit, and current Associate Justice of the Supreme Court of the United States. Fittingly, in 2011, the Atrium of the Martin Luther King, Jr. U.S. Courthouse in Newark was named in Judge Garth's honor.



The Leonard I. Garth Atrium in the M.L.K. Courthouse in Newark

Judge Lacey's service was no less profound, and also began during World War II, when he served as line officer in the U.S. Navy during the Battle of the Atlantic. After graduating from Rutgers University and Cornell

Judge Lacey as U.S. Attorney for the District of New Jersey in 1969, addressing the media outside the Courthouse in Newark

Law School, Judge Lacey practiced law — notably including as an Assistant United States Attorney in the 1950s — until he was appointed the U.S. Attorney for the District of New Jersey by President Nixon in 1969. Judge Lacey's performance as U.S. Attorney was legendary, as he oversaw myriad successful prosecutions in the areas of organized crime and political corruption that collectively reshaped New Jersey. Thereafter, Judge Lacey was appointed to our Court by President Nixon in 1971, and during his 15 years on the bench earned a reputation as a tireless, decisive, and uniquely intelligent jurist. Indeed, those qualities are illustrated by the fact that at times, Judge Lacey sat simultaneously on our Court, the then-nascent Foreign Intelligence Surveillance Court, and by designation on the Third Circuit. Judge Lacey retired from our Court in 1986, and for decades thereafter remained a prominent national legal figure through both the practice of law, and various high-profile quasi-judicial appointments. Following Judge Lacey's passing, New Jersey Governor and former U.S. Attorney for the District of New Jersey Chris Christie ordered flags flown at half-staff.

Both Judge Garth and Judge Lacey were dedicated to their families, and were predeceased by their respective wives: Judge Garth and his wife Sarah were married for 72 years; Judge Lacey and his wife Mary were married for 61 years. — *PJM*

The Historical Society's 2016 Admission Trip To the Supreme Court of the United States

Continuing a unique tradition, a delegation of officers, board members and guests traveled to Washington, D.C. in late October, 2016, for the Historical Society's bi-annual sponsorship of attorneys for admission to the bar of the Supreme Court of the United States. As in the past, the trip featured both social and professional components, with many attendees taking the same train from Newark, enjoying a group dinner, and breakfast at the Supreme Court prior to the admission ceremony.

Attendees this year prominently included President Keith J. Miller, Esq., the Hon. Mark Falk, U.S.M.J., and board members Peter Harvey and Colleen Duffy — the latter of whom once again did masterful job organizing the trip.

The new admitees were as follows: the Hon. Dena Palermo, U.S.M.J.; Xavier Balliard, Esq.; Alton J. Evans, Jr., Esq.; Susan Hu, Esq.; Michael Innes, Esq.; and Justin Quinn, Esq. — *PJM*

New admitees Michael Innes, Esq. and Justin Quinn, Esq.

The Historical Society Helps to Celebrate Our Court's Holiday Party

By: Keith J. Miller, Esq., President of the Historical Society

The Historical Society was pleased to help celebrate the Court's annual Holiday Party at Jasna Polana on December 15, 2016. After a cocktail reception during which members of the Federal Family had a chance to exchange season's greetings, the festivities moved to the grand atrium for a luncheon and program.

First to offer remarks was Chief District Court Judge Jerome Simandle, who gave a brief update on the status of the Court, and who thanked all the members of the Federal Family for helping to make the Court such a special institution. Chief Judge Simandle then introduced Chief Judge D. Brooks Smith of the Third Circuit, who included in his remarks his favorable experiences with and high opinion of the Judges and attorneys of the District of New Jersey.

Next to speak was Chief Bankruptcy Court Judge Katherine Ferguson, who announced that retiring Bankruptcy Clerk Jim Waldron would be honored by the Court by having the Bankruptcy Clerk's Offices in all three vicinages named after him. Jim received a standing ovation for his many years of dedicated service.

Tom Curtin, the Chair of the Court's Lawyers Advisory Committee, was the next speaker. Tom announced that the winner of the annual Donald A. Robinson Award for Meritorious Service to the Court was Judge Patty Shwartz of the Third Circuit. Judge Shwartz was stunned but pleased to accept the award. She received a standing ovation for her many years of service to the Court as a Circuit Judge and a Magistrate Judge and as an active participant in many of the Historical Society's events.

The final speaker was Keith Miller, President of the Court's Historical Society. After giving a brief overview of the Historical Society's recent activities, he continued the tradition of giving each new Judge in the District a framed copy of the inspiring speech made by Chief Judge John F. Gerry on June 20, 1991. This year's recipients were District Judge Brian Martinotti and District Judge John Vasquez, along with special recipient Chief Judge Smith of the Third Circuit. The final presentation of the afternoon was to the winners of the Historical Society's Clarkson S. Fisher Scholarship contest. The $5,000 scholarship award was split between two outstanding entries, one from District Judge Jose Linares' law clerk Hope Skibitsky for a poem entitled "Courthouse," and one from Amy Leonetti and Stephanie Forbes of the Office of Prisoner Litigation for a video presentation entitled "The Jackalow Piracy Trial."

Jim Waldron, the recently-retired Clerk of the United States Bankruptcy Court for the District of New Jersey, in whose honor the Bankruptcy Clerk's Offices in all three Courthouses shall be named

2016 Clarkson S. Fisher Award Co-Winning Submission
"Courthouse"

By: Hope Skibitsky, Esq.

Ms. Liberty gets a lot of credit (it's due and owing, of course)

For Her open invitation to the tired, poor "huddled masses

yearning to breathe free."

Me? I was not a gift from France. But I know some things.

I know you cannot breathe (let alone "breathe free") in a vacuum.

Freedom is

an Oak frame

unremarkable in the absence of

an oil painting of

a stranger.

Marble floors

comprised of component stones

spilling into each other like nimbus clouds

against the sky.

I do not know the man in the oil painting

I do not know the names of stones

I do not hold a torch.

But I know of Freedom.

I have seen Truth and Justice walk through my doors.

I know who They are.

They are children raised by a village.

They are a psychologist's case-study

in the nature-nurture debate.

They resemble their mothers and fathers:

They mimic the mannerisms of lawyers, who fight over Them

Like parents in the middle of a custody battle,

Vying to win Their love.

They place a tiny hand in the hands of men and women in robes,

Who search for Them as if They wandered off in a crowded Department Store,

Trying to find Their own way home.

They whisper to jurors bearing

expressions of excitement, intrigue, skepticism.

New parents staring through the glass of a nursery into a sea of infants:

"Are you my child?"

They wave to the passers-by, who do not always return the gesture.

They bypass metal detectors, undetected.

They embrace the tired bodies

Aged one thousand years

since That Day

A wool blanket of hope.

Me? I am Their gracious host.

They tire me, of course. But I am never tired.

They wear on me but I am not weary.

They hold me up.

My walls are strong.

Editor's Note: The other co-winning submission in 2016, a video presentation entitled "The Jackalow Piracy Trial", is being converted to written format by its creators Amy Leonetti and Stephanie Forbes, and shall be published in the Fall, 2017 Edition. — PJM

THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY HISTORICAL SOCIETY

DONALD A. ROBINSON, ESQ., CHAIRMAN

KEITH J. MILLER, ESQ., PRESIDENT

HON. DOUGLAS E. ARPERT, U.S.M.J. & HON. LEDA DUNN WETTRE, U.S.M.J., IMMEDIATE PAST PRESIDENTS

SUSAN TRAVIS, EXECUTIVE DIRECTOR

ROBERT E. BARTKUS, ESQ. & RAJIV PARIKH, ESQ., VICE PRESIDENTS

JOSEPH TRIPODI, ESQ., VICE PRESIDENT & SECRETARY

MICHAEL S. WEINSTEIN, ESQ., TREASURER