

E350 September 30, 2010

1. COPY FEES FOR PUBLIC RECORDS REDUCED

2. PARENTS DISCUSSING INHERITANCES WITH HEIRS

RECENT CASES:

3. PROTECTIVE SWEEP AFTER GUNSHOT SOMETIMES PERMITS SEARCH OF PRIVATE PROPERTY.

4. ABANDONED BAG PERMITS SEARCH .

5. KEN'S INJURY STATUS

1. Copy Fees for Public Records Reduced

Governor Christie signed into law:

Decreases certain public document copy fees; amount of fee dependent upon letter size page or legal size page

As amended, this bill decreases the fees set for copies of documents under the New Jersey statutes relating to government entities, excluding the courts. Assembly floor amendments change the fees for copies of government documents under the open public records act (OPRA) to 5 cents per letter size page or smaller, legal size page or larger. The amendments also provide that access to electronic non-printed materials will be provided free of charge, but the public agencies

the actual costs of any needed supplies such as computer discs.

Citizens seeking documents under the Open Public Records Act s fees a fraction of what they once were, thanks to a new law signed amending N.J.S.A. 47:1A-5, reduces copy rates to five cents per letter-size cents per legal-size page, down from a range of 25 cents to 75 cents per p amends other statutes - N.J.S.A. 22A:4-1a, N.J.S.A. 42:2B-65, N.J.S. N.J.S.A. 48:2-56 - to reduce fees for copies of notices received by county and of any documents kept on file by the Department of the Treasur disclosures filed by officials. Those fees are now 10 cents per letter-size per legal-size page, down from a range of \$1 to \$2. The new fees take e enactment, or Nov. 9.

Source: Daily Briefing - 09/15/2010 Sponsors A-559/S-1212 (Greenstein, Ramos, Rumana/Weinberg)

2. Parents Discussing Inheritances with Heirs

Many people are uncomfortable discussing with heirs how they will dis Perhaps you don't want your children to realize how much they may recei Or you may think your choice of heirs could change in the future.

However, if you don't discuss your estate plan, disagreements and conflic the details of inheritances are revealed. For instance, siblings may re distributions are not equal. Children may resent a spouse from a second m that spouse is using up their inheritance. At that time, you won't be al thoughts and wishes regarding the distribution of your estate.

Discussing your estate plans will give you an opportunity to inform y distribution of your estate and why you decided to do it in that manne specific detail, informing heirs how each asset will be distributed, or you

overview of your estate plan. If you have selected one heir as executor or trustee, you chose that individual. As an alternative, you can leave a personal letter with your planning documents explaining these items.

Even if you reveal your plans to heirs, you may also want to include a personal letter, include information about death and other benefits, special wishes, personal effects, your cemetery and funeral preferences, and the location of your safe box and important documents.

At a minimum, specify where the following documents are located: income tax returns, life insurance policies, other insurance policies, investment details, a list of liabilities, outstanding loan documentation, automobile titles, important warrants, bank and checking account information, credit card details, and information about other assets. A personal letter will help your heirs identify all assets and benefits and avoid special wishes.

Preparing the letter will also force you to organize your records and make sure that all documents can be easily located. Since the information is likely to change, you should update the letter at least annually.

Source:

<http://www.bizactions.com/n.cfm/page/e110/key/145884897G2286J30075>

Recent Cases:

3. Protective Sweep After Gunshot Sometimes Permitted on Private Property **Davila _____ NJ _____ (2010) (A-20-09) 7/14/10**

A protective sweep conducted on private property is not per se invalid if it does not occur incident to an arrest. Law enforcement officers may conduct a protective sweep only when (1) the officers are lawfully within private premises

purpose, which may include consent to enter; and (2) the officers on reasonable articulable suspicion that the area to be swept harbors an i danger. The sweep will be upheld only if it is (1) conducted quickly, a areas where the person posing a danger could hide. When an arrest is not the police must be able to point to dangerous circumstances that developo were at the scene.

4. Abandoned Bag Permits Search. State v. Carvajal 202 NJ 214 (201

The State satisfied its burden of proving by a preponderance of th duffel bag was abandoned. Carvajal denied having any ownership or po the bag, and the police attempted to identify other potential owners. Carva standing to challenge the warrantless search of the bag.

5. Ken's Injury Status

I can use crutches but need to be careful not to put weight on leg.

I hope to volunteer at these races below if I get a ride from far away South

10/9 The Rat Race-Fall 4 mile fun run Boston's in Toms River Hashing &

10/10 Deal 5 miler 5k Deal hot dogs & free beer

10/16 Heights Pride 5k Spring Lake Hts or

10/24 Trick or Trot 4 mile run 4-mile Long Branch party at Celtic Cottag
beer

11/14 Hashathon 6.6 Mile Cheesequake challenging, dangerous trails,
race party with band, 732-542-6090

11/20 Manasquan Turkey Trot 5-mile Manasquan 11am party at taverns
beer

11/26 Born to Run 5 mile Freehold Friday Free beer at Court Jester tavern

11/27 Rumson hash annual Crazy Eddie memorial trail run, not race.