

# Appleseed This Week

eNewsletter - October 8, 2009



A nonprofit network of 16 public interest justice centers in the U.S. and Mexico, Appleseed is dedicated to building a society in which opportunities are genuine, access to justice is universal and equal, and government advances the public interest.

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Appleseed is now a

## NJ Center Promotes Open Government

Appleseed's vision of social justice is rooted in civic engagement and responsive, accountable government. In support of both ideals, New Jersey Appleseed, representing local citizens in their efforts to safeguard grassroots political activism, recently notched three critical courtroom victories.

Bringing to a close a year-long legal battle, two of those victories affirmed the right of Empower Our Neighborhoods (EON), a local community group, to petition for greater accountability in the New Brunswick city council. As a direct result of the rulings, voters will be able to decide in November whether to amend the city charter so as to divide the municipality into six wards, with one council member elected from each and three members elected at large.

"This is an instance where an entrenched political establishment has for many years done its utmost to stifle grassroots citizen participation," said Bennet Zurofsky, co-counsel with NJ Appleseed in this matter. "The New Brunswick officials did their best to complicate the straightforward procedure the legislature had intended to ease New Jersey citizens' rights to modify the form of their municipal government. And the court did everything in its power to keep the process accessible to citizens."

With a well-written opinion sanctioning EON's form of petition, the first decision, issued August 10, recognizes the petition as a viable model for other citizens using the state's initiative and referendum process.

In the second decision, issued September 18 and affirmed by the Appellate Division four days later, the court ensured that EON's question would get fair and full consideration on the ballot by preventing a competing change of government question from also appearing - a question that was submitted by a petition

**member of two combined giving campaigns: United Way of the National Capital Area (UWNCA) and the Combined Federal Campaign (CFC).**

**Both campaigns are currently underway!**

**Please make a note of the Appleseed designation codes below.**

**UNWCA: 9639**

**CFC: 10758**

organized and circulated, in part, by persons affiliated with the City of New Brunswick.

Meanwhile, the third victory involves a long-awaited ruling in a Strategic Lawsuit Against Public Participation (SLAPP) case against Larry Price, a vigilant Union City resident who has been challenging arbitrary decisions made by his local zoning board. Many of those decisions are suspected to be the result of collusion between officials and developers.

In one instance, a developer sued Price, alleging malicious prosecution and abuse of process, as well as tortious interference with contract, in an attempt to force Price to drop his appeal. In a rare victory for SLAPP defendants, the Appellate Division awarded Price legal fees and costs, acknowledging both his constitutional right to petition and the wrongful purpose motivating the suit against him.

Confronting such corrupt and obstructionist practices is central to the mission of New Jersey Appleseed. For more information, [visit the Center's website here](#).