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January 4, 2023

Via Email:

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The Honorable Richard J. Durbin
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20515

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, D.C. 20515

The Honorable Lindsey Graham
Incoming Ranking Member
Committee on the Judiciary
United States Senate
Washington, D.C. 20515

RE: HONORABLE ROBERT KIRSCH

Dear Senators Durbin, Grassley and Graham:

I write in support of the nomination of Superior Court Judge Robert Kirsch to be a United States District Court Judge for the District of New Jersey. By way of personal background, I have practiced law for 53 years in New Jersey and tried criminal cases in State and Federal Court for well over 50 years. Although I was a prosecutor for three years, for the remainder of my practice I have been a proud criminal defense attorney. I was the founder and first president of the Association of Criminal Defense Lawyers of New Jersey (ACDL-NJ) in 1985, and I was elected president of the Association of the Federal Bar of New Jersey in 1995. I have received the Justice William J. Brennan Award from the Association of the Federal Bar of New Jersey, as well as the Lawrence A. Whipple Award for Professional Excellence from the ACDL-NJ in recognition of my achievements as a criminal defense lawyer and litigator.

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I first became aware of Judge Kirsch when he was an Assistant United States Attorney from the District of New Jersey. He had the reputation as a tough but fair prosecutor, and a skilled litigator. A number of federal judges have mentioned to me how effective Judge Kirsch was in court.

When he became a State Court Judge he was originally assigned to the juvenile division in Union County, and I was immediately impressed from comments made about him by other defense lawyers as to how fair and understanding he was to counsel and litigants. More importantly, as a juvenile judge he worked hard to impose creative sentences which might derail young people from further involvement in the criminal justice system. I am personally aware of numerous instances where he was able to convince sports figures to show up at the juvenile detention facility and address the young people about avoiding recidivisms.

When he was transferred from juvenile to the criminal division, with a short stint in the civil division, he showed great managerial skills because he moved more cases to trial or resolution than any other judge in Union County. But he did this while remaining lawyer friendly (to both sides) and open-minded to any personal emergency of an attorney.

Beyond his conduct on the bench, I have been most impressed by Judge Kirsch's desire to be informed and involved in social justice issues. I am on the Board of Trustees and very active with Integrity House which is a therapeutic rehab. For over six years I have brought recovering alcoholics and addicts to speak at Integrity House four times a year. Judge Kirsch has been in attendance at most of these programs (which occur on Sunday mornings) for at least the past five years, because he desires to learn more about alcoholism and addiction so that he can be a better Judge. Judge Kirsch occasionally brings his spouse and/or children to the speaker programs to give them further insight into the challenging world of addiction and recovery. I do not know of any other judge who has been willing to take such steps to broaden their outlook on social justice issues, while continuing to adhere to the Rule of Law and binding precedent.

I hope this information is helpful, it comes from the heart.

Respectfully Yours,

A handwritten signature in blue ink that reads "Joseph A. Hayden, Jr." The signature is fluid and cursive, with the first name "Joseph" being the most prominent.

JOSEPH A. HAYDEN, JR.
Enc.

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