



The Advocacy Institute Is Pleased to Announce an Attorney General's Series Program

PROGRAM ANNOUNCEMENT

DILEMMAS OF REPRESENTATION: TOWARD AN ETHIC OF PUBLIC LAWYERING

**October 22, 2012
5:30 p.m. to 6:30 p.m.
Richard J. Hughes Justice Complex
6th Floor Point Meeting Area – Attorney General's Library
25 Market Street
Trenton, New Jersey**

Program Summary

This compelling presentation will focus upon the professional obligations of public sector attorneys within the legal system to their adversaries and the courts. In particular, this presentation will address the question of defining who the client is in certain forms of public representation. Among the issues and cases to be discussed will be the post-9/11 Justice Department, and in particular the memoranda prepared by John Yoo justifying extreme forms of interrogation. The presenter will further discuss Harold Koh, former Yale Dean and now the principal legal advisor to the State Department. Dean Kohl is the principal author of the legal justification of the use of drone strikes throughout the world. The *Soto* case and racial profiling issues also will be addressed. These cases help illustrate the potential dilemmas inherent in every form of public representation. Specifically, to what extent is the standard attorney-client model truly applicable to public representation, when at least arguably the "client" may be the public interest? The principles discussed will have relevance to all practitioners, regardless of their experience level. Those who attend will receive guidance that will enable them to effectively represent their clients while maintaining the high degree of professionalism this office expects of its attorneys.

Who Should Attend?

This program is open to deputy attorneys general, assistant attorneys general and volunteer attorneys only. Please do not attempt to register for this program if you are not a DAG, AAG or volunteer attorney.

Who Is the Faculty?

Dean John Farmer became Dean of Rutgers School of Law - Newark in July 2009. He received his J.D. from Georgetown University Law Center, where he was a member of *The Tax Lawyer* and received first prize in the 1984 Lincoln and the Law Essay Contest. He received his B.A. from Georgetown University, with a major in English.

Dean Farmer began his career as a law clerk to Associate Justice Alan B. Handler of the New Jersey Supreme Court. He then worked for two years as a litigation associate at Riker, Danzig, Scherer, Hyland & Perretti LLP before joining the Office of the U.S. Attorney in Newark, where he prosecuted crimes ranging from kidnapping and arms dealing to bank fraud. In 1993 he received the U.S. Attorney General's Special Achievement Award for Sustained Performance.

Dean Farmer joined the administration of New Jersey Governor Christine Todd Whitman in 1994, serving as assistant counsel, deputy chief counsel, and then chief counsel. From 1999-2002 he was New Jersey attorney general. Among his noteworthy accomplishments, he argued school funding and criminal justice matters before the New Jersey Supreme Court and the Third Circuit Court of Appeals; moved forward with reform of the New Jersey State Police, from eliminating racial profiling to increasing diversity in recruitment and promotion; created the Office of Inspector General to investigate allegations of official impropriety and/or corruption; and served as the first chairman of the New Jersey Domestic Preparedness Task Force, leading the coordination of the state's law enforcement and victim/witness response to the terror attacks of September 11, 2001.

From 2003-2004 Dean Farmer served as senior counsel and team leader for the National Commission on Terrorist Attacks Upon the United States (commonly known as the 9/11 Commission). In that position he led the investigation of the country's preparedness for and response to the terrorist attacks and was a principal author of the Commission's final report. His book, *The Ground Truth: The Story Behind America's Defense on 9/11*, a reconsideration of the government's 9/11 response in light of its response to Hurricane Katrina, was published by Riverhead/Penguin Press.

Dean Farmer has received the highest peer-reviewed rating from Martindale-Hubbell, and has been named a New Jersey Super Lawyer, one of *New York Magazine's* Best Lawyers in the New York area, and one of the Best Lawyers in America. He was a partner in the white collar crime and internal investigations group at K&L Gates and in 2007 became a founding partner of the law firm Arseneault, Whipple, Farmer, Fassett and Azzarello, LLP. In addition to his law practice, in 2008 he served as senior advisor to General James Jones, Special Envoy for Middle East Regional Security, on development of the rule of law in the Palestinian Authority territory, and was invited by the U.S. Embassy in Armenia to assist that nation's legislative commission in investigating widespread violence and unrest following its elections.

Dean Farmer has been a frequent contributor to the *Star-Ledger* and the *New York Times*, with essays and opinion columns on legal and political issues, and has had articles published in the *Rutgers Law Review*, *Seton Hall Law Review*, and other journals. His article on the Patriot Act, "At Freedom's Edge," was part of a *Star-Ledger* series that was awarded the American Bar

Association's Silver Gavel Award for outstanding legal reporting in 2006. Dean Farmer has also lectured extensively on post 9/11 safety and security issues, and spoken on panels at Harvard Law School, the University of Southern California, Willamette Law School, and Johns Hopkins University's Paul Nitze School of Advanced International Studies. Dean Farmer is president of the board of trustees of the New Jersey Institute for Social Justice and a former member of the New Jersey Governor's Ethics Advisory Board.

CLE Credit

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.2 hours of total CLE credit. Of these, 1.2 hours qualify as hours of credit for ethics/professionalism.

NY CLE Credit: 1.0 ethics credit (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.0 ethics credit (\$1.50 mandatory registration fee required).

How Do I Register?

State Employees

Most State employees are able to register for this course by going to <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> and creating an AGAI Course Registration account. To do so, your computer **must** be attached to the government's Garden State Network. Upon opening the AGAI Course Registration System home page, you will see the Create Account link in the Login Box. Click on it and create your account, which will include you selecting a user name and password. Once you create your account, you can access the AGAI Course Registration System at <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> to register for future courses or to manage your account. Please retain your user name and password for your records.

Non-State Employees or State Employees not Connected to the Garden State Network

If you are not a State employee, or are otherwise unable to access the AGAI Course Registration System through the Garden State Network, kindly email the Advocacy Institute at: AdvocacyInstitute@lps.state.nj.us for an authorization code to allow you access to the AGAI Course Registration System through the My New Jersey portal. **Setting up your account through the portal is a two-step process, the details of which are set forth in the next two paragraphs.**

Once you receive the portal authorization code you will be prompted to go to the My New Jersey portal at <http://www.state.nj.us/> and create a portal account. This is Step 1 of the process, which you need only do once.

Upon setting up your portal account, you need to set up your AGAI Course Registration System account. This is Step 2. To do so, log on to the My New Jersey Portal <http://www.state.nj.us/>. Upon opening the AGAI Course Registration System home page, you will see the Create

Account link in the Login Box. Click on it and create your account, which will include you selecting a new user name and password. Once you create your account, you can access the AGAI Course Registration System at <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> to register for future courses or to manage your account. Please retain your user name and password for your records.