

Attorney's fees

6/29 (1988)

UL v. Cranbury

article about ACLU accepting landmark
attorney's fees settlement in Mt. Laurel case

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ACLU NEWS

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FOR IMMEDIATE RELEASE

June 29, 1988

ACLU ACCEPTS LANDMARK ATTORNEYS' FEE SETTLEMENT IN MOUNT LAUREL CASE

The American Civil Liberties Union of New Jersey today announced that it had received \$30,000 from Plainsboro in settlement of its claim for attorneys' fees and costs in its 14 year old Mount Laurel litigation against the town. The Consent Order, signed by Judge Serpentelli on June 22, is the first payment of attorneys' fees in a Mount Laurel case. The settlement was negotiated by ACLU volunteer attorneys Barbara Stark and John Payne.

The settlement was reached after the Appellate Division ruled in December in the ACLU's Middlesex County Mount Laurel case, *Urban League v. Cranbury*, that the ACLU would be entitled to fees for its representation of the Civic (previously Urban) League of Greater New Brunswick if it could show support for its claim of racial discrimination under the Federal Fair Housing Act, a claim which had been part of the suit, along with the Mount Laurel claim, since the beginning of the lawsuit. Because the state courts chose to provide relief under the Mount Laurel rulings, they never decided the federal housing claim. The federal law provides for attorneys' fees for winning parties. The State Supreme Court has agreed to review this fall the Appellate Division's ruling on attorneys' fees.

Rather than risk additional fees, Plainsboro, which had only recently finalized a settlement providing for 350 affordable housing units in the next 5 years, agreed to pay the ACLU \$30,000. The stipulation of settlement notes that there was no finding of racial discrimination against the town. It also provides that the ACLU may not settle for less than \$30,000 with any of the eight other Middlesex County towns remaining in the case (*Cranbury, East Brunswick, Monroe, North Brunswick, Old Bridge, Piscataway, South Brunswick, and South Plainfield.*)

As Eric Neisser, ACLU's Legal Director, explained: "This settlement is a landmark because it is the first payment of attorneys' fees in a Mount Laurel case. It will insure that the ACLU will be able to continue its work to provide affordable housing and will encourage others to bring similar actions to enforce the constitutional obligation to provide housing that all people in our society, including the poorest, can afford."

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