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*The Advocacy Institute Is Pleased to Announce*

## **PROGRAM ANNOUNCEMENT**

### **2014 ALL DAY CLE FEST**

**December 15, 2014**

**9:30 a.m. to 4:30 p.m.**

**Richard J. Hughes Justice Complex**

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

**25 Market Street**

**Trenton, New Jersey**

#### *Program Summary*

The end of calendar year is fast approaching, and time is running out for opportunities to satisfy your Continuing Legal Education obligations. This program is intended to provide attorneys with an excellent opportunity to obtain **up to 6.5** NJ Continuing Legal Education credits for attending **up to** four presentations. *Those interested in attending this program may seek to register for one, two, three or all four presentations*; the descriptive summaries of which are attached.

#### *Who Should Attend?*

This program is open to all government attorneys, space allowing.

#### *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 6.5** hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

**NY CLE Credit:** **up to 6.5** substantive credits (pursuant to the approved jurisdiction policy).

**PA CLE Credit:** **up to 4.5** substantive 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.

## SUMMARY DESCRIPTIONS & FACULTY INFORMATION

### THE BUDGET CYCLE

9:30 a.m.-10:45 a.m.

A presentation of the State's budget cycle from the creation of the Governor's Annual Budget Message to the enactment by the Legislature of the Annual Appropriations Act. Topics include: the significance of the budget to the conduct of State government; the history of the constitutional provisions governing the State's fiscal structure; the key players in the process; the four requirements of the constitutional mandate; what happens if an annual appropriations act is not enacted by the beginning of the fiscal year; recent case law involving challenges to budgetary actions; and the current fiscal challenges and problems facing the State.

**AAG Susan K. Fischer** has thirty years of experience as a transactional attorney practicing in governmental, banking and private practice settings. She has been an attorney in the Division of Law since 1994. She began as a deputy in the Treasury Section, became Section Chief of the Treasury Section in 2000, an Assistant Attorney General in the Financial Affairs Practice Group in 2008 and then in Charge of the Financial Affairs Practice Group in October 2010. AAG Fischer began her legal career as a public finance attorney at Riker Danzig Scherer Hyland and Perretti, and then joined Orloff Lowenback Stifelman and Siegel as an associate in their corporate department. From there, AAG Fischer was counsel in the secured lending division at First Fidelity Bancorporation, Senior Counsel at the Office of Thrift Supervision in the U.S. Department of the Treasury, and senior counsel at United Jersey Bank. AAG Fischer received her B.A. cum laude with a major in government from Barnard College, New York City, and her J.D. with honors from Rutgers Law School, Newark, New Jersey. Currently, AAG Fischer's primary focus is providing advice to the State Treasurer, the Governor's Office and various independent authorities concerning State budget and debt issues.

**Robert Garrenger, Senior Special Counsel–Finance**, Among his duties in the Office of Governor's Counsel, Mr. Garrenger serves as a member of the Governor's budget team and oversees the legal sufficiency of the structure and contents of the annual State budget. Beginning in 1995, Mr. Garrenger served as a Deputy Attorney General in the New Jersey Department of Law and Public Safety. As a DAG, Mr. Garrenger represented the State of New Jersey and various State officials, including the Governor and the State Treasurer, in a variety of civil litigation. Since 1999, Mr. Garrenger has served in various legal positions in the Office of the Governor, including Senior Associate Counsel, Deputy Chief Counsel, Assistant Counsel, and Special Budget Counsel. Prior to his service in State government, Mr. Garrenger worked as an associate in the Washington, D.C. firm of Sutherland, Asbill & Brennan, LLP, and served as a law clerk to the Honorable John C. Lifland of the United States District Court for the District of New Jersey. A native of New Jersey, Mr. Garrenger received his Bachelor of Arts degree, cum laude, from Yale University in 1989, and earned his Juris Doctorate degree, cum laude, from the University of Michigan Law School in 1992.

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**ASSET FORFEITURE: TAKING THE PROFIT OUT OF CRIME**  
**11:00 a.m.-12:15 p.m.**

This presentation will discuss the goals, investigation, and prosecution of forfeitures. Participants will be instructed on identifying cases where there may be property subject to forfeiture. This presentation will also discuss how to build probable cause, and to seize property. Finally, there will be an overview on the litigation of forfeiture from the filing of a complaint to obtaining a judgment.

**DAG Nina D. Bonner** is currently with the Division of Criminal Justice's Office of the Insurance Fraud Prosecutor. Within this assignment her responsibilities include; investigating, analyzing and seizing properties with a nexus to criminal activity, overseeing the distribution of funds earmarked for restitution and forfeiture and screening referred cases. Prior to working with OIFP, she worked in the Office of State Police Affairs, Prosecutors' Supervision and Coordination Bureau, Appellate Bureau and Civil Remedies and Forfeiture Bureau. She received a B.A. in Psychology from Swarthmore College and J.D. from Seton Hall University School of Law.

**DAG Derek Miller** is currently with the Division of Criminal Justice's Financial Crimes Bureau wherein he prosecutes criminal and civil cases, with a focus on asset forfeiture and has handled multi-million dollar seizures and forfeitures. Prior to working as a DAG with the Financial Crimes Bureau, Derek was a Volunteer Attorney in the Division of Criminal Justice from 2010 to 2011. He received his B.A. from Rutgers University and his J.D. from Rutgers School of Law (Camden).

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**SECURITIES LAW: A PRIMER**  
**1:00 p.m.-2:15 p.m.**

Our lives are impacted in one form or another by financial decisions and investments on Wall Street and Main Street. This presentation will discuss the history and framework of securities regulation in the United States, the relationship between the United States Securities and

Exchange Commission, state regulators and self-regulatory organizations, and how the New Jersey Bureau of Securities protects the investing public as well as its jurisdiction. Fraud schemes will also be discussed.

**DAG Joshua I. Sherman** has been a Deputy Attorney General with the New Jersey Office of the Attorney General, Division of Law, since May 2014. He is the Assistant Chief of the Securities Fraud Prosecution Section, which represents the New Jersey Bureau of Securities and other State agencies in securities litigation matters. Prior to joining the Division of Law, Josh worked for over seven years as a litigation associate at Dechert LLP in New York, where he worked on securities litigation, commercial litigation, and white collar criminal defense, among other types of cases. From 2004-2006, he served as law clerk to the Hon. Freda L. Wolfson, U.S.D. J. for the District of New Jersey. Josh earned a B.A. in Political Science from the University of Michigan in 2001 and a J.D. from Rutgers School of Law-Newark in 2004.

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**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).

**ARE YOU READY FOR BAIL REFORM? THINGS PROSECUTORS NEED TO  
KNOW ABOUT THE UPCOMING CHANGES TO NEW JERSEY'S PRETRIAL  
RELEASE LAWS AND PRACTICES  
2:30 p.m.-4:30 p.m.**

On August 11, 2014, Governor Christie signed landmark legislation to reform New Jersey's bail system. The new law will transform New Jersey's pretrial release system from one that focuses on a defendant's financial *resources* to one that focuses instead on an objective assessment of the *risk* that a defendant will flee or commit another offense. The reform legislation will not become operational unless the State Constitution is amended pursuant to a ballot question that New Jersey voters will decide in the November election. The proposed constitutional amendment would authorize preventive detention. Assuming that the State Constitution is amended, the new law will take effect in January, 2017. It is not too early for prosecutors to begin planning for how to implement the new bail system. This presentation begins a strategic implementation process by providing a structured forum to anticipate practical problems that prosecutors are likely to confront, and to discuss how best to use the tools that are, and will be, available to protect public safety.

**AAG Ron Susswein** has served for many years as the Attorney General's representative on the Supreme Court Criminal Practice Committee, and also served as the Attorney General's representative on the Supreme Court Sub-Committee on Bail. He has served for a combined 32 years as a DAG/AAG in the Division of Criminal Justice and the Union County Prosecutor's Office. During his career, AAG Susswein helped to draft many of the Attorney General

directives and guidelines that are designed to channel a prosecutor's plea bargaining discretion, including the policies concerning "Brimage," "Graves Act," "NERA," and public corruption cases.

**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).