



**MARIE E. LIHOTZ**  
**Presiding Judge Appellate Division (retired)**  
**Archer & Greiner**  
**One Centennial Square**  
**33 East Euclid Avenue**  
**Haddonfield, NJ 08033**  
**856-857-2795**

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**CURRENT POSITION:**

After completing a twenty-year career with the New Jersey Judiciary, Judge Lihotz is Of Counsel working with Archer & Greiner, providing dispute resolution services including mediation and arbitration of trial and appellate matters. Further, Judge Lihotz provides brief writing and related consultation services for attorneys regarding trial and appellate civil, probate and general equity matters.

Judge Lihotz has completed the forty-hour mediation training, qualifying as a New Jersey Rule 1:40 mediator, a Rule 4:21A arbitrator, serving on the panel of commercial arbitrators in various vicinages in New Jersey. Additionally, Judge Lihotz is a rostered arbitrator for the American Arbitration Association.

**IMMEDIATE PAST ASSIGNMENTS:**

As one of the most senior judges on the court, she served as the Presiding Judge of Part B, Superior Court Appellate Division. During the more than eleven years on the Appellate Division, Judge Lihotz wrote more than 1200 opinions, of which approximately 120 were published, addressing myriad legal issues, including computing business good will; personal jurisdiction; insurance coverage; discrimination and whistleblower suits; business contract suits; construction litigation; class action certification; mode of operation corporate negligence; taxation of corporate business structures; corporate fraud, consumer fraud and lemon law matters.

Originally she was appointed to the Tax Court on August 15, 1997, and assigned to the Superior Court Chancery Division, Vicinage 15, Woodbury, NJ, (1997-99). Thereafter, she was assigned to Vicinage 3, Mount Holly, NJ (1999-06).

Prior to joining the judiciary, Judge Lihotz worked as a civil litigator, representing national and small business clients in contract disputes, partnership splits, franchise actions, bankruptcy cases, minority shareholder suits, federal tax and probate matters.

**Related Appointments:**

Member Supreme Court Judicial Education Committee responsible for updating the program materials for the sections of the Comprehensive Judicial Orientation Program and New Judge's Orientation (2000 to 2017).

Member Supreme Court Internet Technology Committee and E-filing subcommittee (2010-2017); Member: Supreme Court Committee on Public Access to Court Records, Public Access Working Group (2006-2009).

Chaired Supreme Court's Family Practice Committee 2007-2017.

## **PROFESSIONAL ACCOMPLISHMENTS**

Awards: 2019 New Jersey State Bar Association Serpentelli Award.  
2019 New Jersey Institute for Continued Legal Education Distinguished Service Award.

Video Interview- "Building an ADR Practice" New Jersey Law Journal (2018)  
<https://www.law.com/njlawjournal/sites/njlawjournal/2018/02/16/former-judges-marie-lihotz-and-raymond-batten-on-building-an-adr-practice/>

### Publications:

"Carving A Path toward Final Resolution Using Mediation Or Arbitration" New Jersey Lawyer (June 2018); "A Attorney's Guide to Bolstering a Trial Record Against Appeal." New Jersey Lawyer (February 2018); "Choose Civility" - a series of articles on professionalism (2015); "The Truth About Lying" – Thomas S. Forkin American Inn of Court (2012), addressing credibility.

Guest Lecturer Rutgers School of Law, Camden; NJICLE; NJ State Bar Association; New Jersey Association for Justice; Burlington County Bar Association; Camden County Bar Association.

Immediate Past President and founding member of the Thomas S. Forkin Family Law American Inn of Court. During her two-year term as president, the Inn was first recognized by the National AIC in the Circle of Excellence (2009) and later as achieving the Platinum Level of excellence in the requisite core competencies (2010). Inn also receive a program award and recognition for its community outreach with the Camden Comprehensive Center for Fathers. Recipient of the Inn's Joseph M. Nardi Award 2009.

## **PROFESSIONAL ACCOMPLISHMENTS & AFFILIATIONS PRIOR TO APPOINTMENT**

Trustee: Burlington County Bar Association 2018-2020; general member since 1980; co-chair Professionalism committee and CLE committee.

Trustee Camden County Bar Association 1995-1997; Chair Debtor-Creditor Committee and Family Law Committee 1980-1999; member judicial and prosecutorial appointments committee.

Civil Arbitrator, Camden County 1994-1997; currently a commercial arbitrator registered in each vicinage.

Member, Lawyers' Advisory Committee, U.S. Bankruptcy Court 1995-1997

Mediator-U.S. Bankruptcy Court 1996-1997.

Contributing author: The New Jersey Bankruptcy Manual, Chapter 7 (1996)

Awarded: 1996 Burlington County Woman of the Year (Law).

Organizer: Rutgers Pro Bono Domestic Violence Clinic, Rutgers Law School-Camden

Original volunteer: Rutgers Pro Bono Bankruptcy Clinic, Rutgers Law School-Camden

## **EDUCATION:**

New York University School of Law, Master of Law (Taxation) 1985

Villanova University School of Law, Juris Doctorate 1980

University of Delaware. Newark, DE Bachelor of Arts 1977

## **CIVIC:**

Vice President, Board of Directors, Philharmonic of Southern New Jersey

Founder - Moorestown Youth Softball Association, Inc., a fast-pitch softball league for Girls ages 8-15. MYSA started with forty-five players and now boasts almost four hundred participants. Coach of Division Champions 1997, 2002.

**Significant Published Opinions In Designated Legal Areas Include:**

Computing business good will- Slutsky v. Slutsky, 451 N.J. Super 332 (2017)).

Jurisdiction - Dutch Run-Mays Draft, LLC v. Wolf Block, LLP, 40 N.J. Super. 590 (App. Div.), certif. denied 231 N.J. 176 (2017).

Insurance coverage questions - Talmadge v. Burn, 446 N.J. Super 413 (2016).

Discrimination actions - Schiavo v. Marina District Development Co. LLC, 442 N.J. Super 346 (App. Div. 2015), certif. denied 224 N.J. 124 (2016); Victor v. State of New Jersey, 401 N.J. Super. 596 (App. Div. 2008), aff'd as modified, 199 N.J. 542 (2009).

Class action certification - Myska v. N.J. Manufactures Ins. Co., 440 N.J. Super. 458 (2015), appeal dismissed 224 N.J. 523 (2016).

Construction litigation - Envirofinance Grp., LLC v. Environmental Barrier Company, LLC, 440 N.J. Super. 325 (App. Div. 2015).

Mode of operation corporate negligence - Prioleu v. Kentucky Fried Chicken, Inc., 434 N.J. Super. 558 (App. Div. 2014), aff'd as modified 223 N.J. 245 (2015).

Taxation of corporate business structure - United Parcel Serv. Gen. Servs. Co. v. Dir., Div. of Taxation, 430 N.J. Super. 1 (App. Div. 2013), aff'd o.b. 220 N.J. 90 (2014).

Open Public Records Act - Newark Morning Star Ledger v. N.J. Sports & Exposition Auth., 423 N.J. Super. 140 (App. Div. 2011); Livecchia v. Borough of Mt. Arlington, 421 N.J. Super. 24 (App. Div. 2011).

Corporate fraud and consumer fraud - Finderne Mgt. Co., v. Barrett, 402 N.J. Super 546 (App. Div. 2008), certif. denied 199 N.J. 542 (2009); Maguire v. Mohrmann, 397 N.J. Super. 103 (App. Div. 2007)