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DNA LINKS NORTHFIELD WOMAN TO \$1M. INHERITANCE

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A Northfield woman and her son are \$1 million richer thanks to a court ruling that upholds her claim she is the daughter of a man she never knew was her father.

Using DNA evidence, the state Supreme Court has said that Joanne Wingate is the daughter of John J. Ryan and is entitled to his estate in Mullica Hill.

The ruling is a victory for Wingate, whose mother, Rachel Parsio, first told her she was Ryan's daughter 10 days before he died of cancer on Feb. 6, 1995.

Since the day after he died, Wingate has tried to prove she and her son are Ryan's heirs.

Prior to her claim, Ryan's sister, Helen Thomas, was considered his closest relative. Since Ryan did not have a will, she was originally considered the heir to his estate.

An appeals court originally said Wingate waited too long to file her complaint. She was 31 at the time, but the court said the New Jersey Parentage Act requires someone to prove parentage by age 23.

The Supreme Court ruled that age limitation pertains to child-support cases. It does not apply to inheritance cases because potential heirs have no right to share in an estate until a person's death.

"That would terminate many claims before they accrue," wrote Supreme Court Justice James Coleman in his decision. "To allow that to occur would be contrary to the Legislature's recognition in 1991 that a 'person is the child of the person's parents regardless of the marital state of the person's parents.'"

Wingate proved her claim by obtaining a blood sample from her father just days before he died. DNA analysis performed by Cellmark Diagnostics showed there was a 99.99 percent chance she was his daughter. The chances of that happening are 1 in 23 million.

The appeals court said the limitations period helps prevent spurious claims. But in his statement, Coleman suggested, "In the face of such compelling evidence, few spurious claims will go undetected."

Wingate was not available for comment Wednesday. But her attorney, Charles Jones IV, of Hammonton, said the case supports the use of DNA as evidence.

"It says we want people to use DNA standards and not just a bunch of rumor and conjecture," he said.

For Wingate's sake, he was glad the Supreme Court used that evidence.

“We're obviously very pleased,” he said. “We felt our legal position was supportable all along. We felt we were on the right side of the law.”

Jones said the case will return to the Family Division of Superior Court in Gloucester County in about three weeks. At that time, legal counsel will formally establish the parentage.

But based on the DNA evidence available, Jones doesn't expect any problems.

“We have to dot our Is and cross our Ts, but we feel we have won,” he said.

Helen Thomas' lawyer, George Rosenberger, was not sure what course the case will take until he actually sees the decision.

However, he considers it a setback and suggested it sets a bad precedent.

In his view, the parent is the best person to answer whether or not someone is their descendent.

“The decision is unsettling for me because it introduces a level of uncertainty that doesn't need to be there,” he said. “What happens is that the person can sit back and wait for the person to die and wait to do all the things they could have done when the person was alive.”

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