

Marie E. Lihotz
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The Honorable Marie E. Lihotz joined Archer as Of Counsel after serving twenty years as a member of the New Jersey Judiciary, including more than eleven years in the Appellate Division. Judge Lihotz concentrates her practice in resolving legal disputes through mediation and arbitration, including business, estate, employment as well as appellate arbitration matters. She serves parties as an arbitrator, mediator and appellate consultant in commercial matters involving small corporate break-ups; valuation of medical practice interests; executive and employment contracts; independent contractor disputes; partition and other real estate challenges; valuation disputes; whistleblower suits, harassment and discrimination claims, and contract disputes. She has been a court appointed receiver to liquidate real and commercial realty and (ESI) discovery master in a seven-party, multi-million dollar litigation. She is a member of the American Arbitration Association Commercial and Employment Roster of Arbitrators, an approved *Rule* 4:21A arbitrator, qualified as a *Rule* 1:40 civil mediator and a Bankruptcy mediator.

Judge Lihotz was appointed to the Tax Court of New Jersey by Governor Christine Todd Whitman in 1997. During her judicial career, she served as Presiding Judge of the Family Part, Burlington Vicinage supervising the staff of 100+ and seven judges, as well as handling a trial docket. She served in the Appellate Division from February 2006 until retirement on September 1, 2017, and as one of the Appellate Division's senior judges, she was the Presiding Judge of Part B. During her tenure in the Appellate Division, Judge Lihotz authored more than 120 published opinions.

During her experience as an appellate jurist she was required to review all types of civil and administrative matters and published opinions untangling legal issues including the computation of business good will; LAD, civil rights, discrimination and CEPA-whistleblower claims; wage and hour challenges; long-arm jurisdiction; insurance coverage disputes; labor and employment actions; business contract suits; construction litigation; class action certification; mode of operation corporate negligence; taxation of corporate business structures; economic development; licensure actions; environmental litigation; corporate fraud; consumer fraud; Magnuson-Moss warranty claims; and lemon law actions.

Among her judiciary assignments, Judge Lihotz chaired a Supreme Court Rules Committee, was a member and instructor of the Supreme Court Judicial Education Committee; a member of the Internet Technology Committee and E-filing subcommittee; Chair of the Appellate Division's Technology Committee; and a member of the Supreme Court's Committee on Public Access to Court Records.

As a trial attorney, the majority of her career was devoted to corporate and commercial litigation claims including contract disputes, restricted covenant enforcement, employment challenges, corporate dissolutions, partnership break-ups, creditor's rights in Bankruptcy, mergers, and franchise disputes.

As an attorney and a judge, Judge Lihotz has always participated in legal education. She was a member and Instructor for the Supreme Court Judicial Education Committee, and was an adjunct lecturer for Rutgers University Law School, Camden. Currently she lectures for NJICLE, the NJSBA, various county bar associations. She Chairs the Mediator and Arbitrator Standards Committee and is a member of the Supreme Court Committee of Complimentary Dispute Resolution. Further, she and the Marianne Espinosa, J.A. D. (retired) author a regular column published in the New Jersey Law Journal and law.com.

She is a trustee of the Burlington County Bar Association and Co-Chairs the Professionalism and CDR Committees and a member of the county Judicial and Prosecutorial Appointments Committee, and the Diversity, Equity, Inclusion and Leadership Committee.

Judge Lihotz earned her L.L.M. (taxation) from New York University School of Law and J.D. from Villanova University School of Law. She received her undergraduate degree from the University of Delaware.

Professional and Community Involvement

- Member of AAA's Roster of Employment, Commercial and Appellate Arbitrators
- Trustee, Burlington County Bar Association, 2017-present; Co-Chair of ADR and Professionalism Committees
- Vice President of Board of Directors of the Philharmonic of Southern New Jersey
- Founder, Moorestown Youth Softball Association, Inc.
- Member, Justice Marie L. Garibaldi ADR American Inn of Court
- Member, NJSBA Judicial Administration Committee (2018-2019)
- Member, New Jersey State Bar Association; Trustee of the Burlington County Bar Association and Co-chair of the Professionalism Committee; former Trustee of Camden County Bar Association and Co-Chair of various committees
- Organizer, Rutgers Pro Bono Domestic Violence Clinic, Rutgers Law School, Camden, NJ (1996)
- Original Volunteer, Rutgers Pro Bono Bankruptcy Clinic, Rutgers Law School, Camden
- Pro Bono Consultant for Members of N.J. Women's Opportunity Center (1988-1996)
- Member, Supreme Court Internet Technology Committee and E-filing Subcommittee

- Member, Supreme Court Public Access to Court Records Committee and Supreme Court Public Access Working Group, Family Law sub-committee
- Member, Supreme Court Committee on Women in the Courts

Recent Publications and Presentations

- Organizer of three-part racial equality seminar series for BCBA: “Good Intentions are Not Enough”
- Panel Participant SJ Magazine ADR Forum 2022.
- Video: Television appearance as a guest on RVNTV “Justice For All” discussing Judiciary decision making (June 11, 2020)
- Appealing Arbitration Awards, NJSBA Annual Meeting (2019)
- Getting to the Finish Line: Settlement of Difficult Cases, NJICLE (November and August 2018)
- Key Provisions in the Tax Cuts and Jobs Act Every Family Lawyer Should Know, Family Law Symposium (2018)
- New Tax Code Impacts Family Law, NJSBA Annual Meeting (May 2018)
- The Intersection of Estate and Family Law, 6th Annual Estate Litigation Seminar (May 2018)
- Best Practices in Mediation-Lessons from the Masters, CCBA (May 2018)
- Ethics Dilemmas Involving Social Media, BCBA CLE Fest (2018)
- Advanced Appellate Advocacy, BCBA CLE Fest (2018)
- The Truth About Lying, Thomas S. Forkin Family Law American Inn of Court
- The Comma That Can Change the Law: Three Cheers for the Oxford Comma, *New Jersey Lawyer* (August 2019)
- “I thought we settled this!” — Enforceable and unenforceable settlement agreements January 24, 2019
- “Carving A Path Toward Final Resolution Using Mediation or Arbitration” *New Jersey Lawyer* (June, 2018); and
- “An Attorney’s Guide to Bolstering a Trial Record Against Appeal” *New Jersey Lawyer* (February, 2018).
- Presentation, 6th Annual Estate Litigation Seminar- (May 2018)
- “Ethics Dilemmas Involving Social Media”– BCBA CLE Fest (2018)
- “Advanced Appellate Advocacy”- BCBA CLE Fest (2018)
- Article, “Choose Civility,” *The Barrister*, Camden County Bar Association (October 2014)

Awards and Recognition

- 2022 BCBA Martin L. Haines Award
- 2012 BCBA President’s Award
- NJSBA 2019 Serpentelli Award
- NJICLE 2018-2019 Distinguished Service Award
- Top Attorney by SJ Magazine
- Awesome Attorney South Jersey Magazine.
- Joseph M. Nardi Award (2009) conferred by the Thomas S, Forkin American Inn of Court