



---

## **PROGRAM ANNOUNCEMENT**

*The Advocacy Institute Is Pleased to Present*

### **New Jersey v. New York The Battle for Ellis Island**

**November 30, 2023  
1:00 p.m. – 2:30 p.m.**

**Richard J. Hughes Justice Complex  
Advocacy Institute Conference Center  
Fourth Floor, West Wing  
25 Market Street, Trenton, New Jersey\***

**\* This program will also be simulcast as a webinar.**

#### *Program Summary*

History, law and Jersey pride combine to tell the tale of the fight for Ellis Island. The presenter, who was a member of New Jersey's trial team, will detail the Ellis Island boundary dispute that started in 1829 and the series of cases that culminated in an unprecedented 1998 jurisdictional trial before the United States Supreme Court. The decision granting New Jersey sovereignty over 88% of Ellis Island was both a testament to superlative lawyering and an affirmation of New Jersey resiliency in the face of slings and arrows from New York attorneys and legislators, the federal bureaucracy and the Manhattan press corps.

#### *Eligibility*

This program is open to attorneys in the Department of Law and Public Safety and county prosecutors.

#### *Faculty*

**Robert A. Marshall, Esq.** retired from State government in 2018, ending his service as the Assistant Commissioner for Sustainability and Green Energy at the New Jersey Department of

Environmental Protection. Mr. Marshall previously worked in the Office of Counsel to the Governor for four Governors, most recently from January 2010 to February 2012. During his term in Counsel's Office, he specialized in environmental and energy law and policy. Prior to and between terms of service, he was a Deputy Attorney General representing the Departments of Treasury and Environmental Protection from 1988 to 2010.

From 1995 through 1998, Mr. Marshall was on special assignment in The Supreme Court of the United States in *State of New Jersey v. State of New York*, a jurisdictional dispute between the two states over Ellis Island. New Jersey prevailed in this litigation. Mr. Marshall handled the direct and cross examination of the majority of witnesses during the six-week trial, the first trial ever held in the Supreme Court building.

Mr. Marshall began his legal career in the litigation department for the Philadelphia law firm of Montgomery, McCracken, Walker & Rhoads. Prior to that, he served four Commissioners at DEP and spent evenings at Seton Hall School of Law, where he also served as the Editor (evening division) for the Seton Hall Legislative Journal as he completed his J.D.

### ***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 1.8 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

**PA CLE Credit:** 1.5 substantive credits (\$3.00 mandatory registration fee required).

### ***Registration***

Attorneys who are eligible to attend this program should fill out the registration form linked in the live program announcement email.