

From: Kenneth Vercammen, Esq. <vercammennews@njlaws.com>

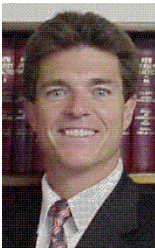
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Reply: vercammennews@njlaws.com

NJ Laws Email Newsletter E378

Kenneth Vercammen, Attorney at Law

October 19, 2011



Greetings Kenneth Vercammen,

1. Selecting A Guardian in Your Will for Minor Children

**Office Phone
Number:**

(732) 572-0500

www.njlaws.com

In This Issue:

1. Selecting A
Guardian in
Your Will for
Minor Children

2. Objection to
Lab Report
Starts After all
Reports
Provided.

3. Dispatch of
Suspiciously
Parked Car

If you have minor children, the most important reason to plan your estate is to ensure proper provisions are made for your children. While it can seem overwhelming to deal with all the issues involved, consider what would happen if you died with no provisions. At that point, your children's guardian would be determined by the courts and there may not be adequate funds available until they reach adulthood, leaving them dependent on the goodwill of relatives.

When selecting a guardian, consider the following:

Who would be the best guardian for your children?

Permits

Questioning.

4. Join AVVO
and Rate
Kenneth
Vercammen,
Esq. as an
Attorney!

5. 2011
Municipal
Court College

6. Next Events

While your first inclination may be to select your parents, consider whether they will have the energy to raise your children. A better alternative may be a sibling or friend. One of your most important considerations will be whether you think that individual will be able to raise your child like one of their own. If you have several children, is it reasonable to expect one person to raise all of them? You may want to name more than one guardian, but make sure the guardians will work together to keep the children as close as possible. If the person you are considering lives in another city or state, consider whether you want to uproot your children while they are going through the trauma of their parents' death. Make sure you're comfortable with the guardian's parental style and moral beliefs.

Have you talked to your selected guardian? Once you've settled on a guardian, discuss your decision with that person to make sure he or she is willing to take on the responsibility? Be sure to name a contingent guardian in case your first choice is unable to serve. Discuss your wishes regarding how you want your children raised, indicating your preferences for education, religion, lifestyle, and other factors.

Have you made adequate financial

arrangements for your children? You wouldn't want your children to be a financial burden, or their presence may be resented. Determine how much is needed for living expenses, hobbies, medical expenses, and college. Consider other items as well. For instance, will your guardian's home comfortably accommodate your children, or should you leave funds for an addition to the home? Include a financial cushion so there is plenty of money until your children at least reach adulthood. Should the person who has physical custody also handle their finances? You can name two guardians, one for physical custody and one to handle their finances. Decide whether trusts should be set up and how money should be distributed when your children reach adulthood.

Have you reviewed your choice of guardian recently? Just because you've selected a guardian doesn't mean that person is still the best choice. As your children grow, review your guardian choice every couple of years.

SOURCE: kbowman@bizactions.com

2. Objection to Lab Report Starts After all Reports Provided. State v. Heisler __ NJ Super. __ A 6281-08T4

The court held that the ten-day period in

which a defendant must object to the admission into evidence of a lab certificate, or else waive his right to confront the laboratory analyst, begins to run only after the State has provided "all reports relating to the analysis in question." N.J.S.A. 2C:35-19. The court resolved ambiguity in the statute that requires the State to serve its notice of intent to use a lab certificate and supporting data twenty days before trial, but requires a defendant to object within ten days of receiving only the notice of intent. As the defendant's objection was timely under our statutory construction, we reversed his convictions for being under the influence of CDS, and operating a vehicle while knowingly having CDS in his possession or in the vehicle. 5-17-11

3. Dispatch of Suspiciously Parked Car Permits Questioning. State v. Adubato __ NJ Super. __ A-3419-09T1

The court affirmed the denial of a motion to suppress in a DWI. The police officer received a dispatch that a specific car was driving around the neighborhood, and that the driver kept exiting the vehicle. He may also have been told that the driver might be intoxicated. When the police arrived at the scene, the car was parked with its lights on and the engine running. The driver was speaking loudly on his cell phone. It

was after 10 p.m.

The police officer, who was not then aware that the driver was parked in front of his residence, activated his flashers and pulled up behind the car. As he approached the driver, the police officer detected the odor of alcohol. He determined that it was coming from the driver's breath. In addition, the driver's eyes were watery and bloodshot, his speech was affected, and he told the police officer he had been drinking at a pub. After field-sobriety tests, the driver was arrested and charged with DWI. 5-23-11

4. Join AVVO and Rate Kenneth Vercammen, Esq. as an Attorney!

I've joined Avvo, a website that helps people make better legal decisions by providing more information and better guidance than they've ever had access to before. Avvo gives lawyers an online profile with space for reviews from former clients. If you feel comfortable recommending my services, I would welcome your comments for my Avvo profile. It only takes a couple of minutes and you can remain anonymous if you prefer.

Go to: http://www.avvo.com/attorneys/08817-nj-kenneth-vercammen-571594/request_reviews.html

Thank you,

Kenneth

Attorneys: If anyone has an avvo.com page and would like to share "peer endorsements" , please email me. My avvo page is here:

<http://www.avvo.com/attorneys/08817-nj-kenneth-vercammen-571594.html>

5. 2011 Municipal Court College

Mon, Nov. 14, 2011

5:30 PM - 9:00 PM

New Jersey Law Center, New Brunswick

A guide to handling municipal court matters in your practice and a "crash course" designed to build your skills!

This information-packed program is designed for attorneys who do not concentrate in municipal court law, including general practitioners seeking to expand into this practice area & not, novice attorneys looking to create a niche practice. Seasoned municipal court lawyers will learn new skills and obtain CLE credits.

You'll "go back to school" to attend 6 half hour segments and panel discussions that will provide you with a working knowledge of municipal court law basics. You'll quickly be able to represent clients in a wide range of matters you would normally have had to refer to others. Gain confidence in your ability to handle municipal court law matters. Make an investment in your legal career and register today!!

- 5:00 Opening
- 5:35 Initial client interview; getting retained; dealing with the prosecutor -
Kenneth A. Vercammen, Esq
- 6:05 Driving While Suspended -
Damian Scialabba, Esq.
- 6:35 Drug Cases and DREs - Norma
M. Murgado, Esq.
- 7:05 Break
- 7:15 Assault and miscellaneous
proceedings - John E. Hogan, Esq.
- 7:45 DWI/Blood - John Menzel, Esq.
- 8:15 Alcotest - John Menzel, Esq.;
Norma M. Murgado, Esq.
- 8:45 Q&A and closing comments
- 9:00 Adjourn

Gain insight and information that will help you represent clients in every aspect of

municipal court law, including:

Initial interview getting retained and dealing
with the prosecutor, Driving while
suspended,
Drug cases and DRE,
Assault and miscellaneous,
DWI Blood,
DWI Alcotest

Who should attend:

Judges & Prosecutors
General practitioners
Criminal law practitioners
Municipal Court law practitioners
Litigators
New attorneys
Members of law enforcement

Includes seminar, 400 page book, CD with
over 1,000 pages of forms, dinner, coffee,
dessert Tuition ranges between \$145- \$189
depending on NJSBA membership Call
Phone: (732)214-8500 Seminar # S962-21594

2011 Municipal Court College
S96200F1

6. Next Events:

10/22/11 **Far Hills Race Meet, on Saturday,**

October 22, 2011.

Held annually at Moorland Farms, Far Hills, NJ, this world-class event mixes society with sport, bringing families, race enthusiasts, organizations and corporations together for a day of racing, networking, food and fun.

Gates open at 8 a.m. with the first race at 12:30 p.m. Races are held rain or shine. If you are going, email Ken V.

10/22/11 Edison Elks Martini Night 8-11

10/23/11 Trick or Trot 4 mile run 4-mile Long Branch party at Celtic Cottage after run discount beer. Bring your dog for the dog walk after the race.

10/25/11 JSRC club meeting at Deal firehouse, followed by short Freezing Cold Hash meeting 7:45

10/29/11 Pt. Pleasant 5k 10:30

10/29/11 Hoboken 5k 10am

10/29/11 Beerfest 5k 11am
Rahway River Park
Rahway, NJ
includes beer and hot dogs

<http://www.practicehard.com/EventView.asp?eid=860>

10/30/11 North Brunswick 5k 8:30

11/6/11 RUN with the VIKINGS 5K 10:00 AM South Brunswick High School, Bob Tona's good event

Editorial Assistance provided by Nadya Comas. Ms. Comas is currently a senior at Rutgers University and is participating in our Fall Internship Program.

Editor's Note and Disclaimer:

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KENNETH VERCAMMEN & ASSOCIATES, PC
ATTORNEY AT LAW
2053 Woodbridge Ave.
Edison, NJ 08817
(Phone) 732-572-0500
(Fax) 732-572-0030
website: www.njlaws.com

Admitted to practice law in New Jersey, New York, Pennsylvania, US Supreme Court and Federal District Court

Facebook: <http://www.facebook.com/kenneth.vercammen?ref=name>

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Kenneth Vercammen Law Office | 2053 Woodbridge Avenue | Edison | NJ | 08817