

NJ Laws Newsletter by Kenneth Vercammen

Kenneth Vercammen & Associates, P.C.

2053 Woodbridge Avenue - Edison, NJ 08817

Kenneth A. Vercammen is a trial attorney in Edison, NJ. He is a speaker at the annual Nuts & Bolts of Elder Law & Estate Administration program.

He is chair of the Elder Law Committee of the American Bar Association General Practice Division. He is also Editor of the ABA Estate Planning Probate Committee Newsletter.

He is a New Jersey trial attorney has devoted a substantial portion of his professional time to the preparation and trial of litigated matters. He has appears in Courts throughout New Jersey each week litigation and contested Probate hearings.

Mr. Vercammen has published over 150 legal articles in national and New Jersey publications on criminal, elder law, probate and litigation topics. He is a highly regarded lecturer on litigation and probate law 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 included New Jersey Law Journal, ABA Law Practice Management Magazine, and New Jersey Lawyer.

Mr. Vercammen is a recipient of the NJ State Bar- YLD Service to the Bar Award and past Winner "General Practice Attorney of the Year" from the NJ State Bar Association

He is a 24 year active member of the American Bar Association.

(732) 572-0500
www.njlaws.com

Friday, September 23, 2011

E376 NJ Laws Email Newsletter

NJ Laws Email Newsletter E376

Kenneth Vercammen, Attorney at Law

September 21, 2011



Greetings!

1. County Surrogate Urges Seniors to Check Bank Safe Deposit Box Policies.

The Union County Surrogate is urging residents, seniors in particular, to make sure they understand their bank's policy should the need

Office Phone Number:
(732) 572-0500
www.njlaws.com



Kenneth Vercammen NJ Law Blog

Kenneth Vercammen is an Edison, Middlesex County, NJ trial attorney who has published 125 articles in national and NJ publications on probate, estate planning, criminal and litigation topics. He often lectures to attorneys of the American Bar Association, New Jersey State Bar Association and Middlesex County Bar Association. Kenneth Vercammen was the NJ State Bar Municipal Court Attorney of the Year and past president of the Middlesex County Municipal Prosecutor's Association. He is the past chair of the NJ State Bar Association Municipal Court Section. Kenneth was included in the "Super Lawyers" list published by Thomson Reuters. His articles have been published by New Jersey Law Journal, ABA Law Practice Management Magazine, and New Jersey Lawyer. He is the Editor in Chief of the New Jersey Municipal Court Law Review. Mr. Vercammen is a recipient of the NJSBA- YLD Service to the Bar Award. To schedule a confidential consultation, email us at

In This Issue:

- 1. County Surrogate Urges Seniors to Check Bank Safe Deposit Box Policies.**
- Recent Cases:**
- 2. Expert can Testify to Lab Report if they Watched & Supervised Lab Test.**
- 3. Private Citizen cannot Appeal Dismissal of Criminal Case Dismissed on No Probable Cause.**
- 4. Fun Upcoming Running Races and Community Events.**
- 5. Social Networking Websites for Networking and Fun.**

arise to remove their Last Will and Testament or other sensitive documents from a safe deposit box.

In New Jersey, the probate process can begin with the presentation of the original Will and a death certificate with a raised seal. Banks from out of state have implemented policies and procedures that disregard New Jersey's Probate practice. Prior to the large-scale acquisitions of local banks by larger out-of-state-banks, the practice in New Jersey was to allow surviving family members to remove three things from the safe deposit box prior to the appointment of an executor or administrator.

Those items are funeral or burial arrangements, insurance policies with a named beneficiary, and the decedent's Last Will and Testament. Recent bank mergers and acquisitions have made it increasingly difficult for the estate representative or family member to get the documents needed to have a Will probated or to determine if there is no Will.

"Out-of-state-banks are requiring people to acquire a document that is non-existent in the New Jersey Probate Code," Union County Surrogate, Mr. LaCorte said. "They have failed to give proper acknowledgement to what has always been the procedure in New Jersey in these times of hardship."

Before renting a safe deposit box, it is advised to check the policy and be clear on the process to remove items from the box. Make certain that these large banks will allow those documents to be removed without requiring an order from the Surrogate's Court. Smaller local community banks will probably serve the public better in this regard. If a safe deposit box is already rented and the bank has merged with another bank, it is advisable to review the bank's policies for any changes. If the policy makes it difficult to remove items, than the family should find another bank.

VercammenAppointments@NJlaws.com

[View my complete profile](#)

Blog Archive

Links

- ▼ [2011](#) (23)
 - ▼ [September](#) (2)
 - [E376 NJ Laws Email Newsletter](#)
 - [NJ Laws Email Newsletter E375](#)
 - ▶ [August](#) (3)
 - ▶ [July](#) (1)
 - ▶ [June](#) (3)
 - ▶ [May](#) (3)
 - ▶ [April](#) (1)
 - ▶ [March](#) (4)
 - ▶ [February](#) (4)
 - ▶ [January](#) (2)
- ▶ [2010](#) (32)
- ▶ [2009](#) (35)
- ▶ [2008](#) (31)
- ▶ [2007](#) (118)
- ▶ [2006](#) (16)

[Google News](#)

[Edit-Me](#)

[Edit-Me](#)

2. Recent Cases: Expert can Testify to Lab Report if they Watched & Supervised Lab Test. State v Rehmann 419 NJ Super. 451 (App. Div. 2011).

In seeking to prove defendant's blood alcohol content in this DWI prosecution, the State called an expert to testify in regards to the results of a laboratory test performed on the defendant's blood sample by another technician. In considering defendant's argument that the failure to produce the other technician violated the rights guaranteed him by the Confrontation Clause of the Sixth Amendment, the court held that in such circumstances the State must call a witness who has made an independent determination as to the results offered. The court concluded that a surrogate witness knowing nothing but what is stated in another's report will not satisfy a defendant's confrontation rights but nevertheless affirmed and found that the State called an appropriate witness because the witness supervised the testing process and signed the laboratory certificate.

3. Private Citizen cannot Appeal Dismissal of Criminal Case Dismissed on No Probable Cause. State v Bradley 420 NJ Super. 138 (2011).

A private citizen is not a "prosecuting attorney" as defined in Rule 3:23-9. Accordingly, if a municipal court administrator or municipal court judge finds no probable cause to issue a complaint at the request of a private citizen, that citizen lacks standing to appeal the decision.

4. Fun Upcoming Running Races and Community Events

If you are attending any of these charity races, please call or email Ken V. Often we car pool or meet at these events.

9/24 Metuchen YMCA 5k 8:30 Garbolino 5k run at Roosevelt Park

9/25 Lavallette **Sprint triathlon Swim ¼ mile, Bike 12 miles, Run 3.1 miles** Boy Scout Troop #22 Jesse W. Anderson Sprint 7:30 \$40.00 +

Monday September 26, 2011 at 1:00 PM
Wills & Power of Attorney Seminar for St. Thomas Seniors Old Bridge
WHERE: St Thomas The Apostle Church
One St Thomas Plaza [off Route 18]
Old Bridge, NJ 08857
<http://www.njlaws.com/st-thomas-wills.html>
10/1 Metuchen Fair 9:00AM set up

10/1 Taste of Sea Bright

Saturday Noon to 5:30PM, rain or shine

Ticket cost: \$40

ALL INCLUSIVE

17 STOPS!

Anjelica's Restaurant

Bagel Boys

DIVE!

Diamond Deck Tiki Bar

The Dockside

Driftwood Cabana Club & Catering

Kotobuki Japanese & Korean Cuisine

The Liquor Store at Sea Bright

The Mad Hatter

McLoone's Rum Runner

Philomenia's Italian Restaurant

Sea Bright Supermarket

Trattoria "G"

Windows on the Water

Waves Hair Studio

Woody's Ocean Grill

Yumi Neo-Asian Cuisine

(Includes admission bracelet, map/passport, all food, drinks, cocktails, unlimited trolley/bus rides throughout the event)

<http://www.visitseabright.com/taste-of-sea-bright-trolley-hop.html>

10/2 Jersey Shore Half Marathon & 5k 13.1 and
5k Sandy Hook 9am

5. Social Networking Websites for Networking and Fun.

Kenneth Vercammen was a speaker for the American Bar Association at its annual meeting. One of the programs recommended businesspersons join Facebook and other online social networking sites/

Visit some of the below social networking site for ideas. These are examples of Ken Vercammen's profiles:

1. Facebook:

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

2. Linkedin.com:

<http://www.linkedin.com/in/kennethvercammen>

3. Myspace:

www.myspace.com/kennethvercammen

4. Twitter:

<http://twitter.com/kenvercammen>

5. Meet the Elite:

<http://www.MeetTheElite.net/vercammen>

6. Google:

<http://www.google.com/profiles/kenvercammen>

7. Flickr:

<http://www.flickr.com/photos/kenvercammen>

8. Justia Lawyer Directory:

<http://lawyers.justia.com/lawyer/mr-kenneth-albert-vercammen-esq-1171249/>

9. Yahoo

<http://profiles.yahoo.com/u/6YPIGM66VRJ5DJ2JFG5N6YEV3Q>

10. JD Supra:

www.jdsupra.com/profile/KennethVercammen

11. Avvo Legal rating:

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

12. Athlinks: Running Race Results

<http://www.athlinks.com/racer.aspx?rid=23481836>

13. Lawlink

<http://www.lawlink.com/profile.aspx?>

networkProfileId=3841

14. Delicious

<http://delicious.com/kenvercammen>

15. ActiveRain

<http://activerain.com/vercammen>

16. Spoke

<http://www.spoke.com/info/pDOdPTg/KennethVercammen?>

preview

17. <http://www.reddit.com/user/kvercammen/>

18 Friendfeed.com:

<http://friendfeed.com/vercammen>

Kenneth Vercammen Video Sites:

V1. YouTube:

<http://www.youtube.com/user/kvercammen>

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

Posted by Kenneth Vercammen NJ Law Blog at 1:12 PM 

0

[Home](#)

[Older Post](#)

Watermark template. Powered by [Blogger](#).