



PROGRAM ANNOUNCEMENT

The Advocacy Institute Is Pleased to Announce

2017 BASIC PROSECUTOR'S COURSE

September 18, 2017 (Part I, Day 1)

9:00 a.m. to 3:15 p.m.

Richard J. Hughes Justice Complex

Fourth Floor Conference Center Room A

25 Market Street

Trenton, New Jersey

PLEASE READ: NOTICE REGARDING COURSE MATERIALS

You will receive the course materials approximately forty-eight (48) hours prior to the date of the course. The materials will be contained in an email attachment.

Program Summary

This four-day seminar series is part of an integrated curriculum designed for new assistant prosecutors and deputy attorneys general, which culminates with an intensive four-day trial advocacy program. Amongst other topics addressed during this session will be: state discovery issues, persuasive motion practice issues and grand jury issues. *Please see the attached schedule for more detail.*

Who Should Attend?

This program is intended for new assistant prosecutors and Division of Criminal Justice deputies, **attendance for which has already been determined by each county prosecutor's office and the Division of Criminal Justice.** Please do not attempt to register for this course if you have not been instructed to do so.

Who Is the Faculty?

Please see the attached schedule.

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 4.8 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism, 4.8 qualify as hours of credit toward certification in criminal trial law and up to 4.8 qualify as hours of credit towards newly admitted/criminal trial preparation.

NY CLE Credit: 4.0 Substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 4.0 Substantive credits (\$6.00 mandatory 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

MONDAY - SEPTEMBER 18, 2017

9:00 a.m. to 9:30 a.m. REGISTRATION

9:30 a.m. to 9:45 a.m. WELCOME

COMPLYING WITH THE STATE'S DISCOVERY OBLIGATIONS (9:45 a.m. to 10:45 a.m.)

This presentation will provide an overview of the constitutional and Court Rule based discovery obligations on the State, at both the pre-indictment and post-indictment stages. It will also include a review of the new discovery rule changes, effective January 1, 2013.

Annmarie Taggart is a Supervising Deputy Attorney General in the Division of Criminal Justice. She is currently the Deputy Chief of the Gangs and Organized Crime/North Bureau. While assigned to the Gangs and Organized Crime Bureau, DAG Taggart gained extensive litigation experience, handling cases from inception to trial. She has prosecuted multi defendant cases involving organized crime members, as well as leaders of drug trafficking networks. DAG Taggart is the Chairperson of the Law Enforcement Sub-Committee for the New Jersey Task Force on Human Trafficking, and the Human Trafficking Liaison for the New Jersey Division of Criminal Justice. Upon joining the Division of Criminal Justice in 2001, DAG Taggart was assigned to the Police and Prosecutor Supervision Bureau, where she prosecuted supersession cases, organized training and curriculum, and served as Counsel to the Police Training Commission.

BREAK – (10:45 a.m. to 11:00 a.m.)

PERSUASIVE MOTION PRACTICE (11:00 a.m. to 12:00 p.m.)

This course will cover an array of issues relating to pretrial motion practice in criminal matters. Subjects will include: common pretrial motions; motions *in limine*; the conduct of a pretrial hearing on motions filed before trial, how to make offers of proof as well as commonly made mistakes in pretrial hearings and relevant legal precedents relating to motion practice and important Court and Evidence Rules.

Kelly A. Testa has been an Assistant Prosecutor since 2001 when she joined the Camden County Prosecutor's Office. She has served in the Homicide, Shoot Team, Narcotics, Major Crimes, Domestic Violence, Motions, Juvenile, and Trial Team Units. In 2014, she was promoted to Section Chief of the Trial Team where she currently oversees 20 Assistant Prosecutors, 9 Detectives and 3 clericals. The Trial Team is responsible for handling the majority of criminal

matters resulting from indictments in the County of Camden. In 2015, the Trial Team resolved over 3,000 cases by way of plea agreements or trials. In addition to overseeing the caseloads of Assistant Prosecutors in her unit, Kelly continues to handle her own cases. In 2014, she oversaw a wiretap investigation which is getting ready to go to trial this year and resulted in the arrest of 40 defendants, including a police officer. Over her career, she has tried many types of cases including homicides, sexual assaults, child abuse, child pornography, narcotics, aggravated assaults, and weapons offenses. She is also a legal advisor to the police departments in Camden County. In 1991, Kelly received a Bachelor's Degree in English and History from Rutgers College, Rutgers University in New Brunswick and her Juris Doctor in 1994 from Rutgers University School of Law – Camden.

LUNCH - 12:00 p.m. to 1:00 p.m.
(on your own)

GRAND JURY ISSUES - (1:00 p.m. to 2:00 p.m.)

An in-depth review of Grand Jury practice is covered in this presentation. Subjects discussed include: the function of the grand jury, preliminary matters, the Brooke Murphy process, presentation of testimony, tactical considerations and when to present exculpatory evidence pursuant to the Supreme Court holding in State v. Hogan. The presenter will also discuss how to charge the grand jury properly.

Myrna Perez-Drace is the Director of the Pre-Indictment Unit at the Essex County Prosecutor's Office, where she has worked for 13 years. As the Director of the Pre-Indictment Unit, she is responsible for all aspects of the Unit in conjunction with Criminal Justice Reform. These units include the Screening Unit, which screens all incoming indictable complaints within Essex County and the Criminal Judicial Processing Court (CJP) where all defendants detained within the county under CJR are produced for their First Appearance within 48 hours of their arrest. Prior to her current position, she was the supervisor of this unit for approximately one year. Before being promoted to Supervising AP, Director Perez-Drace was assigned to the Grand Jury unit for approximately seven years where she presented hundreds of cases including attempted murders, car jackings, robberies, aggravated assaults, financial crimes and narcotics offenses. She also presented specialty matters involving target presentations and superseding indictments. Prior to her assignment to the Grand Jury Unit, Director Perez-Drace spent approximately five years on the Adult Trial Team where she managed a case load of over 100 cases from the initial complaint stage through plea negotiations, motion practice, trials, sentencing proceedings and post-conviction relief matters.

BREAK – (2:00 p.m. to 2:15 p.m.)

JURY SELECTION – (2:15 p.m. to 3:15 p.m.)

Selecting a jury is of the utmost importance. This presentation will offer practical guidance on how to effectively choose a jury, as well as examine ethical problems and considerations in selecting a jury. Among the topics addressed are the impact of social media in jury selection, crafting questions with a purpose, organization as a key tool, and use of challenges.

Steven B. Farman, Esq. is a former Deputy Attorney General and Assistant Prosecutor who retired from public service in 2013. He served as an Assistant Prosecutor in the Essex County Prosecutor's Office from 1986-1998 and tried all manner of cases including two death penalty cases. At the ECPO, he was assigned to various units including the Homicide Unit and the Child Abuse Unit, where he was the Director. From 1998-2013, Mr. Farman served as a DAG with the Division of Criminal Justice in the Office of the Insurance Fraud Prosecutor, where he became the Supervising DAG of the Insurance Fraud Bureau. Mr. Farman was also the Supervising DAG of the Attorney General's Shooting Response Team – a joint investigative team comprised of members of the Division of Criminal Justice and the NJSP Major Crimes Unit – which was tasked with the investigation and prosecution of officer involved shootings and in-custody deaths. Mr. Farman is currently engaged in the private practice of law.