



# Mediation News

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Fall 2017

New Jersey Association of  
Professional Mediators  
26 Park Street, Suite 2041  
Montclair, NJ 07042

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## Upcoming NJAPM Events

### NJAPM GENERAL MEETINGS

New Jersey Law Center, New Brunswick  
6 PM — 8:30 PM; Thursday, Oct 19;  
other monthly dates TBA

### 40– HR CIVIL MEDIATION TRAINING

Rutgers Labor Center, New Brunswick  
All Day, 10/1, 10/2, 10/15, 10/16 & 10/22

### 40-HR DIVORCE MEDIATION TRAINING

Forsgate Country Club, Monroe Township  
All Day, 10/7, 10/8, 10/14, 10/21 & 10/28

### 6-HR & 8-HR CIVIL MEDIATION SUPPLEMENT

Rutgers Labor Center, New Brunswick  
All Day, 10/20

### NJAPM ANNUAL CONFERENCE

Imperia, Somerset  
All Day, 11/4

### 6-HR DIVORCE MEDIATION SUPPLEMENT

Forsgate Country Club, Monroe Township  
9:00 AM — 4:30 PM, 11/20

Please Visit Our Website For Updates

[www.njapm.org](http://www.njapm.org)

800-981-4800

## NJAPM's 24th Annual Conference Featuring Noelle Mykolenko on "Trust" Saturday, November 4, 2017

**T**he 24th NJAPM Annual Conference, *NJAPM Annual Conference Celebrating ADR Day XX*, will be held on Saturday November 4, 2017 at the Imperia in Somerset. We will be celebrating with other ADR organizations including NJICLE, NJSBA Dispute Resolution Section, Garibaldi Inn of Court, and the New Jersey Council of Collaborative Practice Groups, in a one-of-a-kind combined conference. The morning will open with introductions from each of the sponsoring organizations.

Noelle Mykolenko will deliver the keynote speech, *What's Trust Got To Do With It?* Noelle will explain why trust is the single most powerful factor driving client relationship effectiveness. She is a Washington, DC based consultant with Trusted Advisor Associates.



NJAPM's annual meeting is scheduled for noon. We will honor outgoing president, Karen P. Sampson, and induct the incoming board, including Carl Cangelosi, NJAPM's president for 2017-2018.

We will have two sets of concurrent workshops:

### Morning Workshops

- *Ghosts in the Room: Dealing with Shadow (Divorce) Advisors* with Anna-Maria Pittella

- *Impasse Techniques You Can't Live Without* with Robert Margulies and Marvin Schuldiner

- *Arbitration Workshop* — TBA

### Afternoon Workshops

- *Family Law Update* with Jeralyn Lawrence

- *So You Want to be a Successful Neutral: Tools to Enhance Your Professionalism* with Robert Margulies and Marvin Schuldiner

- *Arbitration Workshop* — TBA

The conference will end with challenging ethical scenarios arranged by Felicia Farber and Robert Lenrow entitled *Ethics for All!*

The conference committee includes the following volunteers: Bonnie Blume Goldsamt and Karen P. Sampson, co-chairs, and Lucille Alfano, Felicia Farber, Harriet Klein, Robert Margulies, Anna-Maria Pittella and Marvin Schuldiner.

The member registration fee is \$165. The conference qualifies for 6.5 CPE and MCLE credits, including 1.2 ethics credits. APMs receive 5.4 NJAPM CE hours. The conference also fulfills the AOC's 4.0 hour annual requirement for mediators.

For more information or to register, please visit [www.njapm.org](http://www.njapm.org).



## Mediation News

A Publication of the  
New Jersey  
Association of  
Professional  
Mediators

### Newsletter Editor

Anju D. Jessani, MBA, APM

### Newsletter Photographers

Carl J. Cangelosi, JD, APM  
Robert J. McDonnell, MS, APM

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### NJAPM

26 Park Street, Suite 2041  
Montclair, NJ 07042  
800-981-4800

E-mail: [inform@njapm.org](mailto:inform@njapm.org)

Website: [www.njapm.org](http://www.njapm.org)

Membership in NJAPM is open to all interested individuals with annual new member dues of \$125 prorated from 10/1. The views expressed in this newsletter reflect the opinions of individual contributors and do not necessarily reflect the opinions of NJAPM. Please contact the Editor at [ajessani@dwdmediation.org](mailto:ajessani@dwdmediation.org) for permission to reprint articles, and for submission of manuscripts for publication. We reserve the right to edit copy submitted. All rights reserved. Copyright © 2017, NJAPM.

## Editor's Column

by Anju D. Jessani, MBA, APM



**K**aren P. Sampson passes the presidential baton to Carl J. Cangelosi on October 1, with the start of our new fiscal year. We thank Karen and the outgoing board members for their service, and welcome the new leadership team. NJAPM is lucky to have so many talented volunteers.

This issue of the newsletter features the announcement of our upcoming annual conference on Saturday, November 4. Conference co-chairs, Bonnie Blume Goldsamt and Karen Sampson have planned an exciting and interactive day. This year's conference has been combined with ADR XX, and is co-sponsored by other New Jersey ADR organizations. The conference also provides an opportunity to see old friends and make new ones!

As well as our regular columns and updates from NJAPM committees including education, membership and peer groups, we include the following articles:

- Suzanne English explains how the grieving process relates to divorce mediation, drawing on Elizabeth Kubler Ross's five stages of grief.
- Megan Oltman provides an analysis of the recent Supreme Court Bisbing decision regarding relocation, and suggests how divorce mediators can help clients better plan for potential geographic moves.
- Harriet Farber Klein shares information about the recently enacted New Jersey International Arbitration, Mediation and Conciliation Act that provides for the establishment of alternative dispute resolution centers to administer various modalities of settlement, with the aim of converting a mediated settlement into a consent arbitral award.
- Karen Sampson takes a look back

at her year as NJAPM president and the organization's accomplishments.

There are great photographs from NJAPM events including the Civil and Divorce Mediation Training Seminar on April 1, featuring hostage negotiator Jeff Thompson, and the annual Somerset Patriots ball game outing on August 17. In addition, there is a class photo from the spring 40-hour divorce mediation training, as well as photos from recent general meetings.

This May, I celebrated my 20th anniversary in practice and as a member of NJAPM. During these years we have seen the rise of Internet marketing and social media, NJAPM is training more people in mediation, and there is more interest by a diverse group of people in the field of mediation. While we the field is changing, I truly believe there are tremendous practice opportunities for mediators. I hope we can leverage what we have learned providing non-court related divorce mediation services to the civil side. The public needs alternatives to expensive and contentious litigation.

We have a vibrant mediation community. Please get involved and see how much you can gain from giving. In that regard, if you have an idea for an original article from our spring newsletter between 650 and 1300 words, please email me a one paragraph proposal. Please also email me photographs from NJAPM events. Please contact me by phone at (908) 303-0396 or by email at [ajessani@dwdmediation.org](mailto:ajessani@dwdmediation.org).

**Anju D. Jessani, MBA, APM**, served as NJAPM president from 2005-2007. Her practice, Divorce with Dignity Mediation Services, has offices in Clinton and Hoboken. She can be reached at [www.dwdmediation.org](http://www.dwdmediation.org).

## Message from the President

Carl J. Cangelosi, JD, APM



**T**here has been another changing of the guard at NJAPM. I look forward to serving the organization as NJAPM president for 2017-2018. The other officers and directors are listed on page two of this newsletter.

From the outset I would like to thank the officers and directors who served during the past year, and especially Karen Sampson, our past president. Under NJAPM's bylaws and in practice, the president of the association has no power and most of the headaches. When all else fails, the president does whatever needs to be done and then takes the abuse for doing so. I wish Karen a headache free year.

Inasmuch as the new board had not met when the newsletter went to press, the following are my personal views. While there are many positive events within the organization as evidenced by the newsletter, we also face many challenges.

Membership has been declining over the past several years and this trend needs to be reversed. In this situation, the primary focus of the organization should be to add value in order to retain existing members and new ones. I doubt I will get much disagreement on that. The next part gets trickier.

One way we can add value is by making most general members searchable on the NJAPM website, just as APMs are today. I know that I get divorce mediation business from the NJAPM website. Searchable general members will as well.

We will be discussing this issue at the October board meeting. The discussion will center around what qualifications a general member has to have in order to be searchable. My

position is to make the list of members more inclusive, i.e., a very limited set of criteria.

Another way to add value is by making the general public aware of the benefits of mediation. Everyone would like the association to implement an extensive marketing campaign to do this. To the extent that this involves print, billboards, radio or a similar medium, I do not believe that is a realistic expectation. The cost for a sustained marketing campaign is far too large. However, it is realistic for the association to provide support to members who are willing to volunteer to speak throughout the state by means of finding speaking opportunities and providing marketing materials, prepared PowerPoint presentations, and the like.

Other items that need prompt attention are making certain that there are regular monthly meetings, frequent live webinars (on at least a monthly basis), a mailed newsletter and functioning and active listserves.

In years past the listserves were very active. In some cases too active and irritating for some. In my opinion the listserves brought the association alive with people seeking information, sharing information, and coming together as a group. I would like to see more activity on the listserves.

A structural item that needs immediate attention is enlarging the pool from which officers of the association are drawn. The current bylaws require that the president, executive vice president and vice president be APMs and have served on the board for one year. Being an APM does not mean that a person

has leadership skills; being on the board for one year is likewise not important when picking leaders. I believe that officer positions should be open to anyone in the organization that the nominating committee believes would best serve the needs of the organization.

A final thought concerns the state of the court-connected civil mediation program. Our civil mediators are not receiving cases from the courts. We need to understand why and whether anything can be done to correct this. To this end I will propose the creation of an ad hoc committee to investigate the issue with the directive that no possible solution is off the table.

I look forward to my role as NJAPM president and making things happen for the association. I welcome your suggestions and your help.

**Carl J. Cangelosi, JD., APM** starts his term as NJAPM President 10/1/17, having previously served as president from 2010-2012. Carl is the founder of NJAPM's 40-hour divorce mediation class, and continues to serve as an instructor for this and other NJAPM training programs. He has a divorce and civil mediation practice in Plainsboro. Please visit Carl at [www.njmediation.org](http://www.njmediation.org) and [carl.cangelosi@gmail.com](mailto:carl.cangelosi@gmail.com).

# Mediating Divorce and the Grieving Process

by Suzanne English, MA



All of us react to loss in our own individual way. Therefore, each person's grieving process is unique. What is universally shared is a mourning process of grieving after we experience a deep large loss, which is a natural reaction to bereavement. When couples come to mediation it is an important skill to recognize that the couple is also processing an enormous emotional loss, with each of the parties processing his or her grief on their own timetable.

While a mediator's role is not that of a therapist, and a referral to a therapist may be recommended if the individuals are not seeing one already, a mediator can still be an imperative resource for a client. Therefore it is important for a mediator to understand the reality of the mourning process the divorcing couple is going through and its potential impact on the mediation.

The Five Stages of Grief, or the Kubler-Ross model, is a commonly accepted theory of the range of emotions people pass through when experiencing a life-altering event. These stages do not necessarily follow a universal pattern of how one experiences the phases of grief. Some individuals may only experience some of the stages while others undergo all five. It is also important to note that these five stages need not necessarily follow any particular order or time frame.

**1-Denial:** Elizabeth Kubler-Ross explains that denial is a self-protecting mechanism which the grieving use to control what they can and cannot process (Kubler-Ross & Kessler, 2005). Often in a divorce one of the spouses feels forced into the divorce by the other spouse. When this reality hits them they of-

ten feel numb and are just going through the movements. The mediator may help the party or parties in denial move from denial to the reality that their life is going to change through conversation on the status of the marriage, desire of one or both parties for a divorce, and the future goals of both parties.

**2-Anger:** While anger seems a natural consequence of divorce, it is a complicated sentiment that often causes illogical results that can emotionally paralyze the parties. Often both parties in a divorce can be looking for someone to blame and to direct their disappointment at. By acting as a referee, the mediator can help displace the anger through his or her skills of defining the issues and elucidating the couple's misapprehensions.

**3-Bargaining:** While bargaining in mediation seems like a good thing, it is only a positive when utilized to move forward for the future. Bargaining to hold on to the past, or giving too much away because of guilt is counterproductive in the long term. When a mediator utilizes his or her abilities to define the issues, he or she can guide the couple through organization and preparation, helping them come to a practical solution that works for both parties.

**4-Depression:** Depression of grief is not a mental illness; it is a result of loss and is part of the process of healing (Kubler-Ross & Kessler, 2005). In the extreme, depression can have serious consequences if not properly addressed. If a client is severely depressed then a referral to qualified therapist would be a necessity. If one of the parties seems too depressed to negotiate his or her divorce agreement, then this

may be a reason for a mediator to consider withdrawing from the mediation, or at the least, a need to call a period of recess. The different types of depression are a factor a mediator needs to understand, because it could be a real impediment to a mediation moving forward.

**5-Acceptance:** This is the stage in the grieving process in which, in an ideal world, a client would start the mediation for their divorce. However, rarely are both parties coming to the mediation process at this stage. Ideally, at the end of the mediation process both parties should have now come to accept their new reality. Realizing his or her new divorce status and learning how they must now live to start the progression of regeneration. In this stage of the grieving process the mediator facilitates the family's acceptance by taking them from impasse to resolution. This results in empowerment for both parties, which a good mediator does by directing the client to a final settlement that the parties have worked towards together and where there is shared ownership of the resolution.

\* \* \* \* \*

By gaining an understanding of the stages in the grieving process in divorce from denial to acceptance, a mediator can better assist the parties to move through the divorce mediation process together and reach a successful settlement.

Reference: Kubler-Ross E. and Kessler D. (2005). *On Grief & Grieving*. New York: Scribner.

**Suzanne English, MA** specialized in civil and divorce mediation including insurance cases, and child welfare advocacy from her Summit, NJ office. Her email is [suzannee@me.com](mailto:suzannee@me.com).

## ***Mediating in Light of Bisbing v. Bisbing: NJ's New Standard for Parental Relocation*** by C. Megan Oltman, Esq.



**A** couple divorces with the children spending time with both parents. Then, one parent announces that they will be relocating and want to bring the children with them. This will severely limit how often the children will be able to spend time with the other parent. Until recently, New Jersey's standard for relocation was lenient towards the relocating parent – allowing the relocation of the children as long as there was a good faith reason, and the move was not “inimical to the interests of the children”.

On August 8, 2017, the New Jersey Supreme Court decided *Bisbing v. Bisbing*, (A-2-16; 077533, 8/8/17), abandoning the standard it set 16 years ago in *Baures v. Lewis*, 167 N.J. 91 (2001), and deviating significantly from over 30 years of law which started with *Cooper v. Cooper*, 99 N.J. 42 (1984) and *Holder v. Polanski*, 111 N.J. 344 (1988).

The *Bisbing* decision means that where parties share joint legal custody, and a parent wants to relocate the children over the other parent's objection, the courts will apply a best interest of the child analysis, as they would with any request for a change of custody.

Following their divorce, the *Bisbing*s shared joint legal custody of their children, with the mother as the Parent of Primary Residence and the father as Parent of Alternate Residence. In addition to holiday and vacation time, the father's parenting schedule incorporated "every other weekend and on one weeknight during the weeks when he does not have parenting time".

The *Bisbing* appeal arose from a trial court's post-judgment determination authorizing the mother, Jaime Taormina *Bisbing* to permanently

relocate from New Jersey to Utah due to her remarriage, bringing with her the twin girls born November 2006, notwithstanding the father, Glenn R. *Bisbing*, III's, objection to the children's move.

### **Historical Perspective**

Beginning in 1984, New Jersey ranked as one of the most permissive states for parental relocation. *Bisbing* brings us back into the mainstream on this issue. In *Cooper* (1984), and *Holder* (1988), the New Jersey Supreme Court greatly liberalized the standard for removal, permitting a custodial parent with a “good faith reason” to move with the children as long the move was not inimical to the children's interests and would not adversely affect the other parent's visitation

The *Cooper-Holder* standard relieved the relocating parent of the burden of proving best interests, and left it to the non-custodial parent to try to prove that the move would actually be harmful to the children.

At that time, a traditional model of a divorced family was common, with the mother designated as the custodial parent, and the children typically spending every other weekend with the father.

In *Baures v. Lewis* (2001), the Court eased the burden on a custodial parent by creating a two-prong test, first to determine whether the relocating parent was the primary custodial parent. If court determined that they were the custodial parent, then the test was to prove good faith and that the move will not be inimical to the child's interest. The Court outlined twelve factors to be considered in determining whether the move was in good faith and not harmful to the children. If there was a shared custody setting (no one

“custodial parent”) then the court would treat the application as one for a change of custody based on changed circumstances and apply a best interests analysis.

*Bisbing* eliminates this two-tiered analysis and applies a best interests standard across the board. The Court in *Bisbing* rejected the discredited social science research, with its emphasis on the importance of the “custodial parent,” that they had relied upon in *Baures*.

### **Mediation and Relocation**

The world has changed significantly since 1984. Shared parenting is now the norm in divorced families, and the term “custodial parent” is not much in use. The courts are committed to treat mothers and fathers equally, and *Bisbing* clearly reflects that commitment.

As almost anyone involved with actual custody litigation can attest, custody fights are expensive and time-consuming. One or more psychological experts will be needed to prove best interests.

While the *Bisbing* decision should promote fairness between divorcing parents, a relocation case has just gotten much harder to prove in litigation. In light of the *Bisbing* decision, divorce mediators may want to spend more time with couples in crafting solutions to a potential parental relocation.

**C. Megan Oltman's** law and mediation practice, Oltman Law & Mediation, is located in Princeton. She focuses on family law, trusts and estates, and elder law. She can be reached at <http://moltmanlaw.com> and [megan@moltmanlaw.com](mailto:megan@moltmanlaw.com).

## ***New Statute Redefines NJ's Role in the International Community*** by Harriet Farber Klein



**I**n the early part of 2017, a new law was passed by the New Jersey State Legislature without much fanfare and virtually none of the political wrangling that often accompanies actions in Trenton. In fact, it had broad bipartisan support and passed by a vote of 33–0 in the New Jersey Senate. Titled the New Jersey International Arbitration, Mediation and Conciliation Act, N.J.S.A. 2A:23E-1 et seq., it became effective on May 7.

The act provides for establishment of alternative dispute resolution centers to administer various modalities of settlement, with the aim of converting a mediated settlement into a consent arbitral award enforceable either in a U.S. court or abroad in one of the more than 150 signatory countries to the New York Convention, which has been the primary vehicle for enforcement of international arbitration awards. Arbitration, however, has come into increasing disfavor as it has grown more costly and time-consuming.

According to data amassed by the Global Pound Conference of the International Mediation Institute (IMI), the international business and commerce community has been promoting the use of mediation and related hybrid processes because of the greater economy, flexibility and control afforded to the parties. The problem is that mediation agreements are treated the same as other contracts and require litigation abroad for enforcement, absent a mechanism similar to what the New York Convention achieves for international arbitration. The new legislative action creates a consistency in the parties' expectations to assure their deal will be carried out.

### **History of the Act**

A body of the United Nations has been investigating means to enforce mediated settlements of international disputes. Efforts continue to be undertaken by Working Group II of the United Nations Commission on International Trade (UNCITRAL), which have been promoted by the U.S. Chamber of Commerce. Realistically, however, these efforts are viewed as being years from fruition. In a parallel development, organizations such as the College of Commercial Arbitrators (CCA), IMI and Pepperdine Law School established a task force on "mixed mode" (using hybrid methods) dispute resolution. New Jersey's response is a legislative one.

Professor David S. Weiss, founder and director of the Institute for Dispute Resolution at New Jersey City University in Jersey City, who was the moving force behind the legislation, expects it to have an "enormous international impact on the legal and business sectors of our state, and bring significant economic benefits, as well." Laura A. Kaster, immediate past president of the Justice Marie L. Garibaldi Inn of Court, who testified in support of the legislation, observes that the statute gives New Jersey a "leg up" in attracting increased international business, trade and commerce. This should boost the already significant role that international trade plays in the state's economy. U.S. Department of Commerce data indicates that New Jersey exported more than \$32 billion worth of merchandise in recent years, most of it going to Canada and Mexico.

### **Provisions of the Act**

The statute, N.J.S.A. 2A: 23E-4, applies only to cross-border disputes defined as being between:

- a. (1) two or more persons, at least one of whom is a nonresident of the United States or (2) two or more persons, all of whom are residents of the United States, if the dispute (a) involves property located outside the United States or (b) relates to a contract that envisages enforcement or performance in whole or in part outside the United States or (c) bears some relation to one or more foreign countries.
- b. Notwithstanding subsection a. of this section, this act shall not apply to the arbitration of (1) any dispute pertaining to the ownership, use, development, or possession of, or a lien of record upon, real property located in this State, unless the parties expressly submit the resolution of the dispute to this act, or (2) any dispute involving family or domestic relations law.

Practically speaking, the statute creates a hybrid process in which the parties agree to appoint a neutral having the dual role of arbitrator and mediator. The parties engage in mediation and if they reach a settlement, the neutral (wearing his/her arbitrator "hat") enters a consent award that is enforceable pursuant to section 8 of the Act, consistent with the Federal Arbitration Act (9 U.S.C. 1 et seq.) and the New York Convention, both of which are incorporated by reference.

*(Continued on page 7)*

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Section 6 of the act provides for the establishment of nonprofit "centers" to facilitate the resolution of disputes by arbitration, mediation, conciliation and other means, as determined by the needs of the parties. At the present time, it is anticipated that one such center, the Global Mediation Exchange Center, will be operational in Jersey City in fall 2017. The center will provide services including physical space for mediations, panels of IMI-certified mediators specifically trained to address cross-border business disputes and continuing education concerning these functions. The plan is for other mediation centers to be established and collaborate internationally, forming what essentially will be a worldwide dispute-resolution network. It is envisioned that the network will offer heightened and efficient resolution capabilities.

## Impact of the Act on NJ's Legal and Business Sectors

While at first blush it might appear that the statute was designed with large corporations in mind, those who were intimately involved in its content and passage say otherwise. Robert E. Margulies of Jersey City's Margulies Wind law firm, an arbitrator and mediator who testified in support of the statute and helped draft its language, was quoted in Law360 as saying that it also is geared toward small to medium-sized businesses seeking to expand their markets. According to Professor Weiss, the statute will address the needs of family-run and closely held businesses that may have previously shied away from cross-border commerce because of the cost and hassle involved. In addition, the statute also potentially

creates new opportunities for dispute resolution professionals.

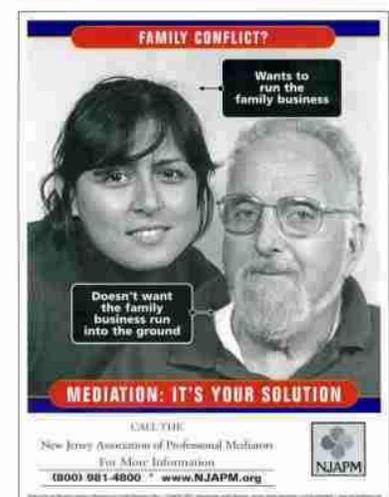
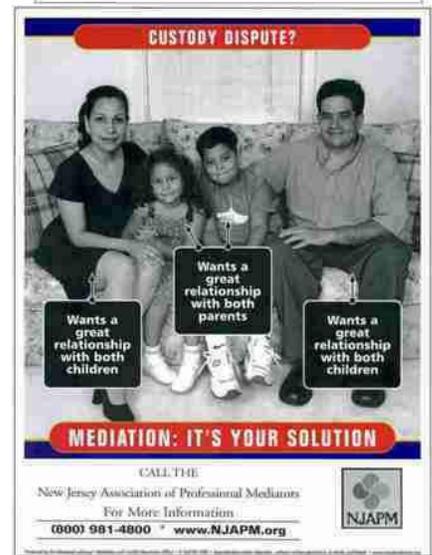
Advances in computer technology and the permeation of the internet into virtually all facets of everyday life have made it safe to say that nothing is truly "local" anymore. Any person who makes a sale or an order over the internet is theoretically within the ambit of the new statute. The notion that a business can avail itself of a convenient and economically feasible means of resolving a payment dispute, for example, may make New Jersey an attractive environment for companies. The state's geographic location, having three major international airports in the region in addition to Port Newark and nearby ports in sister states, serves to make New Jersey a hub for international dispute resolution with the advent of the statute.

This, in turn, should translate into increased business opportunities for New Jersey lawyers. All business entities, ranging from sole proprietorships and mom-and-pop shops to multinational corporations who are involved in cross-border commerce, stand to benefit from the act's scheme. Attorneys with clients on this spectrum will want to familiarize themselves with the new statute and make clients aware of the opportunities to do business globally and cost-effectively in this increasingly connected world.

\* \* \* \* \*

*Klein, a retired New Jersey Superior Court judge, is of counsel with Wilson Elser Moskowitz Edelman & Dicker in Florham Park. She leads the firm's New Jersey-based ADR practice.*

**NJAPM Posters**  
Order from [www.njapm.org](http://www.njapm.org)



# Looking Back and Moving Forward

by Karen P. Sampson, Esq., APM



**M**y term as NJAPM president came to a close on September 30, 2017 at the end of NJAPM's fiscal year. I would like to express my sincerest appreciation to the NJAPM Board and to all of our members for their support and dedication to NJAPM.

It has been an honor and a privilege to serve as NJAPM president. I am extremely grateful for having had the opportunity to serve in this capacity.

Our association had some wonderful accomplishments this past year which included:

- Comment submission and attendance at the Supreme Court public hearing in response to the Supreme Court committee reports;
- Launch of NJAPM court approved 6-hour supplemental divorce mediation and civil training programs;
- Formation of NJAPM Speakers Bureau; and
- Exploration of options for NJAPM social media marketing

Looking ahead, we will have our Annual Conference, "NJAPM Annual Conference Celebrating ADR Day XX" on November 4, 2017 at the Imperia, Somerset, New Jersey. It will be an exciting, one-of-a-kind

conference with NJICLE, NJSBA Dispute Resolution Section, Garibaldi Inn of Court, and the New Jersey Council of Collaborative Practice Groups. As NJAPM is the largest and most diverse mediation organization in the state, this will be a wonderful opportunity for us to work and celebrate with other premier New Jersey ADR organizations.

At this time, I wish to thank and express my sincerest appreciation to the 2016-2017 officers and directors for their service to NJAPM:

- Hon. (Ret.) Linda R. Feinberg, APM, Executive Vice President
- Bennett Feigenbaum, Esq., APM, Vice President
- Virginia Rucinski, Esq., APM, Secretary
- Michael Lehner, CPA/APV, CFE, ASA, Treasurer
- Andrew Smith, Esq., APM, Immediate Past President
- Jann Catto, MSW, CDFA
- William Dwyer, MLIR
- Suzanne English, MA
- Amber Leach, MBA, CDFA
- Carl Peters, PE
- Richard Steen, Esq., APM
- Pamela Zivari, Esq. (resigned in March 2017)

All of these officers and directors stepped up to the plate this past year and contributed greatly to NJAPM.

I also thank all of our committee chairs and committee members (too many to mention by name) for their continuous hard work and support for NJAPM.

I extend my best wishes to the incoming NJAPM president, Carl Cangelosi, as well as the other incoming officers and directors.

As a volunteer-driven association, a lot of work goes on behind the scenes to help our organization run smoothly. We are very fortunate to have many enthusiastic, hard-working members. Everyone's help and efforts are greatly appreciated.

In closing, I thank you, the members, for your commitment, to NJAPM and encourage you to stay active in the association. We have a vibrant, thriving organization with opportunities for everyone to strive for excellence in mediation. Keep up the good work!

Warm regards,

Karen P. Sampson, Esq., APM  
Past President, NJAPM (2016-2017)

**Karen P. Sampson, Esq., APM** is an attorney, mediator and collaborative professional specializing in family matters. Please visit [www.karenp Sampson.com](http://www.karenp Sampson.com) or call (856) 439-0068.



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## NJAPM Divorce Apprentice Program



### We are Seeking:

- Couples needing discounted divorce mediation services
- NJAPM Accredited Professional Mediators to serve as mentors
- 40-Hour divorce training graduates desiring hands-on experience

### Please Contact Education Committee Chairs:

Risa Kleiner, Esq., APM — [risa@rkleinerlaw.com](mailto:risa@rkleinerlaw.com), and  
Anna-Maria Pittella, Esq., APM — [pittellalaw@verizon.net](mailto:pittellalaw@verizon.net)  
or, visit [www.njapm.org](http://www.njapm.org) for more information

# NJAPM Membership Report

by Suzanne English, MA, Membership Chair



**W**elcome to another year of NJAPM membership, which thanks to your support, makes our organization the voice for mediators in New Jersey. One of our most visible benefits of membership is our annual conference on November 4. Please seek me out and introduce yourself at the conference. I look forward to meeting you in person!

The membership committee's past year has been a busy one. After many years, the board approved changing the dues and the fee structure. We are extending our extending our early bird discount: Members who satisfy their dues for 2017-2018 by 10/15, pay according to the old fee structure.

If you have not renewed your membership, please do so at [www.njapm.org](http://www.njapm.org) by following the renewal link, and then pay with a credit or debit card. Alternatively, complete the form below and mail it back with your check made payable to NJAPM.

Thank you to all members who have already taken the time to renew their membership. I cannot emphasize

enough how important your dues are to keeping NJAPM vital.

If you have any membership questions, comments or problems please feel free to email me at [suzannee@me.com](mailto:suzannee@me.com) and I will do my best to resolve your issues expeditiously. I also welcome input from members as to how we can make NJAPM even better.

### Welcome New NJAPM Members

Here is the list of members who joined after 2/1/17. If there is a mistake with our list or your name is missing, please let us know. If you joined after 9/20/17, please watch for your name in our next newsletter.

#### Ghatul Abdul Qayum (Student)

Susan Atkinson  
Anthony Balestrieri  
Robert Barron  
Jessica Brady  
Joseph Cicala  
Kimberly Corbett  
Robert Cosgrove  
Eileen Curristine  
Laura Engelhardt  
Jennifer Eye

Wesley Fenza  
Alex Ferroni  
Christopher Ghatak  
Yvette Gibbons  
Kimberly Goodrich  
Aleksandra Gontaryuk  
Margo Hill  
Edward Hughes  
James Kinney  
(Hon.) Harriet Klein  
Monte Klein  
Kimberley Lamountain  
Linda Larkin  
Gregory Liberty  
Diana Longo  
Tracee McFarland  
A. Nash  
Suzann Ordile  
Jenny Psaki  
Mic Radovici  
Ame Sheth  
Stephanie Smith  
Anthony Tocci (Student)  
Flavio Van Boekel  
Roy Watanabe  
Marianne Zembryski

Suzanne English, MA specialized in civil and divorce mediation including insurance cases, and child welfare advocacy from her Summit, NJ office. Her email is [suzannee@me.com](mailto:suzannee@me.com).



### 2017-2018 Dues Renewal Form

New Jersey Association of Professional Mediator  
26 Park Street, Suite 2041, Montclair, New Jersey 07042

Please complete and mail to address above with your check to "NJAPM"

Membership Type	Pay by 10-15-17 (Early Bird)	Pay 10-16-17 thru 10-31-17	Pay After 11-1-17 (Includes Late Fee)
Accredited Dues	\$125	\$165	\$190
General Dues	\$90	\$125	\$150
Student (with ID) & Emeritus	\$25	\$25	\$50

NAME: \_\_\_\_\_

FIRM NAME & WORK ADDRESS: \_\_\_\_\_

WORK # \_\_\_\_\_ EMAIL : \_\_\_\_\_

HOME # \_\_\_\_\_ FAX # : \_\_\_\_\_

SIGNATURE \_\_\_\_\_

MEMBERSHIP TYPE \_\_\_\_\_

DATE \_\_\_\_\_

- If you are accredited by NJAPM, by renewing you are certifying that you have completed the required continuing education. NJAPM will perform random audits of CEs and reserves the right to ask for proof of completion of the required continuing education credits. Failure to submit proofs upon request will affect your accreditation.

- By using this form to renew your membership, you are certifying that the information set forth in this renewal application, including all attached documentation, is true. You hereby agree to abide by the Standards of Conduct and Policies for the Practice of Mediation in New Jersey, as adopted and promulgated by the New Jersey Association of Professional Mediators.

*Dues may be deducted as an ordinary and necessary business expense.*

# NJAPM Peer Groups

## by Katherine G. Newcomer, Esq.



**M**ediators share their insights on cases. You do not need to be a member to attend. Attendees pay for their own meal. Contact the group leader to confirm meeting time and location.

**Bergen:** Divorce Lunch, 1st Wed. 12:30 PM; Civil Lunch, 3rd Tues. 12:30 PM. Both meetings at Houlihan's, 65 Route 4 West, Paramus. This is the strip mall after sign for "35 Plaza." Robert J. Lenrow, Esq., APM, 201-986-1821,

[ceasefiremediation@juno.com](mailto:ceasefiremediation@juno.com).

**Camden/Burlington/Gloucester/South Jersey:** Lunch, 2nd Wed. noon at BorgerMatez law firm. 1470 Rte. 70 East, Cherry Hill. William H. Donahue, Jr., Esq., APM, 609-238-9245, [whdonahuejr@gmail.com](mailto:whdonahuejr@gmail.com).

**Essex:** Lunch on a Wednesday, every other month, starting in October at 12:30 at the China Gourmet 468 Eagle Rock Avenue, West Orange. Donald Steig, MA, CMC, 973-761-6099, [dbsteig@alum.mit.edu](mailto:dbsteig@alum.mit.edu).

**Mercer:** Lunch, 2nd Thursday, 12:30, Olive Garden on Rte. 1 South, Lawrenceville, near Mercer Mall (Nov.) & members' offices (Oct.). Gabrielle Strich, Esq., APM, 609-924-2900, [info@strichlaw.com](mailto:info@strichlaw.com).

**Middlesex/Union:** Lunch, 3rd Thursday, 12:30, Houlihan's near Menlo Pk. Mall, 65 Rte 1 S. Bruce Waltuck, MA., C, C, and C. 609-577-1584, [brucewcollaboration@gmail.com](mailto:brucewcollaboration@gmail.com).

**Monmouth/Ocean:** Lunch, 1st Thursday every month, 11:30 AM, Pazzo Rest., 141 W Front St, Red Bank. David Leta, 908-278-6335,

[mediation@DavidLeta.com](mailto:mediation@DavidLeta.com) or Anna-Maria Pittella, Esq., APM, 732-842-6939, [pittellalaw@verizon.net](mailto:pittellalaw@verizon.net).

**Morris County:** Lunch, 2nd Wednesday, 12:30 PM, Hunan's Rest., 255 Speedwell Ave., Morris Plains. Contact Beverly & George Hays, APMs, 973-539-5242,

[hays.mediation@verizon.net](mailto:hays.mediation@verizon.net).

**Somerset/Hunterdon/Warren:** Breakfast, 2nd Tuesday, 8:30 AM, Readington Diner, 452 Route 22 West, Whitehouse Station. Also, lunch, last Tues. every other month, 11:45 AM, Panera, 25 Mtn. View Blvd., Basking Ridge. Contact me at 908-625-0043.

[katherinenewcomer@comcast.net](mailto:katherinenewcomer@comcast.net).

**South Jersey Shore:** Atlantic & Cape May Counties, 6 PM quarterly at members offices, Carol Goloff, Esq., APM 609-646-1333, [carol@golofflaw.com](mailto:carol@golofflaw.com).

**Union—NEW Civil/Divorce Group:** Lunch, 3rd Tuesday every month except July and August, 12:30 PM, Grillestone Restaurant, 2377 Route 22 East, Scotch Plains. Tony Prinzo, CVA, at [unioncountypeergroup@gmail.com](mailto:unioncountypeergroup@gmail.com), or Amber Leach, MBA, CDF, 917-538-6437, [amber@leachmediation.com](mailto:amber@leachmediation.com).

**Katherine G. Newcomer, Esq.,** provides divorce mediation in Morris & Somerset counties. Her website is [www.equalitydivorcemediation.org](http://www.equalitydivorcemediation.org).

### NJAPM Committees & Special Interest Groups

Accreditation	Virginia M. Ruscinski	732-235-1117	<a href="mailto:ruscinski@aol.com">ruscinski@aol.com</a>
Accreditation	Andrew Smith	908-246-9766	<a href="mailto:als.smithesq@gmail.com">als.smithesq@gmail.com</a>
Annual Conference	Bonnie Blume Goldsamt	973-857-6220	<a href="mailto:bonneblume@aol.com">bonneblume@aol.com</a>
Annual Conference	Karen Sampson	856-439-0068	<a href="mailto:karensampson@yahoo.com">karensampson@yahoo.com</a>
Civil Mediation Training	Marv Schuldiner	732-963-2299	<a href="mailto:marvs@earthlink.net">marvs@earthlink.net</a>
Divorce Mediation Training	Anju Jessani	201-217-1090	<a href="mailto:ajessani@dwdmediation.org">ajessani@dwdmediation.org</a>
Education Committee	Anna-Maria Pittella	732-842-6939	<a href="mailto:pittellalaw@verizon.net">pittellalaw@verizon.net</a>
Education Committee	Risa Kleiner	609-951-2222	<a href="mailto:risa@rkleiner.com">risa@rkleiner.com</a>
Executive Committee	Carl Cangelosi	609-636-1557	<a href="mailto:carl.cangelosi@gmail.com">carl.cangelosi@gmail.com</a>
Fundamentals of Mediation Training	Carl Cangelosi	609-636-1557	<a href="mailto:carl.cangelosi@gmail.com">carl.cangelosi@gmail.com</a>
Judiciary Relations	Hon. John Harper (Ret.)	973-813-7667	<a href="mailto:jharper@lauferfamilylaw.com">jharper@lauferfamilylaw.com</a>
Legislative Relations	Roger Jacobs	973-226-6663	<a href="mailto:roger.jacobs@jacobsblawnj.com">roger.jacobs@jacobsblawnj.com</a>
Marketing	Bennett Feigenbaum	973-682-9500	<a href="mailto:feigenbaum@gmail.com">feigenbaum@gmail.com</a>
Marketing	Marianne McConnell	973-593-4911	<a href="mailto:mcconnell2@verizon.net">mcconnell2@verizon.net</a>
Mediator Ethics Review Board	Hanan Isaacs	609-683-7400	<a href="mailto:hisaacs@hananisaacs.com">hisaacs@hananisaacs.com</a>
Mediator Quality	Marv Schuldiner	732-963-2299	<a href="mailto:marvs@earthlink.net">marvs@earthlink.net</a>
Membership	Suzanne English	908-377-9028	<a href="mailto:suzanne@me.com">suzanne@me.com</a>
Newsletter	Anju Jessani	201-217-1090	<a href="mailto:ajessani@dwdmediation.org">ajessani@dwdmediation.org</a>
Nominating Committee	Andrew Smith	908-246-9766	<a href="mailto:als.smithesq@gmail.com">als.smithesq@gmail.com</a>
Peer Consultation / Mentoring	Katherine Newcomer	908-625-0043	<a href="mailto:katherinenewcomer@comcast.net">katherinenewcomer@comcast.net</a>
Programs Including General Programs	Mitsu Rajda	877-744-3944	<a href="mailto:rmitsu@yahoo.com">rmitsu@yahoo.com</a>
Strategic Planning	Carl Cangelosi	609-636-1557	<a href="mailto:carl.cangelosi@gmail.com">carl.cangelosi@gmail.com</a>
Website Design	Carl Cangelosi (Interim)	609-636-1557	<a href="mailto:carl.cangelosi@gmail.com">carl.cangelosi@gmail.com</a>
Special Interest: Construction	Lucille Alfano	732-449-0526	<a href="mailto:alfanol@aol.com">alfanol@aol.com</a>
Special Interest: Construction	Rick Steen	609-895-0071	<a href="mailto:ricksteen@adriawfirm.com">ricksteen@adriawfirm.com</a>
Special Interest: Construction	Carl Peters	609-741-4104	<a href="mailto:ceppels@verizon.net">ceppels@verizon.net</a>
Special Interest: Elder Mediation	Anna Alexander	973-763-7314	<a href="mailto:wga9vose@verizon.net">wga9vose@verizon.net</a>
Special Interest: Elder Mediation	Gabrielle Strich	609-924-2900	<a href="mailto:info@strichlaw.com">info@strichlaw.com</a>
Special Interest: Employment	William Dwyer	848-932-2730	<a href="mailto:wdwyer@work.rutgers.edu">wdwyer@work.rutgers.edu</a>
Special Interest: Employment	Andrew Smith	908-246-9766	<a href="mailto:als.smithesq@gmail.com">als.smithesq@gmail.com</a>
Special Interest: Ombuds	Bennett Feigenbaum	973-682-9500	<a href="mailto:feigenbaum@gmail.com">feigenbaum@gmail.com</a>
Special Interest: Technology	Bavinder Gill	848-218-1923	<a href="mailto:balkgill01@gmail.com">balkgill01@gmail.com</a>
Special Interest: Technology	Andrew Smith	908-246-9766	<a href="mailto:als.smithesq@gmail.com">als.smithesq@gmail.com</a>

# NJAPM Photo Gallery



**Divorce & Civil Seminar, April 1, 2017, Featuring Jeff Thompson, PhD, Hostage Negotiator**



**NJAPM Annual Social Outing, August 17, 2017 — Somerset Patriots Baseball Game**



**New Jersey Association  
of Professional Mediators**  
26 Park Street, Suite 2041  
Montclair, NJ 07042

## ***NJAPM Photo Gallery***

**Spring 2017  
40-Hour Divorce Mediation Training  
Day 5, May 13, 2017**

**Back Row (L to R):** Tracey Hess, Donna Connelly, Samantha Tintner, Mark Garvey, Flavio Van Boekel, Eric Madurki, Barbara McEvoy, Holly Wilson Akers

**Front Row:** Patricia Ann Hammel, Liz Van Houten, Laurie Beacham, Anaila Garvey, Bobbi Andrews, Marianne Zembryski, Diane Englander Peyser, Instructor Chris Heer

**Front Row:** Instructors Carl Cangelosi, Anju Jessani



**General Meeting, April 25:** James Kinney, Commissioner, Federal Mediation and Conciliation Service (Center)



**General Meeting, May 17:** Michael Lehner, CPA/ABV, CFE, ASA, on Understanding Business Valuation



**General Meeting, June 21:** F. Peter Phillips, Esq., on Commercial Dispute Resolution Tools for the 21st Century