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*The Advocacy Institute Is Pleased to Announce*

## **PROGRAM ANNOUNCEMENT**

### **DCF IN-SERVICE**

**November 25, 2013**  
**9:00 a.m. to 4:30 p.m.**  
**DCF Training Facility**  
**30 Van Dyke Avenue**  
**New Brunswick, New Jersey**

#### *Program Summary*

The Division of Law's DCF Practice Group will be providing various presentations during this program. The topics and presenters are listed on the following pages. These programs will cover a variety of substantive and ethical topics directly related to the Group's Practice. Participants can earn up to 6.3 New Jersey credits and must attend both plenary sessions and choose one of morning workshops and one of the afternoon workshops.

#### *Who Should Attend?*

The In-service Program is for those attorneys and other legal staff assigned to the Division of Law's DCF Practice Group **only**. Please do not attempt to register if you are not a member of the DCF Practice Group.

#### *Who Is the Faculty?*

See attached.

#### *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 up to 6.3 hours of total CLE credit. Of these, 1.8 qualify as hours of credit for ethics/professionalism.

**NY CLE Credit:** up to 5.5 substantive and up to 1.5 ethics credits (pursuant to the approved jurisdiction policy).

**PA CLE Credit:** up to 5.0 substantive and up to 1.5 ethics credits (\$1.50 per credit 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](mailto: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. Once your portal account is created you are prompted to enter your authorization code. This is Step 1 of the process, which you need only do once.

**If you have already been issued an authorization code in the past you do not need to request another one.** You can log into your account on the Garden State Network at <http://www.state.nj.us> and under the heading NJ L&PS Applications you will see the Attorney General's Advocacy Institute's Registration System. Click on that and log into your account on our system.

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.

## COURSE DESCRIPTION AND FACULTY INFORMATION

### A.M. PLENARY (9:30 A.M. TO 10:45 A.M.) - LEARNING FROM OUR CASES

Agency staff will present a case in the manner of "child stat", a protocol used by DCF to promote learning from their experiences. You will learn about child stat and also learn from this intensive review of real case experiences and the evaluation of what went right and what lessons were learned after the fact. This is an exciting opportunity for reflection and assessment of how to improve practice through examination of decision-making and outcomes in the case that will be presented.

**Elizabeth Bowman, MSS, LCSW** is DCF's Assistant Commissioner of the Office of Performance Management and Accountability. In this role, Ms. Bowman serves as a member of the department's executive management team, and is responsible for providing leadership to the development and implementation of performance improvement and accountability work across the divisions and offices of the department. Ms. Bowman has direct oversight for DCF's Office of Performance Management and Accountability, which includes all quality assurance and program evaluation, information technology and reporting, child fatality and near fatality case practice reviews, child abuse investigations in institutional settings, and licensing operations for adoption, children's residential treatment, and child care centers. Ms. Bowman earned a bachelor's degree in Psychology from Drew University in Madison, NJ, and a master's degree in Social Services from Bryn Mawr College in Pennsylvania.

**Mary Browne** is the Local Office Manager of the Mercer South LO of DCP. I have been in that position since August of 2011, I have been working for the agency since 1985 in many capacities from an intake worker, to case work supervisor to the Area Office AQC. In addition I worked for many years as an emergency response worker and after hours screener for the Office of Child Abuse Control (SCR). In May of 2012 I completed the DCF Fellows Program and implement what I learned in my day to day work, and teaching others how to manage by data. I reside in Morris County and on the weekends enjoy free time riding on the back of a Harley. ( not sure if you want anything personal or just work).

**Michelle VanDeWal** has been with the Division for 12 years. She is currently a Casework Supervisor in the Mercer South Local Office and oversees two intake units and the training unit.

**Kara P. Wood-** is the Director Child Protection and Permanency (CP&P), the State's child protection agency for the past 2 years. DCP&P mission is to ensure the safety, permanency and well-being of children and to support families. DCP&P is responsible for investigating allegations of child abuse and neglect and, if necessary, arranging for the child's protection and the family's treatment. In addition Ms. Wood oversee the State Central Registry which receives all reports of child abuse and neglect 24-hours a day, 7-days a week. Most recently, Ms. Wood served as the DYFS Chief of Staff where she was responsible for the operational management of the division and its 5,000 employees and for managing all reporting aspects of the federal consent decree. Previously she served as the Department's Chief of Staff with responsibility for the daily operations of DCF and advising the Commissioner on strategic planning, crisis management and communication, and policy. Prior to joining DCF, Ms. Wood served as the

Director of Project Management at the New Jersey Department of Law and Public Safety, where she created and managed a grants management office and improved coordination of department resources. She has also served as Director of Communications for the New Jersey Division of Consumer Affairs and Director of Communications and Policy for the New Jersey Department of Community Affairs. In both positions, she was responsible for communications with media, outreach, speech writing, and advising on strategic planning, crisis management and media relations. Prior to moving to New Jersey, Ms. Wood served as the Deputy Director of Public Affairs for the United States Department of Justice, and the Director of Communications for the National Partnership for Women and Families in Washington D.C. Wood began her career in public service as Deputy Press Secretary to United States Senator Paul S. Sarbanes. Ms. Wood graduated Cum Laude from Georgetown University, with a B.S. in International Politics and a minor in African Studies.

**NJ CLE Credit:** This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.5 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

**NY CLE Credit:** 1.5 substantive credits (pursuant to the approved jurisdiction policy).

**PA CLE Credit:** 1.0 substantive credits (\$1.50 mandatory registration fee required).

#### **MORNING WORKSHOPS - (11:00 A.M. TO 12:30 P.M.)**

##### **EVIDENCE RULES**

This course will review basic evidence rules that frequently generate objections to CP & P documents during fact-finding and guardianship trials. Hearsay exceptions that will facilitate admission of documents will be discussed. More complex evidentiary issues pertaining to DCF trials will also be explained.

**DAG Geraldine O. Livengood** is a graduate of St. John's University Law School and was licensed to practice law in 1977. She was an Assistant Essex County Prosecutor from 1977-1985 during which she engaged in both appellate and trial work. She handled more than fifty jury trials and served as the director of the juvenile trial section. In that capacity, she was an instructor in the Prosecutor's Juvenile Justice Clinic at Seton Hall Law School Since 1988, Ms. Livengood has represented DYFS, litigating both protective services and guardianship matters and handling many appeals. She is a Lead Deputy Attorney General in the DYFS-North Section.

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**NY CLE Credit:** 1.5 substantive credits (pursuant to the approved jurisdiction policy).

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

## **IMMIGRATION LAW & DCF FAMILIES**

Learn about immigration laws that can help DYFS families, including the DREAM Act, VAWA and Special Juvenile Status. Raise your awareness of how findings of abuse or neglect and/or criminal convictions on child abuse cases can affect defendant parents who are not U.S. citizens. Bring your immigration questions and concerns.

**Ariela Herzog** is a solo practitioner in the areas of immigration and family law with offices in Hackensack and North Bergen, NJ. She was a Deputy Attorney General for the DYFS North section for 7 years prior to starting her practice.

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

## **INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN (ICPC)**

This presentation will review the requirements of the Interstate Compact on the Placement of Children. The ICPC requires that states who want to place children across state lines follow specific prescribed steps in collaboration with the receiving state to insure that the proposed placement is appropriate and approved, and that the receiving state will provide services. This class will help you respond to the court in situations where the ICPC is implicated.

**Mary Jane Lembo Cullen** is a graduate of Gonzaga University School of Law and was licensed to practice law in New Jersey in 1983. She was in private practice for six years before joining the Office of the Attorney General in 1990. She has litigated guardianship and protective service cases throughout her tenure as a Deputy and has handled numerous cases wherein the applicability of ICWA was at issue. She has also organized and lectured at instructional workshops for DYFS staff on this topic. She is currently retired.

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

## **HOW TO PRESENT NEW COMPLAINTS: FILING FOR EMERGENT RELIEF**

This workshop will walk DAsG new to DCF child abuse work through the process of filing a new complaint by which DCP & P seeks immediate relief such as custody of a child or injunctive relief against a parent and the protocol that is used for what we refer to in the vernacular as "filing a Dodd".

**Lea DeGuilo** is a Deputy Attorney General with the DCF North Section of the Division of Law. She graduated Summa cum laude from Hartwick College and is a 1997 graduate of Rutgers Law School-Newark. After a clerkship with the Honorable Bette E. Uhrmacher she joined the Division of Law in 1998.

**Nicole Piccoli** is a Deputy Attorney General with the DCF Central Section of the Division of Law.

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**NY CLE Credit:** 1.5 substantive credits (pursuant to the approved jurisdiction policy).

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

## **PERMANENCY FOR CHILDREN**

This presentation will explain the psychological underpinnings of why permanency is important for children. This training will aid any DCF DAG who works with psychological experts in termination of parental rights cases, but is useful for all DAsG who confront issues of changes in placement during the pendency of a DCF case.

**Dr. Alice Nadelman** is a Licensed Clinical Psychologist with a specialization in attachment and permanency for children with early childhood trauma. She was trained at Columbia University and Montefiore Medical Center. She has done evaluations and treatment of children and families in the Child Welfare System, for over 40 years, with a focus on family preservation/reunification. She has done training for Rutgers Institute for Families as well as Social Service agencies throughout New Jersey. She has written and lectured on attachment and healing traumatized children. Dr. Nadelman has been consulting psychologist to Children's Aid and Family Services; Forging Family Connections (DYFS); T.A.L.K. Project (Law Guardian); and ACNJ Permanency Training Project. She has been qualified as an expert in Child Welfare matters in many NJ counties. Dr. Nadelman's primary focus is to provide quality service to traditionally underserved populations, especially families in the Child Welfare system.

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**NY CLE Credit:** 1.5 substantive credits (pursuant to the approved jurisdiction policy).

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

**P.M. PLENARY – LITIGATION RAMIFICATIONS OF THE 4 TIER  
INVESTIGATORY FRAMEWORK (1:30 P.M. to 2:30 P.M.)**

This presentation will explore practice options in court at the time of initial filing of complaints, returns of orders to show cause and fact-finding hearings which may be available as a result of the 4 tier investigatory framework. Recent developments in case law, particularly the I.S. case, may present new opportunities to resolve FN cases without trial. The presentation will address the boundaries of Deputy/Local Office discretion when seeking to resolve cases.

**DAG Peter Alvino** graduated from Rutgers Law School in 1987 and joined the Division of Law in 1988. Peter has represented the Division of Youth and Family Services (now DCP & P) in both FN and FG cases in all of the northern counties and has written and argued numerous appeals, including two before the Supreme Court. He is currently Section Chief for DCF-North.

**Nancy Andre** received her undergraduate degree from Hofstra University in Hempstead, NY in 1993 and J.D. from the University of Pennsylvania in 1996. She has been a Deputy since 2004 assigned to the DCF section.

**Joseph E. Ribsam Jr.** serves as the Director of the Department of Children and Families' Office of Policy and Legislative Affairs which is responsible for the development of policy, regulations, and legislative proposals and serves as the Department's primary contact to Legislature, the Office of Legislative Services, the Governor's Counsel's Office, the Governor's Policy Office, and the Governor's Office of Intergovernmental Affairs. Joe was a teacher for the Trenton Public Schools before attending and graduating from the Rutgers School of Law – Newark. Thereafter, Joe served as a law clerk in the Family Part, and in the private practice of family law before joining the Department in 2008. Joe served as counsel in the Department's Office of Legal Affairs where he provided support on a host of issues before being promoted to Director of Policy and Legislative Affairs in late 2010.

**Cynthia J. Schappell** is a Deputy Attorney General with the Division of Law DCF South. She began her legal career as a DAG with the Division of Criminal Justice and before coming to the Division of Law she worked as a Prosecutor in Cumberland County. Cynthia graduated from Temple University and Seton Hall University – School of Law.

**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, 0.0 qualify as hours of credit for ethics/professionalism.

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

**PA CLE Credit:** 1.0 substantive credits (\$1.50 mandatory registration fee required).

## **AFTERNOON WORKSHOPS – (3:00 P.M. TO 4:30 P.M.)**

### **4-TIER FINDINGS AND THE CHILD ABUSE REGISTRY**

This presentation addresses the issue of the Child Abuse Registry and the 4-tier findings regulations enacted by the Department of Children and Families. This presentation provides an overview and basic understanding of the regulations, their substantive elements and procedural status, and the effect the regulations have on expungement and the Child Abuse Registry. Understanding the findings system is integral to understanding DCP&P's investigatory protocol and decision making processes and may contribute to resolution of pending FN cases. It is designed for Deputies who have not had prior training in DCP&P's 4-tier investigative findings.

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**NY CLE Credit:** 1.5 substantive credits (pursuant to the approved jurisdiction policy).

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

### **ETHICS OF WITNESS PREPARATION**

This presentation discusses the duty of an attorney to prepare witnesses for trial and the ethical line between proper preparation and unethical coaching. Subjects include the keys to preparing for the testimony of clients and third party witnesses, discussing probable hostile cross-examination and the ethical limits of witness preparation.

**DAG Jim Harris** has served as a Deputy Attorney General in the New Jersey Department of Law and Public Safety for more than 25 years. During that time, he has worked in criminal justice, juvenile justice, and civil law. DAG Harris is currently Chief of the DYFS South section. In the past, he has litigated cases for clients that include the State Police, the New Jersey Judiciary, the Department of Corrections, the Division of Youth and Family Services and the Bureau of Parole. He has had numerous jury and non-jury trials involving civil rights, employment discrimination, whistle blowers, child abuse and parental termination. He has successfully argued numerous cases before the New Jersey Supreme Court and the Third Circuit Court of Appeals. He is a graduate of Rutgers University of Law, Camden, where he was Managing Editor of the Law Journal. DAG Harris also has an LL.M from Columbia School of Law in New York City.



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**NY CLE Credit:** 1.5 ethics credits (pursuant to the approved jurisdiction policy).

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

### **TIPS ON HOW TO DEVELOP AND PRESENT SEX ABUSE CASES**

Proving sexual abuse of minors is one of the most difficult tasks in our assignment. Physical evidence and eye witnesses are usually absent, and it's typically considered harmful to bring in the minor victim as a live witness. This workshop will discuss options for making the best possible record and persuading the adjudicator to uphold DCF's finding.

**AAG Lauren Carlton** joined the Division of Law in 1981 after graduating from Duke Law School. First hired as a Law Assistant, Lauren was a DCF deputy for many years before being promoted to Assistant Section Chief for Consumer Protection and Securities, and then to Chief for a combined Securities and DCF Section. Lauren has created and taught many courses for DCF staff and for Deputies in lawyering skills and substantive DCF law, created the DCF DAG Manual and enhanced the DCF brief bank. She is presently AAG in Charge for the DCF Practice Group and loves her work.

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