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Again Eying Atlantic Co. Office, Archer Hires Ex-Judge



David Gialanella, New Jersey Law Journal

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Archer & Greiner, in a renewed effort to establish a foothold in and around Atlantic City, has hired a longtime state judge with significant ties to that area.

In bringing on retired Cape May County Superior Court Judge Raymond Batten as of counsel, the firm also aims to bolster its alternative dispute resolution and related practices.

Batten, in a move that occurred Oct. 20 but wasn't made public until recently, is commuting to Archer & Greiner's main office in Haddonfield for now, but firm leaders hope to open an Atlantic County office with his help, he said in an interview.

Retired judges have become a hot commodity among large firms, and Batten apparently was no exception: there were numerous suitors, made up of roughly equal numbers of local South Jersey firms and regional firms with New Jersey and Pennsylvania presences, he said, though he declined to name them.

"I ultimately chose Archer & Greiner because of the depth and breadth of their practice," Batten said, noting the firm's existing ADR practice, which is "capable of generating revenue throughout South Jersey."

Archer & Greiner managing partner Christopher Gibson said a handful of practitioners in the firm's commercial litigation group handle ADR as a secondary practice, "but it's not their bread and butter." "The simple truth is, it's pretty difficult, if you're going to have an ADR practice, not to [build] it up with somebody who's worn the robe," Gibson added. "The idea was to bring in Judge Batten as someone to take charge of that practice."

Gibson was less concrete on the firm's plans for the Atlantic City area: He said a renewed effort to open an office there is likely to be undertaken in the coming months and acknowledged that such an expansion remains a goal for the firm.

Archer & Greiner opened a Red Bank office in late 2013, but had originally sought to open an Atlantic City shop. It engaged at least two firms there—each with roughly five attorneys—but had been unable to close a deal, Gibson previously told the Law Journal.

Batten's retirement after 23 years on the bench, announced in June, became effective Sept. 1. He was appointed at a relatively young age, 38, but already had significant experience as a municipal attorney, solo practitioner and, for a brief time, state legislator.

Starting on the bench young affected his post-judiciary career in that, by the time Batten had served 20 years, he had just turned 58, and wasn't entitled to a full pension until age 60, he said.

"As I waited around the two or two-and-a-half years to turn 60, something really wonderful happened," Batten said—his appointment as presiding judge of the Chancery Division after long stays in the Family and Criminal parts.

"Upon turning 60, I wanted to stay," Batten said, and he did, until the Supreme Court's June 9 decision holding that the administration of Gov. Chris Christie couldn't be compelled to fully fund the public pension system if doing so would contravene the state constitution's debt limitation clause. Batten, concerned over the viability of his own pension, announced his retirement the next day, he said. "The net result is that particular case caused me to really reconsider seriously ... whether it made sense to me to remain on the bench," Batten said. "It was best for me, best for my family, to leave the bench."

Batten said he "politely declined" to engage suitors who came calling in the wake of his retirement announcement, and took several weeks off after leaving Sept. 1.

Batten considered launching a mediation practice from home but "found I had yet a bit of the fire in my belly to practice law," he said.

"I waited for the phone to ring, and it did," he said.

State judges are ethically barred from appearing in state court immediately following retirement, but Batten said he will be permitted to meet with firm clients, strategize, and prepare or review briefs in connection with litigation matters.

Another aspect of Batten's role will be generating business, particularly in Atlantic and Cape May counties, he said.

Gibson said of Batten, "Of course he has multiple, multiple contacts." But, on Batten's potential role as rainmaker, he added, "if that happens, that's kind of the cherry on top of the sundae."

Batten, a 1976 graduate of Princeton University and 1979 graduate of Widener University School of Law, spent a number of years in private practice, including 12 as an Avalon solo, during which he devoted a significant amount of his practice to casino gaming, real estate, land use, zoning and other matters in Atlantic City.

He also served as solicitor and prosecutor to several area municipalities in the 1980s and early 1990s. Batten also co-founded First Southern State Bank in Avalon, and served as its general counsel. In early 1991, Batten, a Democrat, was appointed to serve out the term of Assemblyman Edward Salmon in the First Legislative District. Salmon had just left the Legislature to chair the state Board of Public Utilities. Batten later ran for re-election but lost.

After that, Batten—reluctantly at first, he said—put his name in for a Superior Court judgeship at the urging of then-Appellate Division Judge Philip Gruccio.

Reluctant or not, he got the job. In 1992, Gov. James Florio appointed Batten to the bench in the Atlantic/Cape May vicinage. He spent the majority of his time sitting in Cape May Court House. He spent about 10 years in the Family Part, followed by another 10 years in the Criminal Part. In the latter assignment, he handled some significant matters, including the 2011 trial, and ultimate acquittal, of Atlantic City Councilman Marty Small, who had been accused of voter fraud.

Batten spent his last two-and-a-half years on the bench as chancery judge in the vicinage—handling, among other tasks, the plentiful contested foreclosure cases flowing from Atlantic County during the mortgage crisis—and spent five years as the vicinage's acting assignment judge before that. Asked if his judicial experience suits him to work on litigation matters, Batten noted that he did handle civil cases as a disqualification judge—and civil law theories as chancery judge.

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