



Mason, Griffin & Pierson, P.C.
Counsellors at Law • Since 1955

New Jersey Legislature Update: The Open Public Records Act

by Lisa M. Randazzese, Esq.



The New Jersey State Legislature recently enacted a new law redefining and increasing the public's access to government

records. The Open Public Records Act, referred to as OPRA, entitles members of the public to inspect, examine and copy government records that are maintained by public agencies in New Jersey, including municipal and county governments. This law is intended to strike a balance between greater access to government records on one hand, and protecting privacy on the other. The new law challenges governmental agencies to maintain their efficiency and accountability while meeting the demands of increased document requests from the public. To learn more about the new law, the state has created a website at www.state.nj.us/opra.

Lisa M. Randazzese, Esq. is an associate at Mason, Griffin & Pierson, P.C. She is a graduate of Rutgers Law School, Camden and was Law Clerk to the Honorable Linda R. Feinberg, A.J.S.C., from 1999 to 2000. She is a member of the Mercer County Bar and New Jersey State Bar Associations and is admitted to practice law in New Jersey and Pennsylvania. Ms. Randazzese is a member of the firm's Governmental Affairs Practice Group, and she can be reached at 609-436-1213.

WINTER 2003



Counsellor

Timely News and Information from Mason, Griffin & Pierson, P.C.

MASON, GRIFFIN & PIERSON, P.C. EXPANDS EMPLOYMENT LAW PRACTICE GROUP

Deborah Martin Norcross and **Peter P. Perla, Jr.** have joined the firm's Employment Law Practice Group.

Deborah Martin Norcross has more than twenty-six years of experience in the areas of employment law and employment litigation. In 1981 Ms. Martin Norcross joined the New York office of Jackson, Lewis, Schnitzler & Krupman, one of the nation's largest labor and employment law firms. She became a Jackson Lewis partner in 1988 and remained with the firm for more than twenty-one years. Her practice focuses on litigation of employment cases on behalf of both employers and employees, including sexual harassment, discrimination, workforce reduction, restrictive covenants, RICO, False Claims Act, and ERISA discrimination matters. She has represented clients in federal and state courts and agencies across the country. Ms. Martin Norcross also maintains a substantial preventive practice, working with in-house counsel and human resources professionals in policy development and review, human resources problem solving, and supervisory training. She is admitted to practice law in New Jersey, New York, and Pennsylvania. Ms. Martin Norcross can be reached at 609-436-1230.

Peter P. Perla, Jr. represents employers and employees in matters concerning discrimination and harassment in the workplace, negotiation of employment contracts and severance packages, disciplinary procedures, and preparation of personnel policies and employee handbooks. Mr. Perla also has experience in employment and commercial litigation, business transactions, charitable corporations, and commercial real estate. He is admitted to prac-



Perla (left) and Martin Norcross (right) join the firm

lice law in New Jersey and New York. Mr. Perla can be reached at 609-436-1219.

The Employment Law Practice Group provides the following services for both employers and employees—

Day to Day Advice and Counsel

Prompt and practical advice to employers and employees on a wide variety of legal issues, including, among others, employment contracts and severance agreements, employment policies, handbooks and forms, reorganization and downsizing, sexual harassment claims, compliance with federal and state labor and discrimination laws, and EEOC and DCR charges and proceedings.

Employment Litigation

Litigation, arbitration and mediation of employment related disputes involving wrongful termination and discrimination, whistleblower cases, sexual harassment, and enforcement of employment agreements, as well as trials, hearings and appeals in state and federal courts and agencies nationwide.

continued on back

The Employment Law Practice Group *continued from front*

Corporate Training Programs

Presentation of comprehensive training programs for employers of all sizes, to avoid workplace litigation and liability. Topics cover the entire range of human resource issues, including hiring and termination, sexual harassment, ADA and FMLA compliance, and avoiding wage-hour violations.



The Employment Law Practice Group is co-chaired by Edmond M. Konin and Deborah Martin Norcross. Mr. Konin can be reached at 609-436-1204.

Money Matters in Divorce

by Georgia M. Fraser, Esq.

In divorce litigation, a frequently asked question is, "How much alimony will I receive or pay and for how long?" In New Jersey, the amount and duration of alimony (which is also referred to as spousal support) is based upon the court's consideration of eleven statutory factors: (1) the actual need and ability of the parties to pay; (2) the duration of the marriage; (3) the age, physical and emotional health of the parties; (4) the standard of living established during the marriage; (5) the earning capacities, educational levels, vocational skills, and employability of the parties; (6) the length of absence from the job market of the party seeking maintenance; (7) parental responsibility for the children; (8) time and expense necessary to acquire sufficient education or training; (9) the history of financial or non-financial contributions to the marriage by each party; (10) equitable distribution of property ordered and payouts on equitable distribution out of current income; and (11) any other factors which the court may deem relevant. Of these eleven factors, the court primarily considers the actual need and ability to pay and the length of the marriage in determining the amount and duration of alimony. However, recent developments in the law, as established in the case of *Crews v. Crews*, has elevated the standard of living established during the marriage to equal consideration with the two previously mentioned factors.

Based upon consideration of the above, the court may award one of several types of alimony: permanent, rehabilitative, reimbursement, term or limited duration. Permanent alimony, as it appears from its name, is paid permanently or for the remainder of the supporting spouse's life. Rehabilitative alimony is payable for a short and specific period of time and terminates when the recipient rehabilitates him/herself sufficiently to be able to live in a manner comparable to the one enjoyed during the marriage. Reimbursement alimony is reimburse-

ment for the financial contributions the spouse made to the former spouse's successful professional training and education. Term and limited duration alimony are payable for a specific term and are not dependent upon any acts of rehabilitation by the recipient.

Practically speaking, the length of the marriage usually determines which type of alimony is ordered by the court. Long-term marriages, which have been held to mean a marriage of ten years or more, usually require an award of permanent alimony, whereas short-term marriages of less than ten years usually involve an award of rehabilitation, term, or limited duration alimony.

The calculation of the amount and duration of alimony is fact-sensitive and involves an analysis of statutory factors and the unique circumstances of each individual case.

Georgia M. Fraser, Esq. is an associate at Mason, Griffin & Pierson, P.C. She is a graduate of Douglass College, Rutgers University (cum laude), and received her law degree from Villanova University School of Law. Ms. Fraser served as Law Clerk to the Honorable Maryann K. Bielamowicz from 1998 to 1999. She is a member of the Mercer County, New Jersey State and American Bar Associations, and practices in the areas of Family Law, Domestic Violence, and Civil Litigation. Ms. Fraser can be reached at 609-436-1210.



Litigation Practice Group

Litigation Practice Group's Recent Cases

- Recovery in Middlesex County for hospital malpractice involving blood transfusion
- Settlement in Morris County for hand injured in automotive accident

Practice Groups

**Bankruptcy • Business & Banking • Criminal Law • Employment Law • Estates & Trusts
Family Law • Governmental Affairs • Litigation • Personal Injury • Real Estate & Land Use**



101 Poor Farm Road
Princeton, NJ 08540
609-921-6543

Mason, Griffin & Pierson, P.C.
Counsellors at Law • Since 1955

32 Church Street
Flemington, NJ 08822
908-782-2900

www.mgplaw.com