

The New Jersey Libertarian

STATE TARGETS LAWSUIT WINNERS

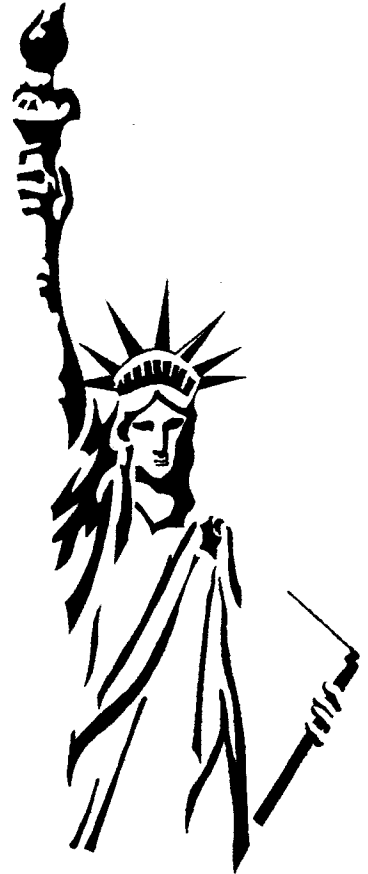
SUCCESSFUL CIVIL LITIGANTS MUST WAIT FOR MONEY; PROVIDE STATE WITH DATE OF BIRTH AND SOCIAL SECURITY NUMBER

by John Paff

TRENTON - On January 5, 1996, Governor Whitman signed Senate Bill No. 1869 into law (see L.1995, c. 334). Sponsored by Wayne Bryant (D-Camden) and Joseph Palaia (R-Deal), S-1869 prohibits successful state court litigants from receiving their monetary awards until after the state verifies that no money is owed for past due child support. The new requirement will apply to all state court judgments and settlements, including those issued by the Small Claims court. The law takes effect on May 4, 1996.

Upon settlement or conclusion of a civil case, the court will automatically order that no money be disbursed for a 30-day period.

The court will also order the successful party to complete and file a certification containing his or her name, address, date of birth and social security number. During the next 30 days, state agencies will verify whether or not the party entitled to the award is in arrears on his or her child support payments. If so, the state will deduct the amount in arrears from the award and pay it over to the appropriate probation department. If word is not received from the state child support agencies within 30-days, the successful party is entitled to receive the money. The text of the new law is set forth below. It neither prohibits or allows sharing



the reported information with state or federal taxing authorities. Also, it is silent on whether or not the social security number requirement violates the Federal Privacy Act of 1974.

The legislation passed both houses by unanimous votes. Wynona Lipman (D-Newark), Louis Bassano (R-Union), John Ewing (R-Bernardsville), John Adler (D-Haddonfield), James Cafiero (R-Wildwood), Andrew Ciesla (R-Toms River) and Nicholas Sacco (D-North Bergen) cosponsored the bill.

The law reads as follows:

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. Upon resolution of any civil action where a party is entitled to receive a monetary award or settlement, the court shall:

(1) Require the submission of a certification which includes the full name, address, Social Security number and date of birth of the party entitled to receive



ELIZABETH MACRON, still smiling after hundreds of hours of work on the NJLP Platform.

RULING ON FORFEITURE MEANS "COPS HAVE BECOME THE ROBBERS"

WASHINGTON, DC -- Private property? Thanks to the Supreme Court, it's an "endangered species" in America, warned the Libertarian Party in March.

"The Supreme Court's ruling this week on property forfeiture means the government can seize your property whenever it wants, even if you're innocent of any crime," said Steve Dasbach, Chairman of America's third largest political party.

"Cops have become the robbers with a license to steal, under this new ruling," he said.

The Supreme Court ruled on Monday that the government can seize property used to commit a crime, even if the owner was innocent of any wrongdoing.

The case involved a Michigan woman whose family car was confiscated when her husband used it for

sex with a prostitute. The Court rejected her argument that as an "innocent owner" she was entitled to compensation for her half-interest in the automobile.

"Innocence and fairness are beside the point, the chief justice [William H. Rankest] said in the ruling," the Washington Times reported.

Dasbach said Libertarians view all property forfeiture laws as unjust -- "but this new ruling is an outrage, and a blatant violation of the Bill of Rights," he charged.

"This ruling obliterates the protections of the Fifth Amendment, which states that private property shall not 'be taken without just compensation,' and demolishes the 14th Amendment, which adds 'neither shall any State deprive any person of life,

liberty, or property without due process of law,' " he said.

"This Supreme Court ruling shows why we need to elect Libertarians to high office -- before it's too late. Only Libertarians are committed to protecting the private property rights of all Americans," said Dasbach.

On the subject of property forfeiture, the Libertarian Party Platform states: "We condemn the wholesale confiscation of property prior to conviction by the state that all too often accompanies police raids, searches, and prosecutions for victimless crimes. We call for the repeal of anti-racketeering statutes such as the Racketeer Influenced and Corrupt Organizations Act (RICO), which punish peaceful behavior by freezing and/or seizing assets of the accused or convicted."

Facts About Property Forfeiture In America

- Number of Americans whose property has been seized under property forfeiture laws by federal, state, or local government since 1985: 200,000+
- Number of different statutes under which federal agents can seize property: 200+
- Dollar value of private property seized by state and federal law enforcement agents under "civil forfeiture" laws: \$4.1 billion
- Dollar value of private property stolen by criminals in 1992: \$3.8 billion.
- Percentage of asset forfeiture cases where the property owner is never charged with a crime -- yet the government can and usually does keep the property: 80%
- Percentage increase, from



LIONEL, (on left) WABC radio's morning drive talk show host and self-proclaimed Libertarian, and **Sam Perelli**, state chairman of United Taxpayers of New Jersey, were both in attendance at the March 16 NJLP Convention.

1985 to 1991, of the number of federal seizures of property: 1,500%

• The race of individuals whose property is seized in airports and on highways, because they fit the police profile of a drug courier: 75% - 90% Black or Hispanic

How "Forfeiture Fever" is spreading

• In New York, legislators have considered a law to allow local officials to confiscate "cars, boats, and planes" used in connection with any misdemeanor.

• In Georgia, FBI agents seized three Mercedes-Benzes from a businesswoman after alleging that her husband placed illegal bets on sporting events from the car phones.

• In Texas and Florida, property forfeiture now applies to any criminal activity.

• In New Jersey, it applies to

any alleged criminal activity.

• In Massachusetts, the state can seize the assets of corporations that violate environmental laws.

• The Immigration & Naturalization Service has seized over 30,000 cars and trucks since 1990 from people helping illegal immigrants enter the U.S.

• In New Jersey, officials confiscated home office equipment from a man charged with practicing psychiatry without a license.

• In Washington, DC, police routinely stop pedestrians and confiscate small amounts of cash and jewelry, even when no drugs are found and no charges filed.

Examples and statistics taken from: Lost Rights (1994) by James Bovard, St. Martin's Press Forfeiting Our Property Rights (1995) by Rep. Henry Hyde, Cato Institute

ACTIVIST'S CORNER

This item is a description of certain public offices Libertarians are urged to seek for four reasons: 1.) to make our judicial system fairer, 2) to gain experience dealing with the public, 3) to start building credentials for Libertarians and 4) to raise the profile of our party.

Among the easiest public offices for a citizen to obtain are the judiciary volunteer panels. Since I have thoroughly enjoyed my participation in one of them, I heartily recommend that you do the same.

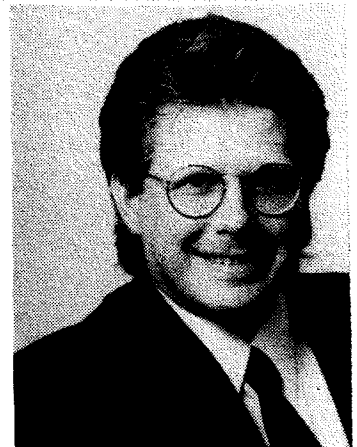
There are three. Community Dispute Resolution Committees (CDRC) are panels of volunteers usually in threes - who meet with parties to minor dispute before municipal court judges. CDRC panelists hear both sides of the dispute and try to coach the parties into reaching an agreement that satisfies the needs of both sides. If the parties do reach an agreement the court case is dismissed without invoking any laws. CDRC panels have been amazingly successful; in settling disputes such as harassment, money claims of \$200 or less, offending pets, loud noises and the like.

The second judiciary volunteer program is the Child Placement Review (CPR) committees, which review the cases of all children placed outside their homes by the Division of Youth and Family Services (DYFS). CPR committees make recommendations to the judges controlling these cases.

The third volunteer program is the Juvenile Conference Committees (JCC) which examine children who commit minor crimes and formulate plans of restitution and/or punishment which can be imposed by the court.

Participating in one of these panels will take a few hours in one evening each month. To join my town's CDRC, I attended five training sessions on evenings and weekends. I now look forward to CDRC meetings, and would cancel almost anything to make one.

All three of these programs make a solid difference in your neighborhood, all will give you experience in solving problems and forming policy and the exhilaration you'll experience when you succeed can't be gotten in any other way.



Ed Weissmann

Buoncristiano Campaign Starts Strong



MIKE BUONCRISTIANO

The NJLP is encouraged that Mike Buoncristiano's campaign for Congress is off to a good start...he will make a strong showing in November if he gets more help. The campaign team is picking up steam, meeting people, getting media, receiving contributions and have the beginnings of a committee (5 people so far). He is waging an active campaign and dedicating a

large portion of his time, energy and money to it, but needs more money and volunteers to achieve the goals. Please help if you can; send contributions to MTB for Congress Campaign Fund, PO BOX 5138, Hoboken, NJ 07030.

Also needed are people to work with the campaign committee; here are ways you can help:

Get speaking engagements

Get more media coverage

Stuff envelopes, etc.

Organize a volunteer worker group

Join entourage at public events - when Mike goes to a street fair by himself or with one other person, he gets a lot less attention than the candidate who has 5 or 6 people carrying signs, passing out literature, etc. and drawing attention to the candidate.

Identify supporters in various towns which make up the district.

Telephone follow-up on fundraising letters

Send email over internet

Host fundraisers or rallies

Later on he will need more help to do door-to-door canvassing telephone

polling, etc. Telephone Campaign Hotline 201-2178-1060,

email MTBin96@aol.com, Campaign

HQ-450 7th St., Hoboken, NJ 07030.

Thank you for your help.

Minutes of the General Meeting, March 16, 1996

The chairman called the convention to order at 9:03 am at the Landmark Inn, Woodbridge.

The membership approved the agenda, convention rules and the minutes of the Steering Committee meeting of February 18. The treasurer's report was received.

Election of officers and at-large representatives. The officers were re-elected, the only challengers being none-of-the-above: Flynn, chair; Wiessmann, vice chair; Ellett, secretary; and Stefanelli, treasurer. Buoncristiano and Schoen were elected members at-large.; Pfeiffer was reelected a member at-large. Grindlinger and Quarles continue as members at-large by petition.

By-laws amendments. The chairman ruled that the inclusion of the proposed by-laws changes in the minutes previously published in the newsletter constituted proper notice to the membership. The proposed amendments passed. Karlan will incorporate them into the by-laws, and submit the revision to the secretary for acceptance.

Election of delegates to the national convention. New Jersey's full complement of twenty-five delegates was elected: Adler, Buoncristiano, Campbell, Ellett, Federici, Florentine, L. Flynn, V. Flynn, Giradeau, Grindlinger, Hill, Kaplan, Konek, A. Lett, L. Lett, b. Macron, E. Macron, Mehaffey, Paff, Pfeiffer, Pierone, Quarles, Saint-Andre, Stefanelli and Wiessmann. First alternates are Myerson and Dougerty (tied), Peters, Austin, Sims, DeBlock, Heiser, L. Eden, L.

Eden and Salzano.

NJLP Platform. Based on comments previously received from the membership E. Macron presented sixteen revisions to the draft platform. She noted that the committee had devoted hundreds of hours to its preparation. All comments had be thoughtfully considered, and she proposed that the platform be voted upon in its entirety rather than piecemeal. **RESOLVED**, that the sentence on p.16 regarding the recognition of citizens' power of recall of elected officials be struck. **FAILED**. **RESOLVED**, that the term physician-patient relationship (*p.16, Sect. III,2,2d col., 1.6) be replaced by practioner-patient relationship. **PASSED**. **RESOLVED** that debate cease. **FAILED**. **RESOLVED** that Sect. III 8, para. 2 sent. 3-4 be re-instated: we demand the return of New Jersey's railroad system to private ownership. We call for the privatization of airports, air traffic control systems, public roads bridges and state highways. **FAILED** (on the grounds that it would be difficult to explain to others whether the owner of a private road could bar someone from using it to get to his property, if we hadn't thought it out ourselves.) **RESOLVED**, that the sentences in question be reinstated without reference to public roads, bridges and state highways. **FAILED**. A motion to cease debated **PASSED**. **RESOLVED**, that the platform be adopted as amended. **PASSED**. The convention expressed its gratitude to the hard working committee members.

Approval of candidates. The convention nominated Ben Grindlinger as candidate for the

candidates for all thirteen Congressional districts: 1st Mike Edmonson; 2d, Glenn Campbell; 3d Janice Presser; 4th Bob Figueroa; 5th Dan Karlan; 6th Keith Quarles; 7th Jime Kresse 8th Peter Saint-Andre; 9th Leon Myerson; 10th Roberto Carabello; 11th Austin Lett; 12th Virginia Flynn; 13th Mike Buoncristiano.

The convention also approved two freeholder candidates: James Bacher, Gloucester county, and Dan Maiullo, Monmouth county; one candidate for surrogate, Joe Krimko, Monmouth county; and four municipal candidates: Lloyd Freedman, Manchester Township; Robert McGee, Dupont Town Council; Steve Nagle, Belmar Town Council; and Dino Toro, Millville Township Committee.

Presidential electors. Fifteen electors, one for each congressional district and senatorial seat, were elected: Campbell, Buoncristiano, Ellett, Enterline, V. Flynn, Grindlinger, Kaplan, Konek, b. Macron, Myerson, Panella, Pfeiffer, Quarles, Schoen and White.

Election of trustees. Konek and Paff were elected. (They will serve with E. Macron, who was elected last year.)

Standing committee reports (Wiessman coordinator)

State House Office committee. Pfeiffer reported that the committee raised more than \$6000, \$1,100 of which has been refunded because the goal was not reached. Including a generous donation of \$250 contributed at the convention there is now \$5278 in the fund. The committee is

considering a plan to hire a part-time employee.

Fund raising (Mehaffey) See State House office committee report.

Recruitment and membership (Konek and Saint-Andre) The committee has developed a libertarian help desk concept, wherein prospects can call members who are willing to answer their question. Volunteers and a coordinator are needed.

On-going business.

Campaign support. Glen Campbell volunteered to be petition coordinator. CATV show. Ellett reported that Shad Woolley's half-hour show, A Third point of View, is available in 13-week sets for airing on public access channels. What is needed is members who are willing to get it broadcast. Lett will contact his cable company in the Chatham Township area. **NJLP newsletter.** The March issue is ready. Please submit articles and letters to the editor, Paula brown.

Tax protest day. The party has purchased 10,000 million dollar bills for distribution at post offices, Operation Politically homeless booths etc.

Report from the National party. Karlan reported that NJ and PA have between them 10% of the national membership, enough to form a NATCOM region without DE and MD, who along with NJ and PA presently constitute Region IV. PA is the second state the other being CA, to exceed 1000 members: the 1000th member is Irv Homer, the Delaware Valley radio personality.

Announcements

Paff volunteered to analyze bills for the NJLP and assist in preparing testimony to be presented at legislative

FOOD, CONVERSATION, FUN AND GAMES!

at the NJLP Picnic (and General Meeting)

featuring special guest *Evan Nappen*, noted attorney and 2nd Amendment expert

July 13, starting at noon (Meeting at 3pm; Speaker at 4pm)

A. Directions from the northeast (New York City)

1. Get onto U.S. 9 South near Perth Amboy. (Exit 127 from Garden State Parkway or Exit 11 of the NJ Turnpike)
2. Take U.S. 9 south to Route 18 East, then take the second exit ramp at the first exit toward Morganville.
3. Go about 3/4 mile north on Tennent Road to Flynn's.

B. Directions from the southwest (Philadelphia)

1. Take NJ Turnpike (I-95 North) to exit 9 (Route 18 South).
2. Follow Route 18 south about 9 miles past the junction with Route 9. Then take the second ramp at the next exit toward Morganville.
3. Go about 3/4 mile north on Tennent Road to Flynn's.

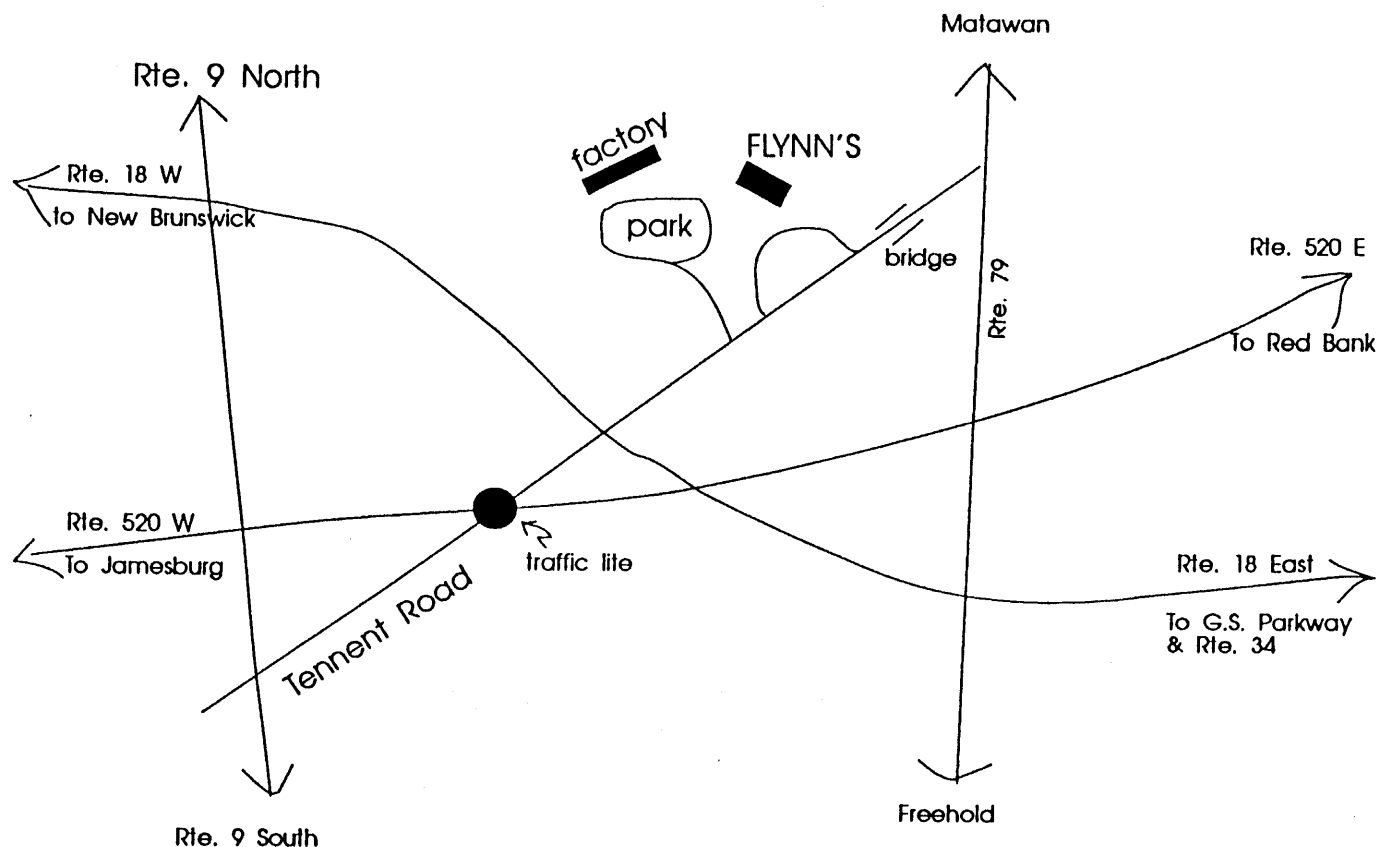
C. Directions from Princeton

1. Travel on country road 520 through Jamesburg and all the way through the junction with U.S. 9.
2. At the next light turn left onto Tennent Road.
3. Go about 3/4 mile north on Tennent Road to Flynn's.

D. Directions from the Jersey Shore

1. Get onto Route 18 North (c.g., by taking Route 34 North) and exit at the Route 520/Morganville ramp.
2. Go up the cloverleaf and turn left onto Tennent Road.
3. Go about 1/2 mile north on Tennent Road to Flynn's.

Flynn's is the Blue Colonial House on the left at 254 Tennent Road in front of the factory on the hill ("Tires to go" sign at entrance). You may park in the driveway or go up the hill and park at the factory. Phone numbers are 908-591-1328 or 0411. BRING your own main dish for barbecue and something to share. Beverages will be provided.



committee hearings. Karlan urged all fifteen electors to notify their local newspapers about their selection as an elector to a national presidential convention.

Claudia Montelione (908) 583-8721 is associated with LCI and will donate 8% to the NJLP if members switch their long distance carrier to LCI.

Future meetings. Steering committee April 21, 1pm at Paff's house. State board May 19 at Tumulty's Pub, New Brunswick. Steering committee June 16, location TBD, NJLP picnic July 13, at Flynn's house, General meeting at 3 pm.

The meeting adjourned at 12:30 pm.

Respectfully submitted, <http://www.eclipse.net/~dimona>
Emerson Ellett, Secretary



When was the last time you attended your local school board, town council or county freeholders meeting?

The official New Jersey Libertarian Party web site is



DAN KARLAN: National Committee Representative

Wanted: "Eureka" Program Coordinator

The recruitment committee seeks volunteers who enjoy explaining the Libertarian philosophy to people who want to understand our point of view. We need people all over the state who can take phone calls or possibly meet with folks from their area for personal attention to their individual concerns about how all this freedom stuff works. If this sounds like you call Lenn Flynn at 908-591-1328.

Also needed: someone to coordinate the network of volunteers. help "Turn on a light" for someone groping for the answers. Bathtub not required.

Steering Committee

Chair	Len Flynn	908-591-1328
Vice Chair	Ed Wiessmann	201-579-7941
Secretary	Emerson Ellett	908-774-3684
Treasurer	Lou Stefanelli	201-751-8675

At Large

Miranda Mehaffey	609-869-9213
Jeff Pfeiffer	908-928-9093
Keith Quarles	908-280-9615
Ben Grindlinger	908-585-4128
Tim Konek	908-723-0334

State Board

Burlington	Michael Howley	
Essex	Peter Saint-Andre	201-763-7338
Hudson	M. Buoncristiano	201-217-1060
Mercer	Carl Peters	609-737-7667
Middlesex	Richard Dondes	908-613-8658
Monmouth	Michelle Bryant	908-840-5967
Ocean	Elizabeth Macron	908-458-5823
Salem	William Mecum	609-935-4483
Somerset	Paula Brown	908-647-0545
Sussex	Donald Imbriale	201-383-1271
Union	Kevin Pearce	908-332-4453

County Chairs

Burlington/Camden	Miranda Mehaffey	609-869-9213
Cumberland	Herb Roselle	609-825-0510
Gloucester	John Hill	609-468-9571
Hudson/Bergen	Blaise D'Ambrosio	201-420-8712
Mercer	Ben Grindlinger	609-585-4128
Monmouth	Keith Quarles	908-280-8615
Morris/Essex	Mike Lewin	201-884-0005
Ocean	Glenn Campbell	609-978-1361
Somerset/Middlesex	Diane Adler	908-873-1099
Salem	Bob Dyson	609-678-8034
Sussex	Tony Federici	201-764-7289

County Organizer

Cape May	Larry Muentz	609-884-2555
----------	--------------	--------------

Other Officials

Historian	Ray Babecki	908-878-7998
Librarian	Emerson Ellett	908-774-3684
Nat'l Comm. Rep.	Dan Karlan	201-444-2846

State targets Lawsuit winners

Continued from page 1

the monetary award or settlement, and

(2) Order that disbursement of any monies due to that person not be made for 30 days after the submission of a certification. As used in this act, "monies due to that person" do not include monies for attorney fees, witness fees, court costs, fees for health care providers, payment of liens which may be subject to the award, including but not limited to, taxes, physician and mechanics' liens and related items, which shall be disbursed immediately.

b. During the 30-day period before monies may be disbursed to the person entitled to receive the monetary award or settlement, the probation department, in cooperation with the Clerk of the Superior Court and the State IV-D agency, shall ascertain whether the person is a child support obligor and, if so, whether any child support amounts are currently in arrears.

After calculation of amounts owed for attorney fees, witness fees, fees for health care providers, payment of liens which may be subject to the award, including but not limited to, taxes, physician and mechanics' liens, court costs and related items, any monies remaining out of the award or settlement which represent child support arrearages owed by the person shall be withheld from the award or settlement and forwarded to the probation department for payment to the child support obligee.

c. An attorney may disburse monies due to that person for purposes other than those specified in subsection a. of this section, if notice that the litigant owes any child support arrearages is not received from the probation department and the State IV-D agency within the 30-day period.

d. An attorney who has not

received notice from the probation department and the State IV-D agency and disburses monies due to that person after the 30-day period, for purposes other than those specified in subsection a. of this section, shall be immune from civil or criminal liability.

e. An attorney who withholds monies pending a determination by the probation department and the State IV-D agency shall not be liable for payments which otherwise would have been made pursuant to subsection a. of this section which were not so identified to the attorney.

f. An attorney who receives a written determination by the probation department and the State IV-D agency within the 30-day period and as soon as practicable forwards the money to the probation department and the State IV-D agency for payment to the child support obligee, shall not be liable to the litigant or to the litigant's

creditors.

g. An attorney shall not be required to challenge a probation department or State IV-D agency determination as to child support arrearages unless retained by the litigant to do so.

2. The Supreme Court may promulgate rules to effectuate the purposes of this act, including, but not limited to, implementing procedures for the exchange of information among the county probation departments and the Clerk of the Superior Court to identify child support obligors from among those parties entitled to receive a monetary award or settlement in a civil action.

3. The Department of Human Services may promulgate rules and directives to effectuate the purposes of this act.

4. This act shall take effect 120 days after enactment and shall apply to all matters pending in the Superior Court on the effective date.



LOU STEFANELLI, treasurer, ED WIESSMANN, vice chair, LEN FLYNN, chairman, EMERSON ELLETT, secretary.



New Jersey Libertarian Party

P.O. Box 56, Tennent, NJ 07763

800-201-NJLP

☐ **Yes!** I want to become a member of the Libertarian Party. I have checked the level at which I want to join and have enclosed the corresponding dues. I certify that I do not believe in or advocate the initiation of force to achieve social or political goals. _____

(signature required for membership only)

NAME: _____

ADDRESS: _____

CITY: _____

STATE: _____ ZIP: _____

TELEPHONE: _____

OCCUPATION/EMPLOYER (optional): _____

☐ Enclosed is \$40. I will receive a full year subscription to both the National LP News and the NJ Libertarian

☐ Enclosed is \$25 for a budget membership and subscription to the national LP News for one year and four issues of the NJ Libertarian.

☐ Enclosed is my additional contribution of \$_____ to help the NJLP in its effort to expand individual liberty!

Make check payable to NJLP and mail to:

NJLP, c/o L.M. Stefanelli, Tres.

49 Carmer Ave.

Belleville, NJ 07109

NOMINATION TIME NOMINATION FOR COUNTY REPRESENTATIVE

I Nominate

☐ Myself or,

☐ Name _____ for County Representative of _____ county. (Nominee must be a member of the NJLP who works or resides in the County of nomination.)

My name is _____. I ☐ live ☐ work (check one) in this county and will cast my ballot for County Representative in this county. I am a current member of the NJLP.

signature _____

optional: I have nominated myself and would like assistance in contacting other members in my County. Please send information to: (address/phone#)

County Organization Meetings

- **Burlington/Camden County LP** For meeting information and directions call 609-273-3253 or e-mail jpresser@netaxs.com.
- **Gloucester County LP** holds its regular meeting the fourth Thursday of each month. Guests are welcome. Call John Hill at 609-468-9571 or Brian Waters at 609-845-9581 for information.
- **Mercer County LP** meets on the second Sunday of each month at 2:30 pm. Location will vary. Call Ben Grindlinger at 609-585-4128 for information.
- **Middlesex/Somerset LP** invites the public to its monthly meeting at 7pm on the 4th Monday of every month at Tumulty's Pub, 361 George St., New Brunswick.
- **Monmouth County LP** meets the second Sunday of each month. Liberty Brunch at 11 am, meeting at noon. Call Keith Quarles 908-280-9615 for location and details.
- **Morris/Essex LP** meets at 7pm on the last Tuesday of each month. Call Mike Lewin 201-884-0005 for information.
- **Ocean County LP** meets the second Wednesday of each month at Betty Florentine's house. Call 908-477-8496 for information or contact Chairman Glenn Campbell at 609-978-1361.
- **Salem County LP** meets regularly on the last Saturday of each month at 2pm. For location call Robert Dyson at 609-678-8034.
- **Sussex County LP**. Call Tony Federici at 201-764-7289 for meeting information.

New Jersey

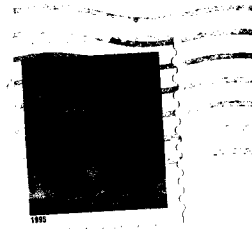
Libertarian Party

P.O. Box 56 Tennent, NJ 07763

800-201-NJLP

ADDRESS CORRECTION AND FORWARDING REQUESTED

April/May/June 1996



INSIDE.....

Convention Pix.....page 1
Activists' Corner.....page 3
Cops Become Robbers.....page 2

