



The Advocacy Institute Is Pleased to Announce

PROGRAM ANNOUNCEMENT

DCF IN-SERVICE

April 11, 2016

9:00 a.m. to 4:00 p.m.

Department of Children and Families

New Jersey Child Welfare Training Academy

30 Van Dyke Avenue

New Brunswick, New Jersey

Program Summary

The Division of Law's DCF Practice Group will be providing presentations of a wide variety of topics during this program. The topics and presenters are listed on the following pages. The presentations are 75 minutes and cover a variety of topics directly related to the Group's practice. You must register for and attend either the 9:30 a.m. session or the 11:00 a.m. session of the following courses: "Resource to Licensure: From Start to Completion" and "Ethical Dilemmas in Representing DCF". Directly after lunch you will be able to choose from four workshop topics and must register for one of the four. Everyone must register for and attend the 2:45 p.m. plenary session "DCPP v. KN: a Consistent Approach". Participants can earn up to 6.0 New Jersey credits of which 1.5 are ethics credits.

Who Should Attend?

The In-service Program is only for those attorneys and other legal staff assigned to the Division of Law's DCF Practice Group. **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 had been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey up to 6.0 hours of total CLE credit. Of these, up to 1.5 qualify as credit hours for ethics/professionalism.

NY CLE Credit: up to 4.5 substantive and up to 1.5 ethics credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: up to 3.0 substantive and up to 1.0 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://reg2.dcj.lps.state.nj.us/lpcreg/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://reg2.dcj.lps.state.nj.us/lpcreg/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. 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://reg2.dcj.lps.state.nj.us/lpcreg/login.aspx?portalid=2> to register for future courses or to manage your account. Please retain your user name and password for your records.

LIST OF COURSES AND PRESENTERS

8:45 a.m. to 9:00 a.m. REGISTRATION

9:15 a.m. WELCOMING REMARKS (Classes will begin promptly at 9:30 a.m.)

RESOURCE TO LICENSURE: FROM START TO COMPLETION

(9:30 a.m. to 10:45 a.m./11:00 a.m. to 12:15 p.m.)

This presentation will provide an overview of how relatives and family friends are licensed through the Division of Child Protection and Permanency. This presentation will review the Inquiry, Application, Home Study and Licensing process in detail, including the differences for relatives and the differing levels, what can be waived, and negative licensing actions. In addition, this presentation will review the internal agency process which is followed from the first inquiry in an open case, to the final licensure of the home.

Colette Tobias has been with DCF for thirty one years. She is currently the Administrator of the Office of Resource Families. Colette manages statewide resource family operations including oversight, monitoring, policy/practice development and training for the resource family field staff that recruits, develops, trains, and supports New Jersey's resource families. Colette began her career with DCF as a case worker investigating child abuse/neglect referrals and working with children and families. Since then, she has spent most of her career in the area of foster care serving as a Foster Care Specialist, Supervisor, Case Practice Specialist, Manager and Administrator. Colette has been very involved with New Jersey's child welfare reform efforts and the success New Jersey has experienced with significantly increasing the robust pool of qualified resource families. She is committed to ensuring that New Jersey's foster care system has the best trained staff and the best trained resource parents in order to provide safe and loving families for children requiring out of home placement.

Clifton Tokley has over 18 years of experience in the social services and child and protective services arena dating back to 1998 when he began working in the social services nonprofit sector. He started as a residential counselor at a youth shelter for Family Services of Camden County and then became a Facilities Director for a residential treatment facility in Philadelphia. Clifton began his career with Child Protection and Permanency in 2000 as a Family Service Specialist in the Mercer Local Office. During that time he served in various capacities including permanency and assisted adolescents who were placed in residential settings. He also functioned as an SPRU worker for Burlington and Mercer counties. In addition to his experience in the Local Office, Clifton worked as an investigator in the Institutional Abuse Investigative Unit (IAIU) and had previously worked in the Office of Licensing (OOL) as a Supervising Residential Services Specialist. In 2008, he was promoted within OOL to the position of Quality Assurance Coordinator and began supervisory oversight for the licensing of new resource family homes statewide. In 2011 Clifton began serving as the Local Office Manager for the Camden North Local Office. In this role, he provided leadership, organizational structure and supervision while ensuring the protection of all children and families supervised by the Camden North Local Office. Clifton successfully built strong relationships with external stakeholders in order to work collaboratively and to meet the mission and vision of DCF. In September of 2015 Clifton was

appointed as the Director of Resource Family Licensing. In this role Clifton oversees the management of regulatory matters that govern over 5,000 resource family homes in the State of New Jersey and approximately 1100 homes pending licensure statewide. In this position Clifton provides oversight to two offices, one of which is centrally located in Trenton and an additional office in Newark. In 2013, Clifton completed the DCF Management Fellows Program and received the Certified Social Work Manager certification. Clifton is a graduate of Rutgers University, with a BA degree in Sociology.

CLE Credit

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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).

ETHICAL DILEMMAS IN REPRESENTING DCF (9:30 a.m. to 10:45 a.m./11:00 a.m. to 12:15 p.m.)

Representing DCF requires Deputies to manage the organization's interests from top to bottom: Commissioner to caseworker. So, who is the client? The answer to that question informs such areas as decision-making authority between DAG and client and whether any DCF staff or consultants are protected from approaches by opposing counsel. The issue of who the client is also arises at trial and we will discuss arguments to rebut sequestration of the current case worker. Ethics rules require Deputies representing DCF staff to be diligent, to communicate with the client appropriately and to protect privileged exchanges of information. But Deputies also are obligated to be candid with the court, fair to opposing parties and counsel and demonstrate appropriate "decorum". Furthermore, the Attorney General represents the people of N.J., not just DCF, and the RPC's require that attorneys exercise independent judgment. What's a DAG to do? Join us for an interesting presentation that will help guide your practice in this challenging area.

Lauren Carlton is an attorney with over thirty years of experience providing legal counsel to the Department of Children and Families (DCF) in New Jersey. She has collaborated with judges and court staff as a member and sometimes chair of Children in Court committees on child welfare court practice and N.J.'s Supreme Court rules committee. She created a Joint Agreement setting forth protocols for child welfare staff and law enforcement governing cases in common. She has trained both child protection workers and criminal investigators in sound investigative practices. During her tenure as Assistant Attorney General in Charge of the DCF Practice Group, she has authored and presented manuals and training curricula on many topics for judges, attorneys representing DCF, law enforcement (local police and prosecutors' detectives), caseworkers and office and area managers for DCF. Ms. Carlton has been a member of several task forces and work groups on child abuse and neglect, concurrent planning and domestic violence. Ms. Carlton has also tried hundreds of child abuse/neglect and termination of

parental rights cases and has argued dozens of appeals including five before the New Jersey Supreme Court. Ms. Carlton is also an adjunct professor at the Montclair State University Center for Child Advocacy.

Ann Avram Huber is a former DAG, retired from the State's child welfare section (Division of Child Protection and Permanency), of the New Jersey Attorney General's Office. Before joining the office in 2004, Ms. Huber maintained a private law practice for many years where she handled a variety of litigation including civil, chancery, matrimonial and bankruptcy litigation. Ms. Huber's assignment included the agency's representation in the Children's Rights Inc. lawsuit against the Department of Children and Families and appellate practice. As a Deputy Attorney General, she handled protective services litigation and parental rights termination trials, numerous appellate briefs and arguments and appeared before the New Jersey Supreme Court multiple times. Ms. Huber, a 1983 graduate of Rutgers Law School – Newark, has also been an instructor with NAAGTRI and has presented a number of in-service seminars on trial skills for AGAI. Ms. Huber is also a former Councilwoman and Mayor of Randolph Township, NJ.

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LUNCH 12:15 P.M. TO 1:15 P.M.

WORKSHOPS 1:15 p.m. to 2:30 p.m. (MUST CHOOSE AND REGISTER FOR ONLY ONE)

INSTITUTIONAL ABUSE INVESTIGATION UNIT (“IAIU”) OVERVIEW

This workshop will provide an overview of the structure, authority and functions of the IAIU. Armed with a fuller understanding of how the IAIU operates, deputies will be better equipped to provide guidance to their LOs in circumstances where the functions of these “sister” agencies overlap. Particular emphasis will be placed on communication and cooperation among caseworkers, investigators, and deputies, in an effort to promote more cohesive agency positions. Towards that end, the workshop will include a discussion of the recently formalized Protocol for IAIU/CP&P Joint Investigations.

Greta Anderson earned a Bachelor of Arts degree in Criminal Justice from Moravian College and has been committed to ensuring the well-being of children and youth for almost 20 years. She has over 17 years of experience working in the Institutional Abuse Investigation Unit and has held a variety of positions, including investigator, assistant regional supervisor and regional supervisor. She has been a member of the leadership team at IAIU for over a decade and has

served as the Director since March, 2013. Greta has participated in the Leadership Academy for Middle Managers (LAMM) which is a national week long training seminar focused on enhancing the skills of leaders within the field of child welfare. She is also a DCF Fellow Graduate where she honed her skills regarding managing performance through data.

Lori J. DeCarlo received her JD from Seton Hall University Law School, Newark, in 2002. She clerked for the Honorable Robert A. Coogan, J.S.C. during the 2002-2003 court term and joined the Division of Law as a Deputy Attorney General in the DCF Practice Group in 2003. In 2008 she was promoted to Lead Deputy Attorney General and in November 2010 she was promoted to her current position as Assistant Section Chief, where she supervises several deputies and oversees a large caseload of administrative and appellate court cases involving the Division of Child Protection and Permanency, the Institutional Abuse Investigation Unit and the Office of Licensing. Lori has successfully briefed numerous appeals before the Appellate Division and the Supreme Court of New Jersey, and has argued in the Appellate Division. In 2005 she received the State of New Jersey Exceptional Service Award. Lori is a member of the New Jersey State Bar Association, a past participant in the Essex County Legal Assistant Studies Writing Mentorship Program, and a past Deputy Advisory Council co-chair.

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

CUSTODY IMPLICATIONS ACROSS STATE LINES: HOW THE UCCJEA IMPACTS DCP&P LITIGATION

In 2004, New Jersey adopted the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), which replaced the Uniform Child Custody Jurisdiction Act (UCCJA) to facilitate cooperation between courts of other states to ensure that the state best able to decide a given custody matter actually makes that decision. This workshop will explore the implications of this act upon DCP&P investigations and litigation.

DAG Reid Adler earned his Juris Doctor from Rutgers University School of Law – Camden in 2009 and a B.A. from The College of New Jersey in 2004. After graduating law school, Reid clerked for the Honorable Anne McDonnell, P.J.Cv. in Gloucester County. Prior to joining the Division of Law, Reid represented defendants in tort actions for an insurance defense firm. Since joining the Division of Law in 2011 Reid has litigated both abuse and neglect actions as well as termination of parental right actions in Camden County, Atlantic County and Cape May County.

DAG Jennifer A. Lochel received her JD from Widener University School of Law in 2002 and a BA from the University of Delaware in 1999. Ms. Lochel clerked for the Honorable Diane B. Cohen, P.J.F.P. and joined the Division of Law in 2004, DCF South Section. Ms. Lochel served as a DAG assigned to termination of parental rights matters in Camden County until 2009 when she was promoted to Lead Deputy. As Lead Deputy, Ms. Lochel continued to manage a termination of parental rights case load and provided assistance to her colleagues on all litigation issues. Ms. Lochel was promoted to Assistant Section Chief in 2014 and directly supervises Camden and Burlington Counties.

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THE ROLE OF PSYCHOLOGICAL EVALUATIONS IN TPR PROCEEDINGS

This workshop will discuss the proper and effective application of psychological evaluations in termination of parental rights proceedings. This workshop will include a brief review of basic methodological considerations for the psychologist in conducting the evaluation and best practice standards, but will also focus on helping the DAG become a better consumer of evaluations and reports; developing a more seamless integration of the evaluation findings in direct examination testimony; critiquing and responding to critiques of many commonly used psychological tests and methods; assisting in developing effective cross-examination of psychological evaluations and reports; cultural considerations in psychological evaluations; and will also include an open question-and-answer session.

Barry Katz, Ph.D. earned his bachelor's degree in 1985 from Jacksonville University, FL., his master's degree in psychology from Fairleigh Dickinson University in 1989 and his doctoral degree in clinical psychology from Fairleigh Dickinson University in 1990. Dr. Katz has been licensed as a psychologist in New Jersey since 1993.

Dr. Katz has worked regularly with the courts performing assessments and providing treatment to a variety of clientele. He provided evaluations, expert testimony and/or treatment in cases that have included some of the more complex child protection issues such as allegations of sexual abuse (including sex offender and victim evaluations), child abuse/neglect (including evaluations of the most severe cases, such as when children have suffered severe harm as a result of abuse or neglect), diminished capacity (including intellectual, developmental, psychological and other factors contributing to offenses or overall functioning), victims of trauma, termination of parental rights, child custody and visitation.

Dr. Katz has been retained by a variety of agencies and professionals involved in forensic cases, including DCPD, Office of the Public Defender, the Law Guardian, private attorneys and the U.S. Attorney's Office.

Dr. Katz has been active through the New Jersey Psychological Association in reviewing the proposed Amendments for the Custody Parenting Time Evaluations. He provided comments to the NJPA committee that were forwarded to the Board and subsequently included in the New Jersey Register on 9/7/10. Through NJPA Dr. Katz has served on the Department of Children and Family (DCF) Advisory Group and was an active panel member in assisting DCF in developing Guidelines for Expert Evaluations in Child Abuse/Neglect Proceedings. These guidelines are now in print and present a standard of practice for evaluators who work with the Division of Child Protection and Permanency (DCPP).

Alan J. Lee, Psy.D., is a Licensed Psychologist in New Jersey and New York who specializes in clinical and forensic psychological evaluations and crisis negotiation. Dr. Lee is experienced in working with children, adolescents, and adults in inpatient, outpatient, and partial-hospital mental health treatment, correctional, and legal settings. He is the sole owner of the full-time private practice of Alan J. Lee & Associates, LLC, based in Hamilton (Mercer County), New Jersey, specializing in clinical and forensic evaluations since 1998. Dr. Lee has repeatedly and consistently qualified as an expert witness in clinical and forensic psychology, and testifies extensively in these areas. Dr. Lee holds academic affiliations at Widener University, where he has been the Coordinator of the PsyD in Clinical Psychology/MA in Criminal Justice (PsyD/MA) joint-degree program, and Rutgers University. He is routinely involved in doctoral dissertations in the areas of clinical and forensic assessment and psychology. His specialties include clinical and forensic assessment, violence risk assessment and psychopathy, family matters and parenting capacity, psychological bonding between children and adults, fire setting issues, sexual offender issues, differential diagnosis, and crisis (hostage) negotiations. He has presented in a variety of settings on various topics related to clinical and forensic psychology and crisis management. He has published in various professional literature on different topics related to clinical and forensic assessment. He is the current Chairperson of the New Jersey Psychological Association (NJPA) Psychologists for Promotion of Child Welfare (PPCW) workgroup, and serves on the NJPA Committee on Legislative Affairs (COLA).

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CONCEPTS IN LEGAL WRITING...WHAT THE CLIENT IS BEING TAUGHT AND YOU SHOULD KNOW

This workshop will provide Deputies with an understanding of the legal writing concepts currently being taught to the DCP&P litigation staff. This workshop will include an overview of client litigation training and a discussion of techniques to ensure that complaints and other pleadings are more concise, summary in nature, readable and persuasive. The goal of this workshop is to both enhance the Deputy's review of pleadings prepared by the client litigation staff, and to assist in the development of pleadings, affidavits and motions.

Lisa Landsman graduated from the Cardozo School of Law in 1984. Lisa became a DAG in the DCF practice group in January 1985, and spent her entire career as a DCF deputy. Prior to becoming a DAG, Lisa was an adoption worker for the Division of Youth and Family Services. Lisa retired in December 2012 and continues to be involved in training.

Nora Pearce graduated from Seton Hall Law School and has been a member of the New Jersey Bar since 1988. She joined the Division of Law in September 1989 in the DCF practice group and was an Assistant Section Chief in the DCF-South Section until she retired in September 2014. Nora has a Masters in Counseling and Personnel Administration from the University of Maryland. Prior to the practice of law, she was employed by A.T.&T. as a Division Marketing Manager.

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AFTERNOON PLENARY (EVERYONE MUST REGISTER AND ATTEND) 2:45 p.m. to 4:00 p.m.

DCPP V. KN: A CONSISTENT APPROACH

This presentation will walk attorneys through a KN explanation and the coordinated intentional response of the Division of Law. The presentation will include an overview of the case below and its appellate history. It will discuss an overall strategy which should be employed in many situations where a "KN" issue arises. This presentation will further discuss current State statutory authority for ordering DCP to place children in unlicensable homes and ordering them to pay any form of service or compensation. It will also include a discussion of federal law, including the fiscal implications of any such placement.

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 School of Law, Camden, where he was Managing Editor of the Law Journal. DAG Harris also holds an LL.M. from Columbia School of Law in New York City.

AAG Erin O’Leary is assigned to oversee the DCF Practice Group with Christian Arnold. Prior to her current assignment, Erin served as a DAG, arguing multiple appellate matters, including two NJ Supreme Court cases (YN and EDO). Previously, Erin served as the Deputy Commissioner for the Department of Children and Families (DCF). In that role, Erin oversaw the Office of Legal Affairs and Licensing; Institutional Abuse Investigation Unit; the Office of Advocacy; and the Office of Policy and Legislative Affairs. Prior to working at DCF, Ms. O’Leary was a Deputy Attorney General initially assigned to represent the Division of Youth and Family Services and later assigned to represent the Department of Health and Senior Services and Division of Medical Assistance and Health Services. She has served as a guest lecturer at many universities and schools, and has been an Adjunct Professor at the Rutgers Law School.

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