

The Star-Ledger

Union judge ready to hand over his gavel

Barisonek set to retire after decades of presiding over a long list of cases

Sunday, December 28, 2008

BY JUDITH LUCAS

Star-Ledger Staff

Walter Barisonek grew up in a working class family in Bayonne.

His father, also named Walter, stressed the value of hard work.

"Never apologize for shaking someone's hand because your hand's dirty," his father, a school custodian told him. "It shows you are a hard working person."

Barisonek never forgot that advice.

Decades later, Barisonek would become a shining star in his family, rising from college graduate to lawyer and then to a superior court judge in Union County at the young age of 39.

His grandmother Emily Barisonek was so proud, she gave him a gavel and told him to use it wisely.

Barisonek would preside over many of the major cases in Elizabeth and New Jersey.

It was Barisonek who set the legal standard for who could be branded a Megan's Law offender. It was Barisonek who decided which of the nearly 300 racial profiling cases brought against the State Police in the 1990s had legal merit and ought to go to trial.

Barisonek made an impression on his Supreme Court bosses in Trenton and four years ago, he was elevated to assignment judge, head of the Union County vicinage.

Now at age 64, Barisonek said he is ready to retire, ready to hand over the gavel to someone else.

Barisonek's last day in Union County is Jan. 31.

"I have had a good career," said Barisonek. "I have seen every case you can see. My health is still good. I want to do some other things, travel with my wife and enjoy my grandchildren," Barisonek said in a recent interview in his chambers in Elizabeth.

"I am heartbroken," said Patricia Costello, assignment judge in Essex County. "He is absolutely one of the best and brightest voices in the judiciary and he is so practical. He is the guy people call for advice. I am going to miss him."

Union County Prosecutor Theodore Romankow said Barisonek is an innovator, a leader, who managed to cut the court backlog so drastically, the caseload numbers went from some of the highest in the state to some of the lowest.

At its worst, defendants would at times have to wait as long as 18 months for an indictment. Now prosecutors have to bring such cases to a grand jury in a matter of a few months of the original complaints.

"He was always open-minded," Romankow said. "He never favored one side or the other."

"His legacy in large part, is what will happen in the future," said Romankow, pointing to a new special offender unit that directs defendants with mental problems into counseling or rehabilitation programs. "It is far ahead of its time. In the coming years, the other courts in this state will follow his lead."

Barisonek has presided over a long list of interesting cases.

Among them, the infamous Robert Zarinsky, who in 2001 came before Barisonek for trial in the 1958 slaying of Rahway police officer Charles Bernoskie.

Barisonek had to hunt down jury instructions from the 1950s when it came time to explain to the jurors the factors they ought to use in deciding Zarinsky's guilt or innocence of murder. The jurors decided that there was not enough evidence to find Zarinsky guilty.

And there was the Elizabeth cop, Thomas D'Amico, who slammed his foot into a witness box to show Barisonek and the jury the force he used when he joined a mob of friends to kill a 37-year-old man in Elizabeth. D'Amico was convicted in 2002 for the deadly assault and is serving a 27-year prison term.

"Judge Barisonek is really a renaissance man," said friend and colleague Superior Court Judge Scott J. Moynihan. "That is what makes him such a fair jurist. He came from blue collar roots and he has never forgotten where he came from. He is still grounded by strong family values. He is blind to color, race and creed. That is why he was selected to handle the racial profiling cases."

Superior Court Judge John Triarsi is walking out the courthouse doors with his longtime friend.

They have tried criminal cases across the hall from one another. Now Triarsi said they will travel together too.

Judith Lucas may be reached at jlucas@starledger.com or (908) 527-4011.