



PROGRAM ANNOUNCEMENT

The Advocacy Institute Is Pleased to Present

Appellate Symposium, Part 4 Appellate Hot Topics

**August 24, 2023
2:00 p.m. – 3:15 p.m.**

WEBINAR

Program Summary

This program will cover current appellate issues including the Missak opinion, Second Amendment issues, the extension of Comer/Zuber & Baker to young adults; updates on Passcode cases; Zingis (Cassidy cases) and Olenowski (DRE) litigation, the effect of Counterman, continuing Miranda concerns, and CREAMMA and the smell of marijuana.

Eligibility

This program is designed for attorneys in the Division of Criminal Justice and county prosecutors' offices. However, it is open to all deputy and assistant attorneys general in the Department of Law and Public Safety. Registrants will receive the course materials prior to the program date.

Faculty

AAG Carol M. Henderson is Chief of the Appellate Unit of the Division of Criminal Justice. She has briefed and argued over 70 cases before the New Jersey Supreme Court in addition to litigating cases before the Appellate Division, the United States District Court, and the Third Circuit Court of Appeals. AAG Henderson is an instructor for the Attorney General's Advocacy Institute, the NJSBA and ICLE and has published articles on appellate practice, habeas litigation, interlocutory appeals, sentencing, legal writing, and prosecutor ethics and conduct. In 2023, she was the recipient of "Criminal Practitioner of the Year" award from the New Jersey State Bar Association. In 2015, she received the "Professional Lawyer of the Year" award from the Mercer County Bar Association. In 2008, she was the recipient of the New Jersey County

Prosecutors' Association award for "Outstanding Advocacy over a Career." AAG Henderson graduated with honors from Ramapo College of New Jersey and received her J.D. from Seton Hall School of Law.

DAG Frank Muroski is a Deputy Chief in the Division of Criminal Justice's Appellate Unit. He has handled criminal matters before the Law Division, Appellate Division, and Supreme Court. In 2012, he filed an amicus curiae brief in the United States Supreme Court on behalf of New Jersey and 37 other states in a case addressing the deportation consequences of guilty pleas. He has taught courses on criminal law to law enforcement officers and prosecutors and received three Attorney General's awards for Excellence in Appeals. Prior to joining the Division, DAG Muroski was an Assistant Prosecutor in the Union County Prosecutor's Office. He also clerked for two Union County Law Division Criminal trial judges. He received an A.A. in Criminal Justice from Union County College, a B.S. in Accounting from Rutgers-Newark, and a J.D. from the Rutgers School of Law-Camden.

DAG Jennifer Kmiecik is a Deputy Chief in the Division of Criminal Justice's Appellate Bureau. She handles criminal matters before the Law Division, Appellate Division and Supreme Court, as well as federal habeas corpus litigation. In 2016, she filed a United States Supreme Court amicus curiae brief on behalf of New Jersey and 17 other states in *Birchfield v. North Dakota*, a case implicating the constitutionality of DUI implied-consent laws. DAG Kmiecik also regularly teaches courses on criminal law to law enforcement officers and prosecutors. She received an Attorney General's Award for Excellence in Appeals in 2016 and for Trial Assistance in 2012. Prior to joining the Division, DAG Kmiecik clerked in the Appellate Division for the Honorable Victor Ashrafi, J.A.D. She received a B.A., summa cum laude from The College of New Jersey and a J.D., magna cum laude from the Rutgers School of Law-Camden.

DAG Steven Yomtov is a Deputy Chief with the Division of Criminal Justice's Appellate Unit. He litigates appellate matters in both state and federal courts, and routinely appears in the Appellate Division and the New Jersey Supreme Court. He also provides counsel to law enforcement agencies throughout the State and specializes in the area of search and seizure. In 2011, DAG Yomtov was the recipient of the Attorney General's Award for Excellence in Appellate Litigation. He began his legal career as an Assistant District Attorney in the Appeals Bureau of the Bronx District Attorney's Office in New York. He received both his Bachelor's and Master's Degrees in Political Science from Binghamton University and his J.D. from Pace University School of Law. Following graduate school, DAG Yomtov served as a Governor's Fellow at the New Jersey Office of Management and Budget.

DAG Lila Leonard is a Deputy Chief in the Division of Criminal Justice's Appellate Unit. She has briefed and argued criminal cases before the Appellate Division and Supreme Court of New Jersey, in addition to litigating cases before the United States District Court. DAG Leonard is also the Division's liaison to the CODIS Unit. In 2019, she received an Attorney General's Award for Excellence in Appeals. DAG Leonard clerked for the Honorable Gwendolyn Blue, J.S.C., in Camden County. She graduated from the University of South Carolina and Rutgers School of Law-Camden, where she was a Managing Notes Editor of the *Journal of Law and Public Policy*.

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 1.5 hours of Alternative Verifiable Learning Format (AVF) total CLE credit. Of these, 0.0 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.