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*The Advocacy Institute Is Pleased to Announce*

## **PROGRAM ANNOUNCEMENT**

### **ABSTENTION AND THE 10TH AND 11TH AMENDMENTS**

**July 27, 2016**

**10:00 a.m. to 12:00 p.m.**

**Richard J. Hughes Justice Complex**

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

**25 Market Street**

**Trenton, NJ 08625**

### **PLEASE READ: NOTICE REGARDING COURSE MATERIALS**

All materials for New Jersey Attorney General's Advocacy Institute continuing legal education courses are now available electronically through the Advocacy Institute website: [www.njadvocacyinstitute.com](http://www.njadvocacyinstitute.com). Materials will be posted to the website approximately one week before the course date.

The institute will no longer provide paper copies of course materials. This policy is effective immediately and is within the guidelines of the New Jersey Board of Continuing Legal Education and the Pennsylvania Continuing Legal Education Board. Please follow the procedure below to obtain course materials:

- Click on the Course Information tab.
- Select Course Materials from the drop-down menu.
- Click on the course that you are registered for. Courses are listed alphabetically by title.
- Most courses will have two files; a file containing class materials that you should bring to the session and a file with reference materials such as statutes, regulations and cases.
- Print the documents in the class materials file and bring them with you to the session.
- You have the option of printing the documents in the reference materials file or downloading them to a computer or mobile device.

### ***Program Summary***

This presentation will explore the various abstention doctrines with which federal court practitioners must be familiar and provide an overview of the immunities afforded State agencies and the State pursuant to the Tenth and Eleventh Amendments to the United States Constitution. This presentation will also touch upon the leading United States Supreme Court opinions in these areas and will provide practice points for civil motion practice employing these defenses.

### ***Who Should Attend?***

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

## *Who Is the Faculty?*

**AAG Andrea Silkowitz** clerked during the summer and fall of 1975 for the Division of Law and joined the Division as a Law Assistant in September 1976. She was appointed as a Deputy Attorney General in December 1976. In 1981, Andrea assumed the position of Deputy Attorney General in Charge of Appeals in Trenton and in late 1982, transferred to the Newark office, where she has continued to supervise appeals. In July 1987, she was appointed as an Assistant Attorney General. Andrea has argued numerous appeals before the Supreme Court of New Jersey, the Appellate Division, and the Third Circuit.

**AAG Michael C. Walters** is the Assistant-Attorney General in Charge of Litigation. He was the Section Chief of the Education & Higher Education Section, Division of Law until early September 2012. In this capacity, he supervised the coordination and development of litigation strategy for representing the New Jersey Department of Education and New Jersey colleges and universities. He was responsible for a variety of complex cases including multiple federal class action lawsuits involving federal and State constitutional issues, civil rights, the IDEA, the Rehabilitation Act, the ADA, and the NJLAD. AAG Walters has provided legal analysis on proposed legislation related to education law and legal advice to the New Jersey Department of Education on a variety of issues including special education and school funding. AAG Walters advised the New Jersey State Board of Examiners on issues related to the issuance and revocation of teaching certificates. He has briefed and argued several cases involving a wide range of issues before the United States District Court for the District of New Jersey, the New Jersey Appellate Division and the Third Circuit Court of Appeals. AAG Walters has also handled numerous *Abbott v. Burke* supplemental funding appeals from the administrative hearing through subsequent appeals. He began his career as a law clerk for The Honorable Myron H. Gottlieb, J.S.C and graduated from Rutgers School Law in 1998.

## *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 2.0 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism, and 2.0 qualify as hours of credit toward certification in civil trial law.

**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).

## *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](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://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.