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Kenneth Vercammen & Associates

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E402 NJ LAWS Email Newsletter

NJ Laws Email Newsletter E402
 Kenneth Vercammen, Attorney at Law

August 1, 2012



Greetings!

Recent Cases:

1. Juvenile Adjudications Can be Expunged. In the Matter of the Expungement Petition of J.B. ___ NJ Super. ___ (App. Div. 2012) A-1564-11. 6-21-12

In this appeal from the denial of a petition to expunge juvenile adjudications and an adult conviction, the court construes the 1980 statute permitting expungement of juvenile adjudications. L. 1980, c. 163, codified at N.J.S.A. 2C:52-4.1. The court concluded the trial court misinterpreted the unnumbered paragraph in N.J.S.A. 2C:52-4.1(a). For purposes of expungement, any act which resulted in a juvenile being adjudged a delinquent shall be classified as if that act had been committed by an adult. In view of the legislative history of the 1980 statute, and canons of statutory construction, the court construed the quoted sentence to apply only to applications to expunge juvenile adjudications under N.J.S.A. 2C:52-4.1(a). The 1980 law was intended to allow expungement of juvenile adjudications, which was not otherwise permitted; there was no evidence the Legislature intended to make expungement of adult convictions more difficult by treating juvenile adjudications as if they were adult convictions. Applying the courts reading of the statute, petitioner was entitled to expungement of his entire record of multiple juvenile adjudications under N.J.S.A. 2C:52-4.1(b). Also, although the court mistakenly applied the quoted sentence to render petitioners juvenile adjudications equivalent to adult convictions, the court correctly denied the petitioner to expunge the adult conviction because it was filed less than 10 years after completion of the sentence, N.J.S.A. 2C:52-2(a), and petitioner failed to establish that expungement after just five years was in the public interest, N.J.S.A. 2C:52-2(a)(2).

2. Police Could Search Car Involved in Robbery Without a Warrant. State v. Minitie ___ NJ ___ (2012) A-70/71-10. 6-14-12

Under the circumstances of this case, the trial court correctly denied the defendants motion to suppress because the warrantless search of the SUV that was involved in the robbery fit within the scope of the automobile exception to the search warrant requirement.

Office Phone Number:

(732) 572-0500

www.njlaws.com

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Recent Cases:

1. Juvenile

Adjudications

Can be Expunged.

2. Police Could

Search Car Involved

in Robbery Without a Warrant.

3. Volunteer Legal

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Details of the Case

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Kenneth Vercammen was the Middlesex County Bar Municipal Court Attorney of the Year

**Interns Needed
for**

**3. VOLUNTEER LEGAL INTERNS NEEDED FOR PUBLIC DEFENDER OF
METUCHEN**

**Public Defender
of**

Metuchen.

The Public Defenders provide Indigent individuals charged with criminal or serious motor vehicle charges with free or limited cost legal defense. The Public Defender of Metuchen invites Law School and college students to apply to serve as volunteer interns. Volunteer Law Clerk interns will attend Wednesday evening and Friday morning court sessions.

**4. New
YouTube
Videos**

Court times: WEDNESDAY 1pm PM [approx]- 8:30 PM, every other Friday 9-12, plus hearing preparation work, Motions.

for this Week....

Volunteer Internship Description:

**Rights Upon
Arrest**

- Interview Clients facing charges in Municipal Court including Drug Possession, Drunk Driving, Assault, Driving While Suspended and other criminal and traffic offenses

Divorce in NJ

5. ABA Chicago - Make demands for Discovery on Prosecutor and review police reports

**Seminar-Elder
Law, Estate
Planning &
Probate**

- Attend hearings and learn from experienced trial attorneys
- Prepare Motions to Suppress Evidence and Motions to Compel Discovery
- Conduct appropriate Legal research
- Learn how to add recent reported cases to the NJ Criminal Law blog
- Acquire skills in Criminal Law and Procedure by active participation
- Participate in Public Relations activities and help organize seminars
- Update Lists of Prosecutors, Judges and Attorneys for publication of

NJ Municipal Court Law Review

- Revise criminal and traffic law Articles and submit to Law Journals and criminal law websites.

Volunteer to help indigent people charged with criminal and motor vehicle offenses of magnitude. In addition to time in court, you will be given research assignments. You can work more hours if you want. Help people less fortunate than you who are down on their luck. You must have a car to get to and from the courts.

Program lasts 12 weeks. Minimum time commitment September- May is 10 hours per week.

This office is committed to excellence and service to clients and the community. Applicants must have attention to detail. We attempt to give assignments, which will be meaningful and memorable but, nevertheless, expect that interns will pitch in on whatever needs to be done to help clients.

This is an excellent opportunity to gain valuable experience as a volunteer intern and learn New Jersey Practice and Procedure. Build your resume and obtain marketable skills. You will handle a client's file and learn details on running a successful law practice. This will not be a brief writing and photocopying clerkship.

Additional information on internships at: <http://www.njlaws.com/intern.htm>

Interested students must mail or fax a cover letter indicating the internship they are applying for and resume. If no personal cover letter by student, the resume will not be considered. Emails not accepted. After sending the resume and cover letter, call the office to schedule an interview.

Mail or faxcover letter and resume to:

Kenneth Vercammen, Esq.

Public Defender for the Borough of Metuchen

c/o 2053 Woodbridge Ave., Edison, NJ 08817

Fax 732-572-0030

4. New YouTube Videos for this Week

Rights Upon Arrest

Cite:<http://www.youtube.com/watch?v=zLgjVoYYKr0&list>

Divorce in NJ

Cite:<http://www.youtube.com/watch?v=2MNdXhIddRk&list=UUKn28aj7Ka9tM9hFrhrdRKw&index=3&feature=plcp>

5. ABA Chicago Seminar--Elder Law, Estate Planning & Probate

Saturday, August 4, 2012

at 2:00pm - 3:30pm

ABA Annual Meeting Chicago

Hyatt Regency Chicago

Columbus Hall G, Gold Level,

East Tower

Learn from nationally recognized experts on using new techniques to improve service to Elder Law & Estate clients. Forms & briefs will be provided to all attendees.

Speakers:

Kenneth A. Vercammen, Esq. - Chair ABA GP Elder Law Committee & co-author Nuts & Bolts of Elder Law, Edison, NJ

Charles Sabatino, Director of the ABAs Commission on Law & Aging

Sameer Chhabria, Esq. Chicago

Elder Law program Primary Sponsors: General Practice Section

Co-sponsors: ABA Commission on Law & Aging, Health Law Section,

YLD, Senior Lawyers Division, Real Probate & Trust Section, Tax Law Section

Topics:

Getting referrals from other professionals

The aftermath of the Terry Schiavo case and Living Wills.

Forms you can use

Email newsletters

How to manage telephone conversations with your clients**Marketing with written fee agreements****Ethics and marketing without violating the Rules of Professional Conduct**

Elder Law may be the biggest practice area of your career. There are 50,000 baby boomers/ day turning 60 and soon to be on Social Security and will need legal advise. Elder Law is one of the biggest growth fields.

[Contact Kenneth Vercammen, Esq. for program information 732-572-0500]

Contact American Bar Associations at 800- 285- 2221 for ABA meeting registration

Editorial Assistance provided by Ryan Amberger. Mr. Amberger will be entering his second year at Rutgers School of Law - Newark. He is currently participating in Kenneth Vercammens Summer Internship Program.

Editors Note and Disclaimer:

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[New Article of the Week](#)

Meet with an experienced Attorney to handle your important legal needs.
Please call the office to schedule a confidential "in Office" consultation.
Attorneys are not permitted to provide legal advice by email.

Since 1985, KENNETH VERCAMMEN has worked as a personal injury attorney, working for injury victims and their families. By taking a hard-hitting, aggressive approach toward the insurance companies, KENNETH VERCAMMEN and our co-counsel have consistently obtained outstanding results for many injured clients over the years I am proud to have worked on cases in various capacities, small and large. While obviously prior results cannot guarantee the outcome of future cases, I can guarantee that you case will receive the same degree of dedication and hard work that went into each of these prior cases.

In direct contrast to the hard-hitting approach we take toward the insurance companies is the "soft" approach we take toward our clients. I am proud of my compassionate staff as I am of the outstanding financial results they have achieved. For many years, I have watched them treat our clients with patience, dignity and respect. I would have it no other way.

Many years ago, I attended a seminar sponsored by the American Bar Association on Law Practice Management. This was to help insure that each of our clients is always treated like a person -- not a file! We recognize that you are innocent victims and that you have placed your trust in us. Please understand that we understand what you are going through. Feel comforted that we are here to help you.

If you retain KENNETH VERCAMMEN to represent you, we will give you the same advice we give each of our clients -- concentrate on your life, your family and your health. We will take care of everything else. Leave all of the work and worry about your legal rights to us. Trust us. Believe in us. Have faith in us as your attorneys. Understand that we will always do what we believe is best for you and your case. Helping you is our job. In fact, it is our only job -- guiding injury victims like you through one of the most difficult times of your lives, with care and concern -- while fighting aggressively to the limits of the law to obtain compensation and justice for each of you!

Print our Personal Injury Questionnaire on our Website, Fill it out and Fax back, so we can determine if we can help you obtain an injury settlement. We would welcome an opportunity to prove to you what we have proven to thousands of injured clients -- that you can feel comfortable and secure in the fact that KENNETH VERCAMMEN - Trial Attorney We Fight To Win.

When you have been injured in an accident or collision, you are worried about who is going to pay your medical bills, lost wages, and other damages. The last thing you want is to be taken advantage of by an insurance company. If you don't protect your rights, you may not be able to make a claim.

Insurance companies have attorneys and adjusters whose goal is to pay you as little as they can. You need a New Jersey personal injury lawyer to fight for you. I am dedicated to helping you recover as much money as possible under the law.

You need an attorney who will work hard to protect your rights, maximize your insurance settlement and minimize the hassles of dealing with the insurance companies. You need an experienced and aggressive New Jersey trial lawyer with PROVEN RESULTS who will fight for you. Having an experienced personal injury lawyer can make the difference between getting what you deserve and getting nothing.

Without the threat of a lawyer who is willing to go to trial and seek a big jury verdict, why would an insurance company pay you what your claim is really worth? Lawsuits can be expensive, and many people do not have the money to pursue their claim. In every case, I advance all costs associated with pursuing your case and I do not ask you for a penny until we recover from the other side.

I am an experienced aggressive trial lawyer and a 3rd degree Black Belt. I am not afraid to take your case to trial if that is what it takes to maximize the amount of money you recover for your personal injury. I offer one-on-one service, and I will not hand your case off to an inexperienced lawyer or a paralegal.

Reduce the stress of making a claim.

Personal injury accidents can turn your life upside down. Making a personal injury claim can be difficult and time consuming. Once I take your case, you can stop worrying about dealing with the insurance companies and focus on recovering from your injuries. I take care of all of the paperwork, phone calls, and negotiations, so you can get on with your life.

p.s. For those clients who are afraid or reluctant to go to Court, KENNETH VERCAMMEN also offers a special -- "For Settlement Only" -- program. This means that if we are unable to settle with the insurance company, we will not go any further -- unless you want us to. You have my personal assurance that there will be absolutely no pressure and no obligation.

We handle personal injury cases on a contingency fee basis.

This means:

YOU DON'T OWE ME A LEGAL FEE UNLESS I RECOVER MONEY FOR YOU.

Call our office to schedule a "confidential" appointment 732-572-0500

Kenneth A. Vercammen is the Managing Attorney at Kenneth Vercammen & Associates in Edison, NJ. He is a New Jersey trial attorney who has devoted a substantial portion of his professional time to the preparation and trial of litigated matters. He appears in Courts throughout New Jersey each week on personal injury matters, Criminal /Municipal Court trials, and contested Probate hearings.

Mr. Vercammen has published over 125 legal articles in national and New Jersey publications on criminal, elder law, probate and litigation topics. He is a highly regarded lecturer on litigation issues for the American Bar Association, NJ ICLE, New Jersey State Bar Association and Middlesex County Bar Association. His articles have been published in noted publications including New Jersey Law Journal, ABA Law Practice Management Magazine, and New Jersey Lawyer. He is the Editor in Chief of the American Bar Association Tort and Insurance Committee Newsletter.

Admitted In NJ, US Supreme Court and Federal District Court.

**Contact the Law Office of
Kenneth Vercammen & Associates, P.C.
at 732-572-0500
for an appointment.**

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