



Barry H. Evenchick

PARTNER

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PRACTICE AREAS

Appellate Advocacy
Commercial Real Estate
Criminal Defense
Investigations - Governmental & Internal
Employment Law
Litigation
Alternative Dispute Resolution
Crisis Management
Public Entity Law

EDUCATION

A.B., Rutgers University, 1960
J.D., Rutgers University School of Law,
1963

Barry Evenchick focuses his practice in litigation, particularly in the areas of trial and appellate litigation, criminal law, business law, commercial law, employment law, administrative law, real estate, and zoning and planning. He is a qualified N.J. Ct. R. 1:40-12 mediator for Chancery and Civil Matters and is an Arbitrator at the American Arbitration Association.

He served as chief of the appellate section of the Essex County Prosecutor's Office and subsequently as administrative assistant to the president of the New Jersey Board of Public Utility Commissioners. He also served as deputy attorney general and the first chief of the appellate section of the New Jersey Division of Criminal Justice. Barry served for 12 years as the municipal attorney of the Township of Livingston and for six years as a commissioner of the New Jersey State Commission of Investigation.

Until recently, and for almost 45 years previously, he served as an adjunct faculty member at Rutgers Law School in Newark and taught a number of courses, including municipal law and appellate advocacy. He serves as vice-chair of the editorial board of the *New Jersey Law Journal*. In addition, he has served on a variety of state, local, and national advisory boards relating to law and criminal justice, and served in the New Jersey Army National Guard as an officer in the Judge Advocate General's Corps.

From 2009 to 2010, Barry was the New Jersey Commissioner of the Waterfront Commission of New York Harbor.

Representative Matters

Our firm is proud of the results it has achieved for clients, some of which are noted here. Of course, each legal matter is unique on many levels, and past successes are not a guarantee of results in any other pending or future matters.

- Successfully represented a State of New Jersey employee in a CEPA (Conscientious Employee Protection Act) case in the Superior Court of Essex County. The plaintiff had been terminated, and the jury found in his favor and awarded damages. The judge awarded a substantial counsel fee and ordered the employee to be re-employed by the State.
- Assisted law partner in the successful representation of the members of the New Jersey judiciary who challenged a threatened reduction in their pension on the ground that the New Jersey Constitution did not permit a diminution of the salary of a judge.
- Successfully represented adjacent residential property owners who urged the Livingston Zoning Board to deny a use variance to an applicant seeking to construct a medical office building based on the applicant's failure to meet the statutory criteria for a use variance.

Community & Professional Associations

- The Study Committee on Public Health Emergency Authorities, Uniform Law Commission (ULC)
- New Jersey State Bar Association
- Essex County Bar Association
- Federal Bar Association
- American Bar Association
- American Law Institute, elected member 1998
- American Bar Foundation, fellow
- Supreme Court Committee on Rules of Practice and Procedure, past member
- New Jersey Supreme Court Advisory Committee on Extrajudicial Activities, 2007-2017
- Motor Vehicle Study Commission for the State of New Jersey, Chairman, 1974-1986
- Counsel for the National Advisory Committee on Criminal Justice, Standards and Goals
- Governor's Advisory Committee for Implementation of the Penal Code
- New Jersey Supreme Court Task Force on Speedy Trials

- New Jersey Supreme Court Special Committee on Criminal Appeals
- New Jersey State Commission of Investigation, member 1987-1993.
- New Jersey member of the National Conference of Commissioners on Uniform State Laws, 1981-present; chair of the New Jersey delegation
- New Jersey Law Journal, vice-chair, editorial board
- New Jersey Commissioner, Waterfront Commission of New York Harbor, 2009-2010
- American Arbitration Association Panel Member

Bar Admissions

New Jersey

New York

Court Admissions

U.S. Supreme Court

U.S. Court of Appeals, Third Circuit

U.S. Court of Appeals, Eighth Circuit

U.S. Court of Appeals, Federal Circuit

U.S. District Court, District of New Jersey

U.S. District Court, Eastern District of New York

U.S. District Court, Southern District of New York