



**Garden State CLE Presents:**

# **Attorney Succession Planning**



**Instructors:**

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Robert Ramsey, Ed.D.**

**Lesson Plan**

# **PART I**

## **INTRODUCTION**

### **Life turns on a dime, and when it does, it turns fast - Stephen King**

Illness, accident, economic downturns, divorce, criminal prosecutions, disciplinary issues and family medical care can quickly destroy a career in the law, your reputation and the accumulated value of your practice. Even voluntary career choices such as retirement, downsizing or moving to another state can dramatically impact the lives of your clients, partners, associates and support staff.

The art of succession planning is intended to anticipate dramatic life changes before they occur and provide written instructions that will minimize the harm that would take place without your involvement in the practice of law.

As a result of a study conducted by the New Jersey Lawyers' Fund for Client Protection and the Supreme Court's Committee on Wellness in the Law, the Court has now required that the annual attorney registration process will prompt lawyers in private practice to disclose the status of any succession planning the attorney has undertaken in the event of catastrophe.

In so reporting, attorneys in private practice will have the option to:

- 1) Designate a successor attorney; or
- 2) Identify a person with knowledge of familiar with the location and access to professional records (e.g., passwords, physical files); or

3) Indicate whether a written succession plan has been created and where it can be located; or

4) If no plan exists, indicate if the attorney's employer or firm is responsible for client files in the event the attorney becomes unavailable or unable to practice law.

Succession plan defined: Written instructions for fulfilling your duties and responsibilities so that your practice may continue to operate in your absence. It will also immeasurably aid the efforts of an attorney trustee appointed by the assignment judge in the event there has been death or disbarment of the subject attorney. [See discussion on Rule 1:20-19 *infra*.]

## Part II

# RULES OF PROFESSIONAL CONDUCT (RPC)

The New Jersey Rules of Professional Conduct are largely based upon the model rules promulgated by the ABA. The R.P.C.'s set forth several requirements that suggest that a written succession plan constitutes a best practice, especially among lawyers in small firms or those who are solo practitioners. Among the relevant R.P.C.'s are the following:

1) R.P.C. 1.3. Diligence.

A lawyer shall act with reasonable diligence and promptness in representing a client.

This Rule has remained unchanged since its adoption from the ABA in 1984. The ABA comment 5 to the rule provides guidance in terms of succession planning for solo practitioners:

To prevent neglect of client matters in the event of a sole practitioner's death or disability, the duty of diligence may require that each sole practitioner prepare a plan, in conformity with applicable rules, which designates another competent lawyer to review client files, notify each client of the lawyer's death or disability, and determine whether there is a need for immediate protective action.

2) R.P.C. 1.16(d) - Declining or Terminating Representation

Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee that has not been earned or incurred. The lawyer may retain papers relating to the client to the extent permitted by other law. No lawyer shall assert a common law retaining lien.

## PART III

# RULES OF COURT

a) Rule 1:20-19 – Appointment of Attorney-Trustee to Protect Clients' Interest.

The paramount public policy goal in trustee appointments is to protect the interests of clients.

The Rule applies to situations when there is no written pre-existing succession plan and is applicable to attorneys who have been:

- 1) Suspended, disbarred, died, disappeared, abandoned the practice or cannot be located.
- 2) A responsible New Jersey attorney with sufficient knowledge of the nature of the practice of the subject lawyer may volunteer to be appointed as a trustee by the assignment judge.

The text of the Rule and its attendant duties are as follows:

a) Jurisdiction; Appointment.

1) Regular Attorney-Trustee. If an attorney has been suspended or disbarred or transferred to disability-inactive status and has not complied with Rule 1:20-20 (future activities of disciplined or disability-inactive attorneys), or has abandoned the law practice, or cannot be located, or has died, and no partner, shareholder, executor, administrator or other responsible party capable of conducting the respondent's affairs as stated hereinafter is known to exist, the Assignment Judge, or designee, in the vicinage in which the attorney maintained a practice may, on proper proof of the fact and on the application of any interested party, appoint one or more members of the bar of the vicinage where the law practice is situate as attorney-trustee. Where a responsible party capable of conducting respondent's affairs is known to exist, and where that

person is a New Jersey attorney or has retained a New Jersey attorney, that attorney may be appointed and directed to take appropriate action. Notice of an order of appointment shall be given to the Director of the Office of Attorney Ethics and the secretaries of the appropriate Ethics Committee and Fee Committee and county bar association in the vicinage.

2) Temporary Attorney-Trustee. When, in the opinion of the Assignment Judge, an attorney is otherwise unable to carry on the attorney's practice temporarily so that clients' matters are at risk, the Assignment Judge, or designee, in the vicinage in which the attorney maintained a practice may, on proper proof of the fact and on the application of any interested party, appoint a temporary attorney-trustee for a period of up to six months following the same conditions and procedures set forth in subparagraph (a)(1) of this Rule. The purposes of the temporary attorney-trustee shall be to preserve, in so far as practical, the practice of the attorney and all attorney-client relationships pending a report to the Assignment Judge at 150 days after appointment as to the attorney's condition and ability to resume the practice. The Assignment Judge may then either dissolve the temporary attorney-trusteeship or convert it to a regular attorney-trusteeship as if created under subparagraph (a)(1) of this Rule.

The temporary attorney-trustee shall have the powers and responsibilities authorized by the Assignment Judge, as well as those specifically granted above and those in paragraphs (c), (e) and (h). The temporary attorney-trustee shall not have the powers granted under paragraphs (d), (f) and (g), except that the reports required by paragraph (d) shall be filed.

The temporary attorney-trustee shall not apply for legal fees within the first thirty days after appointment but may at any time be awarded reasonable costs and expenses as stated under paragraph (h), including the right to satisfy those costs and expenses from the attorney's business or personal accounts as directed by the

Assignment Judge. After thirty days from appointment, the temporary attorney-trustee may apply to the Assignment Judge for reduced legal fees below the normal hourly rate in accordance with paragraph (h).

The attorney whose practice is subjected to a temporary trusteeship shall have the right to make application at any time for an order vacating the temporary trusteeship on notice to all interested parties.

Purposes; Inventory of Files, Trust and Other Assets. The purposes of the appointment shall be (1) to inventory active files and make reasonable efforts to distribute them to clients, (2) to take possession of the attorney trust and business accounts, (3) to make reasonable efforts to distribute identified trust funds to clients or other parties (other than the attorney), and (4) after obtaining an order of the court, to dispose of any remaining funds and assets as directed by the court. The attorney-trustee shall have no obligation or liability to the attorney. The attorney-trustee may take possession of the attorney's law practice and, in accordance with Rule 1:20-20(b)(13), all monies and fees due the attorney for the sole purpose of creating a fund for payment of reasonable fees, costs and expenses of the trusteeship as ordered by the court under paragraph (h).

Protection of Client Information. Any attorney-trustee shall not disclose any information contained in any files under this Rule without the consent of the client to whom the file relates, except as necessary to carry out the order of appointment or to comply with any request from an Ethics Committee or the Director.

Reports; Instructions. The attorney-trustee shall file an initial report with the Assignment Judge or designee within 120 days after appointment and a final report prior to being discharged. The reports shall describe the nature and scope of the work accomplished and to be accomplished under this Rule and the

significant activities of the attorney-trustee in meeting the obligations under the Rule. The final report must include accountings for any trust and business accounts, the disposition of active case files and any requests for disposition of remaining files and property. The attorney-trustee may apply to the Assignment Judge, or such other Judge as may be designated, for instructions whenever necessary to carry out or conclude the duties and obligations imposed by this Rule.

**Immunity.** All attorney-trustees appointed pursuant to this Rule shall be immune from liability for conduct in the performance of their official duties in accordance with Rule 1:20-7(e). This immunity shall not extend to employment under section (f).

**Acceptance of Clients.** With the consent of any client, the attorney-trustee may, but need not, accept employment to complete any legal matter.

**Legal Responsibility of Attorney.** The attorney for whom an attorney-trustee has been appointed is liable to the attorney-trustee for all fees, costs, and expenses reasonably incurred by the attorney-trustee as approved by the court under paragraph (h).

**Legal Fees, Costs, and Expenses.** The attorney-trustee shall be entitled to reimbursement from the attorney for (1) actual expenses incurred by the attorney-trustee for costs, including, but not limited to, reasonable secretarial, paralegal, legal, accounting, telephone, postage, moving and storage expenses, and (2) reasonable hourly attorneys' fees. Application for allowance of fees, costs, and expenses shall be made by affidavit to the appointing judge, or designee, who may enter a judgment in favor of the attorney-trustee against the attorney. The application shall be accompanied by an accounting in a form and substance acceptable to the court. The application shall be made on notice to the attorney or, if deceased, to the attorney's personal representative, or heirs. For good cause shown, an interim application for costs and legal fees

may be made. The attorney-trustee shall be accorded a priority as an administrative expense for all attorney fees, costs, and expenses awarded by the court. If, after paying the attorney-trustee, there are funds or assets remaining, the Assignment Judge or designee may make such order of disposition as may be appropriate.

b) Rule 1:20-20 – Future Activities of Attorney who has Disciplined or Transferred to Disability-Inactive Status.

a) Prohibited Association. No attorney or other entity authorized to practice law in the State of New Jersey shall, in connection with the practice of law, employ, permit or authorize to perform services for the attorney or other entity, or share or use office space with, another who has been disbarred, resigned with prejudice, transferred to disability-inactive status, or is under suspension from the practice of law in this or any other jurisdiction.

b) Notice to Clients, Adverse Parties and Others. An attorney who is suspended, transferred to disability-inactive status, disbarred, or disbarred by consent or equivalent sanction:

- 1) shall not practice law in any form either as principal, agent, servant, clerk or employee of another, and shall not appear as an attorney before any court, justice, judge, board, commission, division or other public authority or agency;

- 2) shall not occupy, share or use office space in which an attorney practices law;

- 3) shall not furnish legal services, give an opinion concerning the law or its application or any advice with relation thereto, or suggest in any way to the public an entitlement to practice law, or draw any legal instrument;

4) shall not use any stationery, sign or advertisement suggesting that the attorney, either alone or with any other person, has, owns, conducts, or maintains a law office or office of any kind for the practice of law, or that the attorney is entitled to practice law;

5) shall, except for the purposes of disbursing trust monies for the 30-day period stated in this subparagraph, cease to use any bank accounts or checks on which the attorney's name appears as a lawyer or attorney-at-law or in connection with the words "law office." If the suspension is for a period greater than six months, or involves a temporary suspension that lasts for more than six months, or involves transfer to disability-inactive status, disbarment, disbarment by consent or their equivalent sanction, the attorney shall, within the 30 day period prescribed in subparagraph (15), disburse all attorney trust account monies that are appropriate to be disbursed and shall arrange to transfer the balance of any trust monies to an attorney admitted to practice law in this state and in good standing for appropriate disbursement, on notice to all interested parties, or dispose of the balance of funds in accordance with Rule 1:21-6(j), "Unidentifiable and Unclaimed Trust Fund Accumulations and Trust Funds Held for Missing Owners;" however, it shall not be a violation of this subparagraph for an attorney to take appropriate action to comply after the stated 30-day period;

6) shall, from the date of the order imposing discipline (regardless of the effective date thereof), not solicit or procure any legal business or retainers for the disciplined attorney or for any other attorney;

7) shall promptly request the telephone company remove any listing in the telephone directory indicating that the attorney is a lawyer, or holds a similar title;

8) shall promptly request the publishers of Martindale-Hubbell Law Directory, the New Jersey Lawyers Diary and Manual, and any other law list in which the attorney's name appears, including all websites on which the attorney's name appears, to remove any listing indicating that that attorney is a member of the New Jersey Bar in good standing;

9) shall notify the admitting authority in any jurisdiction to whose bar the attorney has been admitted of the disciplinary action taken in the State of New Jersey;

10) shall, except as otherwise provided by paragraph (d) of this Rule, promptly notify all clients in pending matters, other than litigation or administrative proceedings, of the attorney's suspension, transfer to disability-inactive status, disbarment, or disbarment by consent, and of the attorney's consequent inability to act as an attorney due to disbarment, suspension, or disability-inactive status, and shall advise said clients to seek legal advice elsewhere and to obtain another attorney to complete their pending matters. Even if requested by a client, the attorney may not recommend another attorney to complete a matter. When a new attorney is selected by a client, the disciplined or former attorney shall promptly deliver the file and any other paper or property of the client to the new attorney or to the client if no new attorney is selected, without waiving any right to compensation earned as provided in paragraph (13) below;

11) shall, except as otherwise provided by paragraph (d) of this Rule, as to litigated or administrative proceedings pending in any court or administrative agency, promptly give notice of the suspension, transfer to disability-inactive status, disbarment, or disbarment by consent and of the consequent inability to act as an attorney due to disbarment, suspension, or disability-inactive status, to: (1) each client; (2) the attorney for each adverse party in any matter involving any clients; and (3) the Assignment Judge with respect to any action pending in any court in that vicinage, or the clerk of the appropriate appellate court or administrative agency in which a matter is pending. The notice to clients shall advise them to obtain another attorney and promptly to substitute that attorney for the disciplined or former attorney. Even if requested by a client, the disciplined or former attorney may not recommend an attorney to continue the action. The notices to opposing attorneys and the Assignment Judge or Court Clerk shall clearly indicate the caption and docket number of the case or cases and name and place of residence of each client involved . In the event a client involved in litigation or a pending proceeding does not obtain a substitute attorney within 20 days of the mailing of said notice, the disciplined or former attorney shall move pro se in the court or administrative tribunal in which the action or proceeding is pending for leave to withdraw therefrom. When a client selects a new attorney, the disciplined or former attorney shall promptly deliver the file and any other paper or property of the client to the new attorney or to the client if no attorney is selected, without waiving any right to compensation earned, as provided in paragraph (13), below;

13) shall, in all cases in which the attorney is then acting, or who thereafter attempts to obtain letters of

appointment from a Surrogate to act, in any specified fiduciary capacity, including, but not limited to, executor, administrator, guardian, receiver or conservator, promptly notify in writing all (1) co-fiduciaries, (2) beneficiaries, (3) Assignment Judges and Surrogates of any vicinage and county out of which the matter arose, of the attorney's suspension, transfer to disability-inactive status, disbarment, or disbarment by consent. Such notice shall clearly state the name of the matter, any caption and docket number, and, if applicable, the name and date of death or current residence of the decedent, settlor, individual or entity with respect to whose assets the attorney is acting as a fiduciary;

15) shall not share in any fee for legal services performed by any other attorney following the disciplined or former attorney's prohibition from practice but may be compensated for the reasonable value of services rendered and disbursements incurred prior to the effective date of the prohibition, provided the attorney has fully complied with the provisions of this rule and has filed the required affidavit of compliance under subparagraph (b)(15). The reasonable value of services for the disciplined or former attorney and the substituted attorney shall not exceed the amount the client would have had to pay had no substitution been required. If an attorney-trustee has been appointed under Rule 1:20-19, all fees for legal services and other compensation due the attorney shall be paid solely to the attorney-trustee for disbursement as directed by the court in accordance with the provisions of that rule. Compensation shall include any monies or other thing of value paid for legal services due or that is related to any agreement, sale, assignment or transfer of any aspect of the attorney's share of a law firm;

16) shall maintain:

a) files, documents, and other records relating to any matter that was the subject of a disciplinary investigation or proceeding;

b) files, documents, and other records relating to all terminated matters in which the disciplined or former attorney represented a client prior to the imposition of discipline;

c) files, documents, and other records of pending matters in which the disciplined or former attorney had responsibility on the date of, or represented a client during the year prior to, the imposition of discipline or resignation;

d) all financial records related to the disciplined or former attorney's practice of law during the seven years preceding the imposition of discipline, including but not limited to bank statements, time and billing records, checks, check stubs, journals, ledgers, audits, financial statements, tax returns, and tax reports; and

e) all records relating to compliance with this rule.

17) shall within 30 days after the date of the order of suspension (regardless of the effective date thereof) file with the Director the original of a detailed affidavit specifying by correlatively numbered paragraphs how the disciplined attorney has complied with each of the

provisions of this rule and the Supreme Court's order. Signed copies of that affidavit shall be provided at the same time to the Clerk of the Supreme Court and to the Disciplinary Review Board. The affidavit shall be accompanied by a copy of all correspondence sent pursuant to this rule and shall also set forth the current residence or other address and telephone number of the disciplined or former attorney to which communications may be directed. The disciplined or former attorney shall thereafter inform the Director of any change in such residence, address, or telephone number. The affidavit shall also set forth whether the attorney maintained malpractice insurance coverage for the past five years and, for each policy maintained, the name of the carrier, the carrier's address, the policy number, and the dates of coverage. The affidavit shall also attach an alphabetical list of the names, addresses, telephone numbers, and file numbers of all clients whom the attorney represented on the date of discipline or transfer to disability-inactive status.

Failure to Comply. Failure to comply fully and timely with the obligations of this rule and file the affidavit of compliance required by paragraph (b)(15) within the 30- day period, unless extended by the Director for good cause, shall, in the case of a suspension, preclude the Board from considering any petition for reinstatement until the expiration of six months from the date of filing proof of compliance in accordance with Rule 1:20-21(i)(A). Such failure shall also constitute a violation of R.P.C. 8.1(b) (failure to cooperate with ethics authorities) and R.P.C. 8.4(d) (conduct prejudicial to the administration of justice). The Director also may file and prosecute an action for contempt pursuant to Rule 1:10-2.

Definite Suspension of Six Months or Less. A lawyer who has been suspended for a definite period of six months or less is exempt from the requirements of paragraph (b)(7) and (b)(8).

Responsibility of Partners and Shareholders. An attorney who is affiliated with the disciplined or former attorney as a partner, shareholder, or member shall take reasonable actions to ensure that the attorney complies with this rule. In lieu of compliance by the attorney with the requirement of paragraph (b)(10) and (b)(11), the firm, corporation, or limited liability entity may promptly notify all clients represented by the disciplined or former attorney of the attorney's inability to act due to disbarment, suspension, or disability-inactive status and that the firm will continue to represent the client unless the client requests in writing that the firm withdraw from the matter and substitute a new attorney.

If the disciplined or former attorney fails to comply with this rule within 30 days of the date of suspension, transfer, or disbarment, the law firm shall do so. Proof of compliance shall be by verified affidavit of a member of the firm, shareholder, or member filed with the Director within 30 days of the date of suspension, transfer, or disbarment. The affidavit shall be accompanied by a copy of all notices sent to clients pursuant to this paragraph.

**PART IV**  
**PLANNING YOUR PLAN**  
**TRANSITION ISSUES**

a) Choosing a Successor

1) Does your successor even know about the designation?

2) The successor may be one of your buddies, but please consider the relevant geographic location, compensation, the nature of clientele, the culture in your practice, issues related to staff retention, referral of existing files to other firms and ongoing business expenses related to rent, taxes, leases and trust account funds.

3) Is your successor capable of handling the technical aspects of the types of cases in your law practice? [e.g., environmental law, medical malpractice defense, patent, copyright and trademark, class action matters, etc.]?

4) Does your successor have all the necessary information to continue the practice related to computer passwords, where open and closed physical files are stored, office keys, bank accounts, safe deposit boxes, quarterly tax returns, and applicable statutes of limitation that are about to run?

b) Written Successor Document

1) It is a good practice for information related to a successor in every client's retainer agreement.

2) Start small – Begin with a plan that contains information related to passwords, staff names, the location of active files, insurance policies, routine service providers and any pending SOL matters that would need to be addressed immediately. As time goes on, the succession plan can be augmented (at least every 6 months) to include other necessary data.

### c) Duties of the Successor

Although they are somewhat similar to the obligations of an attorney trustee, the duties of a successor are undertaken voluntarily. As a result, assuming there is no evidence of misconduct, there is no affirmative obligation upon the successor to report anything to the assignment judge. However, often, certain immediate steps will be necessary to preserve the *status quo*:

- 1) File review and diary examination to check on status of SOL, deadlines for pleadings, court appearance dates, etc.;
- 2) Notify clients in writing of the death or disability;
- 3) Notify courts and administrative agencies;
- 4) Handle billing and mail;
- 5) Handled payroll and staffing issues;
- 6) Examine trust account and other funds held in trust.
- 7) Training and development of the successor in an effort to keep him familiar with the targeted practice.

**PART V**  
**SAMPLE DESIGNATED SUCCESSOR FORMS**

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**Topic:** How to designate a successor or a person with knowledge.

**Summary:** A step-by-step guide on how to designate a successor or person with knowledge in the event of death or disability.

**This Guide is for:** NJ Attorneys.

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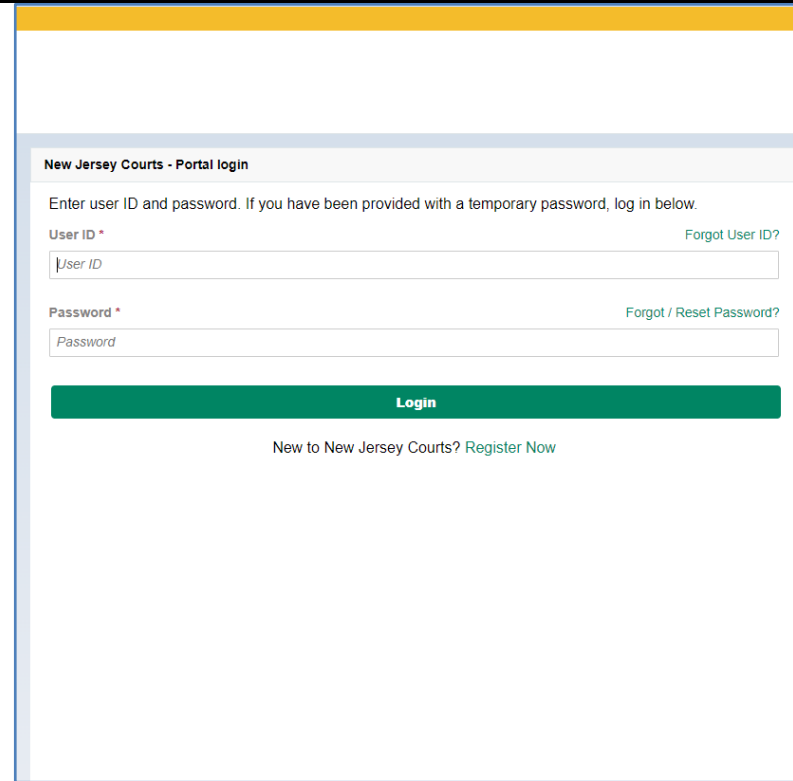
## Login

Login using your Bar ID via NJ eCourts portal:  
[NJCourts Online: Login](#)

Navigate to the New Jersey Courts – Portal Home Page and select either ‘Registration and Payment’ or ‘Designated Successor Attorney’.

**Note**, the ‘Designated Successor Attorney’ tile:

- Displays only for attorneys who answer “Yes” to the private practice question in the registration flow; **and**
- Contains only the functionality to designate a successor, a person with knowledge or otherwise respond to the succession questions.




***Designated successor attorney***

If “Yes” is selected in response to Question 1 for firm as employer, complete the succession section:

1. Indicate the NJ attorney who is your designated successor; or
2. Enter the contact information for a non-NJ attorney “Person with Knowledge”; or
3. Indicate where your succession plan is located; or
4. State you have no succession plan; or
5. Indicate that your firm is responsible for client files in the event of your inability to act.

1. \* Do you engage in the private practice of New Jersey law in any jurisdiction? Private practice includes sole practitioners, partners, shareholders, associates, of counsel positions, and per diem attorneys. (Please contact the Superior Court Clerk’s Office at [SCCOAttyReg.Mailbox@njcourts.gov](mailto:SCCOAttyReg.Mailbox@njcourts.gov) or 609-421-6100 if you have questions about this employer type.)

Yes  No

Designated successor attorney

The creation of a succession plan is consistent with an attorney’s professional and ethical obligations to their clients. New Jersey seeks to be in conformity with other states in asking (but not requiring) attorneys to designate a successor in the event of death or disability.

- I have identified an attorney who can serve as my Designated Successor Attorney. 1
- I have identified a person with knowledge of the location of my files and records (does not need to be an attorney). 2
- I am unable to designate a successor attorney or a person with knowledge of the location of my files and records at this time. However, I have prepared a written succession plan that can be located at a specified location. 3
- I have not designated a Successor Attorney or created a succession plan at this time. 4
- A succession plan is not necessary for my practice because my employer is responsible for client files and communications in the event of my unavailability. 5

For more information on succession planning and designation, please click [here](#). To review a recorded program on succession planning, click [here](#).

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## NJ Attorney as Successor

1. Click **+ Add New Jersey Licensed Attorney** ;
2. Enter the name or Bar ID and click **Search** ;
3. Select the radio button for the successor attorney and then **Add** ;
4. The successor will be saved only upon click of **Next** at the bottom of the screen.

**Once saved**, the successor attorney will receive an email notification.

You *cannot* appoint yourself as successor.

I have identified an attorney who can serve as my Designated Successor Attorney. ?  
 + Add New Jersey Licensed Attorney  
 I have identified a person with knowledge of the location of my files and records ?  
 Your "designated successor attorney" is responsible for taking necessary actions to protect a clients' interests - such as notifying clients, securing client files, and managing or closing the practice - if you become unable to practice law due to death, disability, or other incapacity.

I have identified an attorney who can serve as my Designated Successor Attorney. ?  
 + Add New Jersey Licensed Attorney 1  
 I have identified a person with knowledge of the location of my files and records (does not need to be an attorney). ?  
 I am unable to designate a successor attorney or a person with knowledge of the location of my files and records at this time that can be located at a specified location.  
 I have not designated a Successor Attorney or created a succession plan for my practice because:  
 A succession plan is not necessary for my practice because:  
 For more information on succession planning and designation, please visit [www.njcourts.gov/succession](#)  
 \* Are you employed in any jurisdiction or in any capacity as corporate counsel?  
 CCOAttyReg.Mailbox@njcourts.gov or 609-421-6100 if you have questions.  
 Yes No  
 Corporate Or Insurance Counsel Address  
 This is a public address.

Add NJ Licensed Attorney ×

Use Attorney Bar ID or name to search

Search Criteria \* 2

ID  Name 3

Close Reset Search

Add NJ Licensed Attorney ×

Use Attorney Bar ID or name to search

Search Criteria \* Last name \* First name

ID  Name

Close Reset Search

6 result(s) << < Page 1 of 2 > >>

<span>3</span>	Name (F, M1, M2, L, Suffix)	Firm name	Firm city	Email (business)	Phone (business)
<input type="radio"/>	BOB COBB	AUGUST TEST CORP	IDAHO CITY	test@test.com	1234567890
<input checked="" type="radio"/>	CAROL ROGERS COBB	GIANSANTE & COBB LLC	MOORESTOWN	test@test.com	8562738866
<input type="radio"/>	DANA B COBB	BEATTIE PADOVANO, LLC	MONTVALE	test@test.com	2015731810
<input type="radio"/>	DEIRDRE L WEBSTER COBB	DEIRDRE L WEBSTER COBB	BURLINGTON TWP	test@test.com	6093463483
<input type="radio"/>	GARRY W COBB II	STEINBERG COBB & MAGPANTAL LLC	CHERRY HILL	test@test.com	8567730535


Cancel Add

Certification of Information

By clicking 'Next', I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to discipline.  
 For questions, please contact the Superior Court Clerk's Office at (609) 421 - 6100 or email [SCCOAttyReg.Mailbox@njcourts.gov](mailto:SCCOAttyReg.Mailbox@njcourts.gov)

4  
 Back Next

**Note:** If the selected attorney is ineligible to be a successor, an error message will display. Make another selection.

To remove or change your selection, click .

If a designated successor has been saved, an email notification will be sent upon removal.


Removals **prior** to saving do not generate an email.

**The selected attorney is not eligible to serve as a successor. Please select another attorney or call 855-533-3863 for additional information.**

Designated successor attorney

The creation of a succession plan is consistent with an attorney's professional and ethical obligations to their clients. New Jersey seeks to be in conformity with other states in asking (but not requiring) attorneys to designate a successor in the event of death or disability.

I have identified an attorney who can serve as my Designated Successor Attorney. <sup>1</sup>

Bar ID	Name	Firm name	Firm city	Email (business)	Phone (business)	
028761994	CAROL ROGERS COBB	GIANSANTE & COBB LLC	MOORESTOWN	test@test.com	8562738866	

I have identified a person with knowledge of the location of my files and records (does not need to be an attorney). <sup>1</sup>

I am unable to designate a successor attorney or a person with knowledge of the location of my files and records at this time. However, I have prepared a written succession plan that can be located at a specified location.

I have not designated a Successor Attorney or created a succession plan at this time.

A succession plan is not necessary for my practice because my employer is responsible for client files and communications in the event of my unavailability.

For more information on succession planning and designation, please click [here](#). To review a recorded program on succession planning, click [here](#).

2. \* Are you employed in any jurisdiction or in any capacity as corporate or insurance house counsel, for which you practice New Jersey law? (Please contact the Superior Court Clerk's Office at [SCCOAttyReg.Mailbox@njcourts.gov](mailto:SCCOAttyReg.Mailbox@njcourts.gov) or 609-421-6100 if you have questions about this employer type.)

Yes  No

3. \* Are you employed in any capacity, in any jurisdiction by a public entity, governmental, judicial or court system, educational institution, or non-profit organization, such as the Judiciary, Attorney General, Public Defender, County Prosecutor, or Legal Services, where you work in New Jersey or practice New Jersey law? (Please contact the Superior Court Clerk's Office at [SCCOAttyReg.Mailbox@njcourts.gov](mailto:SCCOAttyReg.Mailbox@njcourts.gov) or 609-421-6100 if you have questions about this employer type.)

Yes  No

**Certification of Information**

By clicking "Next", I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to discipline.

For questions, please contact the Superior Court Clerk's Office at (609) 421 - 6100 or email [SCCOAttyReg.Mailbox@njcourts.gov](mailto:SCCOAttyReg.Mailbox@njcourts.gov)

***Person with Knowledge***

To add a person with knowledge:

1. Select [+ Add Person with Knowledge](#) ;
2. Enter the required information then [Add](#) ;
3. The person with knowledge will be saved only upon click of [Next](#) at the bottom of the screen.

**Once saved**, an email notification will be sent to the person with knowledge.

I have identified a person with knowledge of the location of my files and records (does not need to be an attorney).

**A Person with Knowledge**

A "person with knowledge" is someone who knows the location of your professional paper and electronic files and other security protocols required to access these professional records and files. The person with knowledge does not have to be a licensed attorney in New Jersey.

I have not designated a Successor Attorney or created a succession plan at this time.

**Designated successor attorney**

The creation of a succession plan is consistent with an attorney's professional and ethical obligations to their clients. New Jersey not requiring) attorneys to designate a successor in the event of death or disability.

I have identified an attorney who can serve as my Designated Successor Attorney.

I have identified a person with knowledge of the location of my files and records (does not need to be an attorney).

[+ Add Person with Knowledge](#)

**Add Person with Knowledge**

First name \*  Last name \*  Email address \*  Phone number \*

Relationship \*

[Cancel](#) [Add](#)

I have identified a person with knowledge of the location of my files and records (does not need to be an attorney).

First name	Last name	Relationship	Email address	Phone number	
Claudia	Kincaid	BUSINESS PARTNER	desiree.kaltz@njcourts.gov	1234567890	<a href="#">Modify</a>

I am unable to designate a successor attorney or a person with knowledge of the location of my files and records at this time. However, I have prepared a written succession plan that can be located at a specified location.

I have not designated a Successor Attorney or created a succession plan at this time.

A succession plan is not necessary for my practice because my employer is responsible for client files and communications in the event of my unavailability.

For more information on succession planning and designation, please click [here](#). To review a recorded program on succession planning, click [here](#).

\* Are you employed in any jurisdiction or in any capacity as corporate or insurance house counsel, for which you practice New Jersey law? (Please contact the Superior Court Clerk's Office at SCCOAttyReg.Mailbox@njcourts.gov or 609-421-6100 if you have questions about this employer type.)

Yes  No

\* Are you employed in any capacity, in any jurisdiction by a public entity, governmental, judicial or court system, educational institution, or non-profit organization, such as the Judiciary, Attorney General, Public Defender, County Prosecutor, or Legal Services, where you work in New Jersey or practice New Jersey law? (Please contact the Superior Court Clerk's Office at SCCOAttyReg.Mailbox@njcourts.gov or 609-421-6100 if you have questions about this employer type.)

Yes  No

**Confirmation of Information**

By clicking 'Next', I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to discipline. For more information or questions, please contact the Superior Court Clerk's Office at (609) 421 - 6100 or email [SCCOAttyReg.Mailbox@njcourts.gov](mailto:SCCOAttyReg.Mailbox@njcourts.gov)

[Back](#) [Next](#)

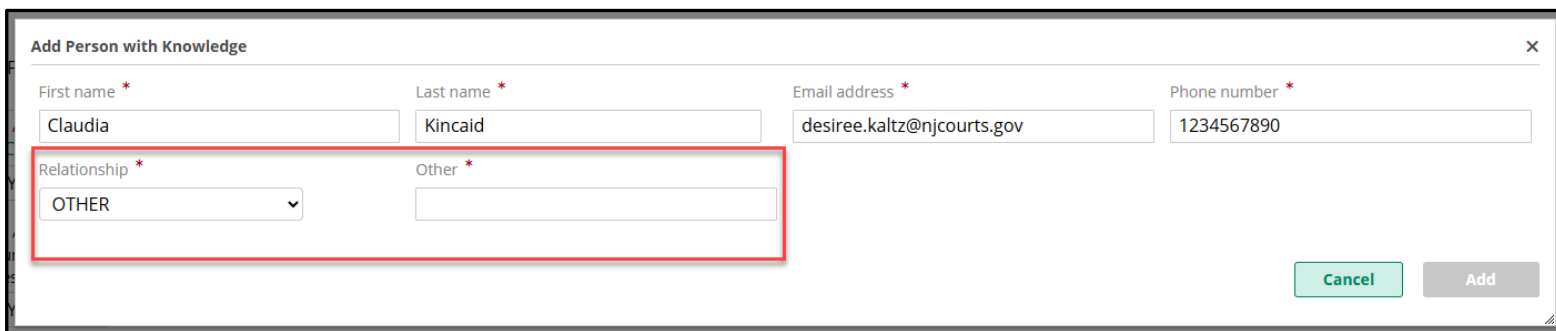
**Note:** when entering a Person with Knowledge, you must specify this person’s relationship with you, and choose from seven listed options:

1. Associate/Colleague
2. Business Partner
3. Employee
4. Family Member
5. Legal Guardian
6. Manager
7. Other


When selecting “Other”, a new text field will appear allowing you to specify the Person with Knowledge’s relationship, if they do not align with the six other options listed.




The screenshot shows the 'Add Person with Knowledge' form. The fields are: First name (Claudia), Last name (Kincaid), Email address (desiree.kaltz@njcourts.gov), and Phone number (1234567890). The 'Relationship' dropdown menu is open, showing the following options: ASSOCIATE/COLLEAGUE, BUSINESS PARTNER, EMPLOYEE, FAMILY MEMBER, LEGAL GUARDIAN, MANAGER, and OTHER. The 'Cancel' and 'Add' buttons are visible at the bottom right.

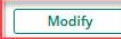
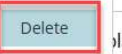


The screenshot shows the 'Add Person with Knowledge' form with the 'Relationship' dropdown menu set to 'OTHER'. A new text field labeled 'Other' has appeared next to the dropdown, allowing for a custom relationship description. The 'Cancel' and 'Add' buttons are visible at the bottom right.

Use  to update.

Click the ellipsis  to remove or change the person with knowledge.

An email notification will be sent upon removal.

First name	Last name	Relationship	Email address	Phone number	
Claudia	Kincaid	BUSINESS PARTNER	desiree.kaltz@njcourts.gov	1234567890	 : 

I am unable to designate a successor attorney or a person with knowledge of the location of my files and records at this time. However, I have prepared a writt...  
 that can be located at a specified location.

## Written succession plan

To provide your written succession plan:

1. Enter the location of the plan or the contact information for the person who can locate the plan; and
2. Select **Next** to save.

I am unable to designate a successor attorney or a person with knowledge of the location of my files and records at this time. However, I have prepared a written succession plan that can be located at a specified location.

Identify the location of your succession plan or the contact information of a person who can locate your plan. \*

Enter information here. **1**

Remaining: 477 characters

I have not designated a Successor Attorney or created a succession plan at this time.

A succession plan is not necessary for my practice because my employer is responsible for client files and communications in the event of my unavailability.

For more information on succession planning and designation, please click [here](#). To review a recorded program on succession planning, click [here](#).

2. \* Are you employed in [any jurisdiction](#) or in any capacity as corporate or insurance house counsel, for which you practice [New Jersey](#) law? (Please contact the Superior Court Clerk's Office at [SCCOAttyReg.Mailbox@njcourts.gov](mailto:SCCOAttyReg.Mailbox@njcourts.gov) or 609-421-6100 if you have questions about this employer type.)

Yes  No

3. \* Are you employed in [any capacity](#), in [any jurisdiction](#) by a public entity, governmental, judicial or court system, educational institution, or non-profit organization, such as the Judiciary, Attorney General, Public Defender, County Prosecutor, or Legal Services, where you work in New Jersey or practice [New Jersey](#) law? (Please contact the Superior Court Clerk's Office at [SCCOAttyReg.Mailbox@njcourts.gov](mailto:SCCOAttyReg.Mailbox@njcourts.gov) or 609-421-6100 if you have questions about this employer type.)

Yes  No

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**Certification of Information**

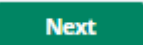
By clicking 'Next', I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to discipline.

For questions, please contact the Superior Court Clerk's Office at (609) 421 - 6100 or email [SCCOAttyReg.Mailbox@njcourts.gov](mailto:SCCOAttyReg.Mailbox@njcourts.gov)

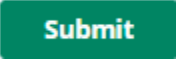
**2**

***No Succession Plan***

If you do not have a successor or a succession plan:

1. Make the appropriate selection; and
2. Click  to save your selection.

**Note**, the successor plan details can also be accessed, saved and updated via the tile.

When using the tile, select the  to save.

- I have not designated a Successor Attorney or created a succession plan at this time.
- A succession plan is not necessary for my practice because my employer is responsible for client files and communications in the event of my unavailability.

1

**Certification of Information**

By clicking 'Next', I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to discipline.  
 For questions, please contact the Superior Court Clerk's Office at (609) 421 - 6100 or email [SCCOAttyReg.Mailbox@njcourts.gov](mailto:SCCOAttyReg.Mailbox@njcourts.gov)



 

2



**Designated successor attorney**

The creation of a succession plan is consistent with an attorney's professional and ethical obligations to their clients. New Jersey seeks to be in conformity with other states in asking (but not requiring) attorneys to designate a successor in the event of death or disability.

- I have identified an attorney who can serve as my Designated Successor Attorney. 
- I have identified a person with knowledge of the location of my files and records (does not need to be an attorney). 
- I am unable to designate a successor attorney or a person with knowledge of the location of my files and records at this time. However, I have prepared a written succession plan that can be located at a specified location.
- I have not designated a Successor Attorney or created a succession plan at this time.
- A succession plan is not necessary for my practice because my employer is responsible for client files and communications in the event of my unavailability.

For more information on succession planning and designation, please click [here](#). To review a recorded program on succession planning, click [here](#).