



---

## PROGRAM ANNOUNCEMENT

*The Advocacy Institute Is Pleased to Present*

### **2019 BASIC CIVIL AND ADMINISTRATIVE PRACTICE: DAY 2**

**October 11, 2019  
9:30 a.m. – 4:15 p.m.\*  
R.J. Hughes Justice Complex  
4th Floor Conference Room A  
Trenton, New Jersey**

**\*Registration will be from 9:00 a.m. to 9:30 a.m.**

### **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 two-day program is designed for the Division of Law's newly hired Deputy Attorneys General and volunteer attorneys. The second day of this program will address Representing State Agencies, Implicit Bias, "Lawyering" Written Agreements for State Entities, Sharepoint Basics and Practical Information for DAsG.

#### *Who Should Attend?*

**This program is mandatory for Division of Law Deputy Attorneys General hired in 2018 and 2019 who have not previously completed the Basic Civil and Administrative Practice series of courses. DOL deputies who are required to take this program must register for all nine sessions.**

**This program is also strongly recommended for DOL volunteer attorneys. Other DOL deputies are welcome to attend individual sessions. Please do not attempt to register for this program if you are not an attorney within the Division of Law.**

#### *Who Is the Faculty?*

Please see attached list.

### *CLE Credit*

See each individual course description below for CLE credit amounts. Please note: for PA CLE credit, one check per course.

### **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.

## **LIST OF COURSES AND PRESENTERS**

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

### **REGISTRATION**

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

### **REPRESENTING STATE AGENCIES**

This presentation will provide an overview of issues related to Upjohn Co. v. United States, 449 U.S. 383 (1981), RPC 1.13 and RPC 4.3. This presentation will also provide an overview of DOL policies governing issuance of litigation holds, acceptance of service and handling and responding to requests for representation.

**AAG Michael C. Walters** is a Deputy Director in the Division of Law. He previously served as the Assistant Attorney General in Charge of Litigation. Prior to that position, he was the Section Chief of the Education & Higher Education Section, where 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 involving federal and State constitutional issues, civil rights, the IDEA, the Rehabilitation Act, the ADA and the NJLAD, as well as federal class action lawsuits related to those areas. He provided legal analysis on proposed education related legislation and legal advice to the New Jersey Department of Education on a variety of issues including special education and school funding. AAG Walters also advised the New Jersey State Board of Examiners on the issuance and revocation of teaching certificates. He has briefed and argued 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 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.

**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 credit (\$1.50 mandatory registration fee required).

10:45 a.m. to 11:00 a.m.

**BREAK**

11:00 a.m. to 12:15 p.m.

**RAISING CONSCIOUSNESS: IMPLICIT BIAS  
INTERRUPTED**

Research has established that, unwittingly, all of us have attitudes or buy into stereotypes that influence our impressions about and interactions with other people. The term “implicit bias” has been coined to reflect those unconscious influences, whether they are positive or negative. Implicit bias impacts our professional lives as attorneys, whether in our workplace relationships with supervisors, peers or subordinates at work, or in how we relate to adversaries, judicial personnel, jurors or others. Fortunately, research has also shown that these unconscious biases can be interrupted, enabling us to be more mindful and intentional in how we lead, work with and respond to the people around us. This training will review the research and science in this area, overview the tools for assessing implicit bias and its common forms, and provide practical techniques for interrupting and mitigating implicit bias in the workplace.

**AAG Lora Fong** is the Chief Diversity Officer of the New Jersey Department of Law and Public Safety, a position she has held since its creation in December 2016. Before joining LPS, she was a partner at Brown, Moskowitz & Kallen and held in-house counsel positions at Diversity Inc., Salesforce.com and Fujitsu Consulting. Earlier in her career, she worked at Greenbaum, Rowe, Smith & Davis and Sills, Cummis, Epstein & Gross. She has served on the Board of Trustees of Rutgers University and the New Jersey State Bar Association and as a member of the New Jersey State Advisory Committee to the U.S. Commission on Civil Rights and the New Jersey Supreme Court Committee on Women in the Courts. She graduated from Rutgers University, Douglass College, and Rutgers University School of Law in Newark.

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

**NY CLE Credit:** 1.5 Diversity, Inclusion and Elimination of Bias Credits, pursuant to 22 NYCRR 1500.2 (g). PLEASE NOTE: The Implicit Bias program does not qualify for Ethics and Professionalism credits pursuant to 22 NYCRR 1500.2 (c).

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

12:15 p.m. to 1:15 p.m.

**LUNCH**

1:15 p.m. to 2:30 p.m.

**“LAWYERING” WRITTEN AGREEMENTS  
(MOUs, MOAs, Contracts) FOR STATE ENTITIES**

This presentation will offer deputies a framework for reviewing, drafting or revising a written agreement for State entity clients. The presentation will focus on how to “lawyer” an agreement for an agency client, including ways to improve the client’s ability to maximize the benefits of a written agreement and to protect the client from the risks that can arise from a written agreement. Benefits include ensuring that the client actually receives what it wants and needs from the other party to an agreement so the client can pursue its public policy and statutory missions. Risks include breach of contract (by either party), disagreement between the parties as to what the written agreement means, confidentiality breaches, audit risks and many others. This presentation is designed for attorneys of all experience levels, including newer attorneys and those with limited experience representing public entities.

**AAG Kavin Mistry** is a Deputy Director in the Division of Law. He was previously an Assistant Attorney General in the Financial Affairs Practice Group, where he counseled the State and State agencies on public finance matters and represented the State and State agencies as issuer's counsel on bond and note financings. AAG Mistry also assisted with budget/appropriations questions and matters involving the Division of Taxation and supervised matters concerning the Community Health Care Assets Protection Act and charitable estates and trusts. AAG Mistry represented the New Jersey Housing and Mortgage Finance Agency, the New Jersey Building Authority and the New Jersey Public Broadcasting Authority. Prior to his appointment as an AAG, he served as an Assistant Section Chief in the former Treasury Section (now known as the Pensions & Financial Transactions Section) and prior to that as a Deputy Attorney General assigned to public finance in the former Treasury Section. AAG Mistry received his B.A. from Rutgers, The State University and his J.D. from Rutgers School of Law-Camden.

**AAG Beth Leigh Mitchell** is the AAG in charge of Statewide contracting and procurement in the Division of Law’s Financial Affairs Practice Group. She counsels all State entities and assists DAsG in all sections in advising on contract procurements, contracts and other written agreements, contract and agreement disputes and contract claims, as well as on State grant programs and federal requirements impacting contracts and grants. Prior to joining the Financial Affairs Practice Group, she was an Assistant Section Chief in the Health and Human Services Section. AAG Mitchell received her Bachelor of Fine Arts from the Rhode Island School of Design and her J.D. from Rutgers University School of Law, Newark, NJ.

**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 credit (\$1.50 mandatory registration fee required).

2:30 p.m. to 2:45 p.m.

**BREAK**

2:45 p.m. to 3:30 p.m.

**SHAREPOINT BASICS**

This course is an introduction to the Division of Law's Document Management System (DMS) in Microsoft SharePoint. Topics include: accessing and searching the DMS with Internet Explorer; using MacroView to find matters, upload documents and edit metadata; saving new Microsoft Office documents directly to SharePoint; the check-in/check-out process and versioning; DMS access from Case Tracking and Outlook.

**Matthew Kraemer** is the Department of Law and Public Safety's Information Technology Security Officer. Matt is responsible for implementing state-of-the-art security protocols and ensuring that the department's information technology operations adhere to the New Jersey Statewide Information Security Manual (SISM). Matt holds a Network Administration degree and is certified in CompTIA Security+ and Cisco CCIE Security. He also likes to escape into other worlds through science fiction.

(This course is not eligible for CLE credit.)

3:30 p.m. to 3:45 p.m.

**BREAK**

3:45 p.m. to 4:15 p.m.

**DAG BASICS:  
PRACTICAL INFORMATION  
EVERY DAG NEEDS TO KNOW**

In this program, DAsG will learn important and practical information regarding how to make their way within the DOL including how to: obtain expense reimbursement; submit a travel request; submit an IT ticket; request approval for outside activities; and who to contact with employee benefits questions such as medical leave, and much, much more.

**AAG Elissa Westbrook-Smith** is the Chief of Staff for the Department of Law and Public Safety's Division of Law, where she oversees the DOL's personnel and administrative functions. Prior to joining LPS, Elissa held a variety of positions at the Office of the State Comptroller, including Chief of Staff. Elissa also worked in private practice for a decade in a variety of areas, including labor and employment and trusts and estates. Before becoming an attorney, Elissa worked as baker and a writer for a small newspaper. She received her J.D. from Willamette University in Salem, Oregon, and her B.A. from Northwest Nazarene College in Nampa, Idaho.

(This course is not eligible for CLE credit.)