



---

## PROGRAM ANNOUNCEMENT

*The Advocacy Institute Is Pleased to Present*

### **Communications with Represented Persons: R.P.C. 4.2 in the Criminal Context**

**March 17, 2022  
1:00 p.m. – 3:00 p.m.**

## WEBINAR

### *Program Summary*

Rule of Professional Conduct 4.2 prohibits an attorney from communicating about a matter with a person who the attorney knows, or by the exercise of reasonable diligence should know, is represented by counsel in the matter. This presentation will focus on identifying the issues and legal principles that arise from the application of R.P.C. 4.2 by government attorneys, particularly in the context of investigating and prosecuting a criminal matter.

The issues addressed will include:

- What does R.P.C. 4.2 prohibit?
- How does an attorney evaluate whether a person should be deemed to be represented when they are part of an organization known to be represented?
- When is there a “matter” as defined in R.P.C. 4.2?
- Are *ex parte* communications with represented persons ever authorized, particularly if the attorney believes that a crime may be ongoing?
- How does R.P.C. 4.2 impact communications with represented persons via social media?

### *Eligibility*

This presentation is intended for DAsG and AAsG who deal with criminal matters and county prosecutors and assistant prosecutors. However, other Department of Law and Public Safety DAsG and AAsG might find this presentation of interest. Registrants will receive the course materials prior to the program date.

## *Faculty*

**AAG Christine A. Hoffman** is the Acting Gloucester County Prosecutor. She was most recently a Deputy Director in the Division of Criminal Justice and former Chief of the Division's Corruption Bureau. AAG Hoffman previously served as Deputy Chief of the Division's Major Crimes Bureau and as an Assistant Prosecutor with the Burlington County Prosecutor's Office. AAG Hoffman is a faculty member of the NJ Attorney General's Advocacy Institute and the National Attorneys General Training and Research Institute. She holds a B.A. in History, Summa Cum Laude, from Rider University and a J.D. with High Honors from Rutgers School of Law, Camden.

**AAG Anthony A. Picione** is an Assistant Attorney General with the New Jersey Attorney General's Office and the Deputy Director of the Office of Public Integrity and Accountability within the Division of Criminal Justice of that office. Previously, AAG Picione was the Deputy Chief and then the Chief of the Division of Criminal Justice's Corruption and Government Fraud Bureau for over a decade. AAG Picione's practice concentrates on white-collar crime, particularly offenses involving public officials and public funds. During his career, AAG Picione has prosecuted numerous high profile cases involving public corruption and the theft of public funds. AAG Picione is also an instructor for the New Jersey Attorney General's Advocacy Institute, the National Attorneys General Research and Training Institute, and the New Jersey Police Training Commission, as well as an Adjunct Professor of Trial Advocacy for Rutgers Law School. AAG Picione received a J.D. *cum laude* from the University of Pennsylvania Law School and a B.A. *magna cum laude* from Drew University.

## *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 2.0 hours of Alternative Verifiable Learning Format (AVF) total CLE credit. Of these, 2.0 qualify as hours of credit for ethics/professionalism.

## *Registration*

Those who are eligible to apply should use the Zoom Webinar registration link in the Program Announcement email. Students who are registered will receive a confirmation email with a link to access the program.

**Students must download Zoom before the webinar in order for the AGAI to record polling responses that are required for attendance verification and CLE credit.**

The AGAI will be unable to verify attendance or grant CLE credit to students who have not downloaded Zoom before the webinar.