



AAA Mediation.org™

Hon. Marianne Espinosa (ret.), Esq.

505 Morris Avenue, Springfield, NJ 07081

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Current Employer-Title Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins, P.C. - Of Counsel

Panelist Video <https://www.adr.org/videoresume?paramName=303270503>

Profession Attorney, Retired Trial and Appellate Judge

Work History Of Counsel, Javerbaum, Wurgaft, Hicks, Kahn, Wikstrom & Sinins, P.C. (ADR practice group), 2018-Present; Judge, Appellate Division, Superior Court of New Jersey, 2009-2017; Superior Court of New Jersey, Union County (Civil and Criminal Divisions), 2005 – 2009; Morris County (Civil, Criminal and Family Divisions), 1986 – 1993; Partner, Tompkins, McGuire, Wachenfeld & Barry, LLP, 1994 – 2005; Assistant United States Attorney, District of New Jersey, 1978 – 1986; Assistant Counsel (Bond and Commercial Loan Department), Prudential Insurance Company, 1977-1978; Deputy Attorney General, New Jersey Department of Law and Public Safety, Criminal Division, Appellate Section, 1975 – 1977; Law Clerk to Hon. Richard J. Hughes, Chief Justice, Supreme Court of New Jersey, 1974 – 1975.

Experience As an appellate judge, wrote approximately 100 opinions per year. Authored published opinions that addressed broad spectrum of issues, including employment discrimination, insurance coverage, administrative law, land use, professional malpractice, statutory claims including whistleblower actions, New Jersey Law Against Discrimination, Consumer Fraud Act and Open Public Records Act.

As a trial judge, presided over jury and bench trials, managed cases in Civil, Criminal and Family divisions; Mt. Laurel judge for vicinage. Civil matters included business disputes, condemnation, professional malpractice, commercial and residential construction, consumer fraud claims and insurance coverage disputes.

In private practice, handled motions, trial and appellate practice with concentration in professional malpractice, employment matters and insurance coverage.

As Assistant U.S. Attorney, supervised criminal investigations and tried cases to conclusion, including as member of Organized Crime and Drug Enforcement Task Force.

As deputy attorney general, represented the State in criminal appeals before Supreme Court of New Jersey and Appellate Division; prepared position paper for Attorney General and testified before New Jersey Senate on death penalty.

As Law Clerk to Chief Justice Richard J. Hughes, prepared memoranda for Court and provided legal support for preparation of opinions.

Mediator Experience United States District Court: mediation of employment claims against the United States. Chancery Divisions of Union and Morris County: mediation of business and property disputes.

As trial judge, mediated the settlement of broad spectrum of matters, including multi-party cases, that included medical malpractice and other professional negligence matters, commercial disputes, insurance coverage matters, and personal injury cases.

**Representative Issues
Handled as a Mediator**

Employment claims, including whistleblower actions, discrimination and sexual harassment, commercial and contract disputes, insurance coverage

**Mediator Style & Process
Preferences**

To obtain maximum benefit from mediation, it is helpful for the parties to have a good understanding of the issues – legal, factual, and, in some cases, emotional, that shape both their controversy and the possible resolution of their dispute. It is important for the mediator to instill confidence in the litigants and their counsel that their positions have been heard and understood. This is accomplished through preparation prior to the mediation session and actively listening at the mediation session. With such a foundation, the mediator may make use of legal insights and experience to assist a party to recognize a resolution of the dispute that is acceptable, always appreciating that a settlement represents the parties' success in resolving their differences.

Education

Rutgers University School of Law (J.D. 1974); New York University (B.A. 1971).

Professional Licenses

Admitted to the Bar: New Jersey, 1974; U.S. District Court: District of New Jersey, 1974; U.S. Court of Appeals, Third Circuit; U.S. Supreme Court.

Professional Associations

American Bar Association; New Jersey State Bar Association; Union County Bar Association.

**Recent Publications &
Speaking Engagements**

Published opinions as Judge of Appellate Division, Superior Court of New Jersey (2009-17)

Co-author, with Marie Lihotz, P.J.A.D. (ret.), of monthly column on appellate practice, New Jersey Law Journal

Faculty, New Jersey Judicial College, Updates in Civil Law (2014-2016).,

Panelist, Sidney Reitman Inn of Court, Appellate Practice Program (2020)

Panelist, New Jersey Bar Association, Appeals from Arbitration Awards (2019), "What's Next after 'Me-Too'" (2018).

Panelist, New Jersey Institute for Continuing Legal Education, Appellate Practice (2015).

"A Novice's Introduction to e-Discovery in Arbitration," New Jersey Law Journal, April 2019.

**Locations Where Parties
Will Not be Charged for
Travel Expenses**

New Jersey and Philadelphia

Mediation Rate

\$600 Per Hour

Languages

English

Citizenship

United States of America

Locale

Springfield, NJ

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.