

Cross-Examination: Dedicated to Education

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Michael Maggiano, Esq.

Personal injury trial lawyer **Michael Maggiano**, of Maggiano, DiGirolamo, Lizzi & Roberts in Fort Lee, will receive the Alfred C. Clapp Award for Excellence from the New Jersey Institute for Continuing Legal Education at the New Jersey Law Center on Dec. 9.

Over the years Maggiano, 65, a 1974 graduate of Chicago-Kent College of Law, has donated countless hours teaching trial advocacy. He says he gets at least as much out of the experience as his students: "Every time I teach, I learn. And the more I teach, the more I learn."

In addition to Maggiano, Judges Patricia B. Roe and Margaret Mary McVeigh, and attorneys Kevin R. Gardner, of Roseland, and Jeffrey Evan Gold, of Cherry Hill, will receive distinguished service awards from the institute for their volunteer work in education.

Q. What got you started teaching?

A. When I was at meetings of the New Jersey Association for Justice I would discuss issues with other lawyers. At one meeting someone came up to me and said, 'We're having a seminar. We like what you have to say. Can we give you a topic, and you discuss it?' I did that, and people listened. What I found out was, I got more out of that lecture than anyone else.

Q. How so?

A. It caused me to go back to the law, research the issue further, and think about how I was applying the law in my day-to-day cases. I came away with a better understanding of the topic. The more I taught, I found, the more thoughtful I was becoming.

Q. How do you decide what courses to teach?

A. Through feedback. At the end of every forum, we ask, 'Who would you like to hear from, and what would you like to learn about?'

Q. What topics are hot right now in your field?

A. I think an important issue today in the law is with the opinions of experts, and the utilization of experts. There are many aspects to the presentation of expert testimony that are most challenging. What, really, is the scientific and medical basis for the expert's testimony? Is it reliable? Another issue is proximate cause: How do we connect the dots in the courtroom from accident to injury?

Q. In New Jersey, lawyers are required to take 24 hours of continuing legal education every two years. Do you ever get the feeling, as you're lecturing, that they don't want to be there?

A. I believe the great majority of lawyers want to go. Now, do most of us need a little kick now and then? Yes. That's why mandatory is good. We have to go back to the classroom because we're in a very dynamic world. The law is dynamic and ever changing.

Q. You've said that you work on a teaching project every week. How do you find the time?

A. I make the time. It's part of my career. I build it into my practice. Other people might say you're crazy, that if you take more cases, you'd make more money. We all have to make money to take care of ourselves and our families, and I'm doing just fine. But making money has not been my singular goal, nor is it what satisfies me.

Q. Have you been able to sell any of the materials you've produced and written?

A. I give it all away. I do it out of pleasure. I really enjoy thinking, and rethinking, what I do.