



The Advocacy Institute Is Pleased to Announce

PROGRAM ANNOUNCEMENT

DIVISION OF CONSUMER AFFAIRS IN-SERVICE

**December 12, 2011
9:00 a.m. to 5:00 p.m.
Division of Consumer Affairs
124 Halsey Street
Monmouth Room, 7th Floor
Newark, New Jersey**

Program Summary

This is an in-service program intended for members of the Division of Consumer Affairs. The program will include four presentations, which will cover various substantive and ethics topics, the summaries for which are attached to this announcement.

Who Should Attend?

This program is intended for members of the Division of Consumer Affairs, and those the Division of Law staff designated as being eligible to attend. Please do not attempt to register for this program if you are not a member of the Division of Consumer Affairs, or have been otherwise designated as being eligible to attend.

Who Is the Faculty?

See attached.

How Do I Register?

Please do not attempt to register for this program if you are not a member of the Division of Consumer Affairs, or have been designated by the Division of Law to attend. Most State and some county employees will be able to register for this course by going to <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> and creating an account. (Your computer must be attached to the government's Garden State Network.). If you are unable to access the above link kindly email the Advocacy Institute at: AdvocacyInstitute@lps.state.nj.us for an authorization code to allow you access to the registration system through the My New Jersey portal. Once you receive the authorization code you will be prompted to go to the My New Jersey portal at

<http://www.state.nj.us/> and create an account, if you do not already have one. Once you do, you then will be able to register through the portal at <http://www.state.nj.us>.

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 **up to 8.0** hours of total CLE credit. Of these, **up to 4.0** qualify as hours of credit for ethics/professionalism, and **up to 4.0** qualify as hours of credit toward certification in civil trial law.

NY CLE Credit: Up to 4.0 substantive credits and up to 4.0 ethics credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: Up to 3.0 substantive credits and 3.0 ethics credits (\$1.50 per credit mandatory registration fee required).¹

¹ A separate check is required for each program per the Department of Law & Public Safety's fiscal staff.

COURSE DESCRIPTIONS & FACULTY INFORMATION

THE NUTS AND BOLTS OF COUNSELING MULTI-MEMBER BOARDS

Providing legal counsel to multi-member boards requires not only a sound knowledge of the substantive law guiding agency decision-making, but familiarity with the Open Public Meetings Act, quorum requirements, recusal issues, hearing procedures and the APA standards for final decision making. This presentation will provide an overview of the relevant laws, as well as practical guidance to assist in consensus building. **(9:10 a.m. to 10:50 a.m.)**

AAG Sharon Joyce, who is the Deputy Director of the Division of Law in Newark, began her career at the Division of Law in 1979 after graduating from NYU School of Law. Throughout her tenure, AAG Joyce has represented multi-member boards including professional licensing boards, pension boards, the Board of Trustees of UMDNJ, and the Board of Directors of University Hospital.

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 2.0 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

NY CLE Credit: 2.0 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.5 substantive credits (\$3.00 mandatory registration fee required).

ETHICS OF SETTLEMENT NEGOTIATION

Attorneys who represent the State are expected to maintain the highest reputation for fair dealing. State attorneys are often confronted with the concurrent obligations of maintaining that reputation and obtaining favorable results for their client agencies. This presentation will identify ethical issues which often arise in settlement negotiations. It will also provide approaches to those issues that fulfill both obligations. Among the issues for discussion will be what information must be revealed in certain situations, such as when a judge or adversary requests your “real bottom line” or “real deadline,” or the extent of your authority, and the circumstances, if any, in which points of agreement reached may be modified or rescinded as the negotiations continue. **(11:00 a.m. to 12:40 p.m.)**

John Covino, Esq. has been a practicing attorney since 1978. From 1980 through 2010, he served in various assignments in the Division of Criminal Justice and the Division of Law, and served as an assistant section chief in the Environmental Permitting and Counseling Section from 1993 through his retirement in 2010. Mr. Covino’s subject areas while with the Attorney General’s Office included radiation protection, water quantity, water quality and waste facility siting. He is a member of the Attorney General’s Advocacy Institute’s faculty, where he has presented on various topics, including negotiations, trial skills, trial preparation, evidentiary issues and legal writing. Mr. Covino is now pursuing a second career in education.

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NY CLE Credit: 2.0 ethics credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.5 ethics credits (\$3.00 mandatory registration fee required).

ABCS OF ATTORNEY ETHICS

This course will provide an overview of attorney ethics in New Jersey from the grievant's filing of a complaint, to the completion of the appeals process. Among the topics discussed will be the ethics review process; who is subject to the process, the offenses for which attorneys can be disciplined, and the respective roles of the Supreme Court, Disciplinary Review Board, Office of Attorney Ethics and District Ethics Committees in the process. **(1:30 p.m. to 3:10 p.m.)**

Christina Blunda Kennedy, Esq. has been a Deputy Ethics Counsel for the Office of Attorney Ethics since May 2006. Upon receiving her law degree in 1988 from Seton Hall University School of Law, Ms. Blunda Kennedy entered private practice. In 1998-1999, she also served on the District VIII (Middlesex County) Fee Arbitration Committee. From 2003-2006, Ms. Blunda Kennedy was a deputy attorney general in Division of Law's Tort Litigation Section.

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NY CLE Credit: 2.0 ethics credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.5 ethics credit (\$3.00 mandatory registration fee required).

LEGAL FOUNDATIONS OF ADMINISTRATIVE PRACTICE

This program will provide an overview of basic principles of administrative law, focusing on agency authority and its exercise. Issues to be discussed will include the sources of and limitations on agency authority, formal and informal agency processes, and judicial oversight of agency action and inaction. The presenters will discuss the varying roles of the attorney advising and representing an agency throughout the process. **(3:20 p.m. to 5:00 p.m.)**

Sarah Steindel, Esq. is an Assistant Deputy Rate Counsel. Her work focuses primarily on energy utility ratemaking, energy efficiency and renewable energy. Ms. Steindel has practiced in the area of public utility regulation for 20 years. Before joining the Division of Rate Counsel (formerly the

Division of Ratepayer Advocate) in 1997, Ms. Steindel served for six years as a Deputy Attorney General representing the Board of Public Utilities staff. Ms. Steindel is a graduate of Duke University and Duke Law School. Before entering government service, she spent several years in private practice, and taught legal writing at NYU Law School.

Brian Weeks, Esq. is a Deputy Rate Counsel, focusing on electric utility regulation. He has practiced environmental and land use law since 1991. Mr. Weeks started in private practice, representing and counseling corporations in litigation, regulatory compliance and transactions. He served as a Deputy Attorney General from 2000 through 2006, representing and counseling the Department of Environmental Protection. He then worked, as a Deputy Public Advocate through 2009, on reforming eminent domain and redevelopment law. Mr. Weeks started with the Division of Rate Counsel in 2010. He is a graduate of Jersey City State College, Fordham University Graduate School of Social Service and Rutgers - Newark School of Law. Mr. Weeks has spoken and written articles on a variety of legal issues.

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NY CLE Credit: 2.0 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.5 substantive credits (\$3.00 mandatory registration fee required).