



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

PROGRAM ANNOUNCEMENT

PROSECUTING THE DEFENSE CASE FROM INCEPTION TO COMPLETION

November 26, 2012

5:30 p.m. to 6:30 p.m.

Richard J. Hughes Justice Complex

25 Market Street

6th Floor Point Meeting Area – Attorney General's Library

Trenton, New Jersey

Program Summary

This program will provide invaluable insights into the manner in which defense counsel can affirmatively prosecute, rather than merely defend, white collar criminal cases and complex civil litigation from beginning to end. Topics covered will include the importance of developing a prosecutorial mindset to defending cases; the need to adopt a winning approach to pre-indictment and pre-lawsuit negotiations; the creation of a purposive and comprehensive litigation plan; the effective use of pretrial investigation and discovery; the proper approach to motion practice; and the correct way to prepare for trial and appeal.

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?

Kevin H. Marino, Esq. is the founding member and a principal of Marino, Tortorella & Boyle, P.C., which handles a broad range of complex commercial litigation and regulatory matters as well as grand jury investigations and criminal prosecutions. The firm also conducts internal corporate investigations and advises corporations, law firms and senior executives on strategic business decisions. Mr. Marino received his undergraduate degree *magna cum laude* in English literature and political science from Drew University and his law degree *cum laude* from Seton Hall Law School, where he was Editor-in-Chief of the Law Review. Upon graduating from law

school, Mr. Marino served as law clerk to the Honorable Maryanne Trump Barry, then a United States District Judge and today a senior judge of the United States Court of Appeals for the Third Circuit. Following his clerkship, Mr. Marino joined Robinson, Wayne, Levin, Riccio & La Sala, a 20-lawyer litigation firm. During his tenure at Robinson Wayne, Mr. Marino successfully tried both civil and criminal cases in state and federal court and advised a host of corporations and individuals in a wide variety of matters. Following a one-year leave of absence from Robinson Wayne to serve as Counsel to the Commissioner and Director of Litigation at the Department of the Public Advocate for the State of New Jersey, Mr. Marino was elected a partner of the newly-formed Robinson St. John & Wayne in 1992. He withdrew from the partnership to form his present firm in 1996. Mr. Marino is a member of various professional associations and judicial committees and task forces. He is a past recipient of the Essex County Bar Association's Criminal Trial Attorney Achievement Award and a lecturer for the Institute of Continuing Legal Education. Mr. Marino also taught criminal procedure, professional responsibility and legal writing as an adjunct professor at Seton Hall Law School and published an influential law review article, "Outrageous Conduct: The Third Circuit's Treatment of the Due Process Defense," 19 Seton Hall Law Review 606 (1989), articulating a theory of the due process defense later adopted by the Supreme Court of New Jersey in *State v. Johnson*, 127 N.J. 458 (1992).

CLE Credit

NJ CLE Credit: This program had 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, 0.0 qualify as hours of credit for ethics/professionalism, and 1.2 qualify as hours of credit toward certification in civil trial law and criminal trial law.

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

PA CLE Credit: 1.0 substantive 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.