



*The Advocacy Institute, in Conjunction With the County Prosecutors Association
of New Jersey, Is Pleased to Announce*

PROGRAM ANNOUNCEMENT

APA/AGAI 2ND ANNUAL CLE CONFERENCE

**May 21, 2011
8:00 a.m. to 4:00 p.m.
New Jersey Law Center
1 Constitution Square
New Brunswick, New Jersey**

Program Summary

This program will include various presentations throughout the day. The topics and presenters are listed on the following pages. These presentations will cover a variety of topics concerning substantive and ethics issues directly related to criminal practice.

Who Should Attend?

This seminar is for Assistant Prosecutors and Division of Criminal Justice Deputy Attorneys General who are paid members of the APA of New Jersey **only**. If you have any questions regarding the status of your office membership or for details on how to join the Association, please consult the APA website: <www.APAofnj.org>.

Who Is the Faculty?

See attached.

How Do I Register?

You may [REGISTER HERE](#) or online at www.njadvocacyinstitute.com. Registering ensures that you will receive handout material and that there will be ample space for all attendees.

CLE Credit

NJ CLE Credit: This program had been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for **up to 7.2** hours of total CLE credit. Of these, 3.6 hours qualify as hours of credit for ethics/professionalism, and 7.2 hours qualify as hours of credit toward certification in criminal trial law.

NY CLE Credit: **Up to 6.5** total credits, of which up to 3.0 hours are substantive credits and up to 3.5 hours are ethics credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: **Up to 6.0** total credits, of which up to 3.0 hours are substantive credits and up to 3.0 hours are ethics credits (\$1.50 mandatory registration fee required **per credit hour**).

Special Notice

As many of you are aware, the Attorney General's Advocacy Institute cannot, pursuant to OMB guidance, as interpreted by this office, provide refreshments at its programs. In this instance, our co-sponsor, The Assistant Prosecutors Association of New Jersey, is graciously doing so. Because this is a joint-venture for educational purposes, Deputy Attorneys General and Assistant Attorneys General attending this program may partake of the refreshments. If, however, you are planning to attend this program and are *not* a Deputy Attorney General or Assistant Attorney General, you should check with your Department's or agency's ethics officer to see what, if any, restrictions exist on your partaking in these refreshments. Please do not contact the Institute on this issue. Thank you.

PROGRAM DESCRIPTIONS¹

ETHICAL AND PRACTICAL CONSIDERATIONS IN PLEA BARGAINING

This presentation will discuss ethical issues that can arise in connection with the plea bargaining process, and will also discuss some practical matters concerning the disposition of Grave's Act and school zone cases. **(9:00 a.m. to 11:00 a.m.)**

Presenter: Assistant Attorney General Ron Susswein

NJ CLE Credit: This program had been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 2.4 hours of total CLE credit. Of these, 2.4 hours qualify as hours of credit for ethics/professionalism, and 2.4 hours qualify as hours of credit toward certification in criminal trial law.

NY CLE Credit: 2.5 ethics credits (pursuant to the approved jurisdiction policy)

PA CLE Credit: 2.0 ethics credits (\$3.00 mandatory registration fee required)

COMPREHENSIVE WITNESS PREPARATION - PROVING AND "DEFENDING" THE PROSECUTION'S CASE

Effective witness preparation is crucial to successful presentation at any trial. To insure such preparation, prosecutors should work closely with witnesses -- including experienced and sometimes 'reluctant to prep' law enforcement officers -- to develop a comprehensive approach to witness testimony. This presentation will present strategies for:

- a prosecutor-witness team approach to develop a beyond the basics, through (and to some extent anticipatory) direct examination;
- presentation effectively preparing witnesses to withstand cross-examination; and
- preparing witnesses to spot and to then use opportunities during cross-examination to enhance credibility instead of detracting from it.

The presentation also will reveal "tips and techniques" from the defense perspective for anticipating cross-examination of State witnesses and aspects of preparation of the defense case. (11:00 a.m. to 12:00 p.m.)

Presenter: Rocco C. Cipparone, Jr., Esq.

¹ These programs are listed in their anticipated order of presentation. The order in which these presentations are scheduled **may** change due to the availability of the presenters. You will be informed accordingly of any program changes.

NJ CLE Credit: This program had been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.2 hours of total CLE credit. Of these, 0.0 hours qualify as hours of credit for ethics/professionalism, and 1.2 hours qualify as hours of credit toward certification in criminal trial law.

NY CLE Credit: 1.0 substantive credit (pursuant to the approved jurisdiction policy)

PA CLE Credit: 1.0 substantive credit (\$1.50 mandatory registration fee required)

THE PROSECUTOR AND THE PRESS: AN ETHICS PRIMER

Historically a tension has existed between the prosecutor and the press. While the press can be used as a valuable conduit of information to quell community concerns, seek the public's assistance, or educate future jurors on criminal justice issues, there is also the concern that the press may leak sensitive case information or misinform the public on matters that could prejudice the outcome of a case. This presentation will examine the role of the prosecutor in dealing with – and to a degree managing – the press. The presentation will also address what are the prosecutor's legal and ethical obligations in dealing with press issues. **(1:00 p.m. to 2:00 p.m.)**

Presenter: Robert D. Laurino, Acting 1st Assistant Prosecutor, Essex County

NJ CLE Credit: This program had been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.2 hours of total CLE credit. Of these, 1.2 hours qualify as hours of credit for ethics/professionalism, and 1.2 hours qualify as hours of credit toward certification in criminal trial law.

NY CLE Credit: 1.0 ethics credit (pursuant to the approved jurisdiction policy)

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

NEW JERSEY SEARCH AND SEIZURE LAW: A WHIRLWIND REVIEW OF RECENT CASES AND HOT TOPICS

This presentation will discuss recent developments in the law of arrest, search and seizure, and will offer an easy-to-use analytical template that prosecutors can use to quickly spot and resolve Fourth Amendment issues. **(2:00 p.m. to 3:00 p.m.)**

Presenter: Assistant Attorney General Ron Susswein

NJ CLE Credit: This program had been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.2 hours of total CLE credit. Of these, 0.0 hours qualify as hours of credit for ethics/professionalism, and 1.2 hours qualify as hours of credit toward certification in criminal trial law.

NY CLE Credit: 1.0 substantive credit (pursuant to the approved jurisdiction policy)

PA CLE Credit: 1.0 substantive credit (\$1.50 mandatory registration fee required)

SENTENCING LAW UPDATE AND REVIEW

This presentation will provide an update of sentencing law and a discussion of current issues. Topics included in this presentation include the No Early Release Act (NERA), extended terms and jail credit. **(3:00 p.m. to 4:00 p.m.)**

Presenter: Assistant Attorney General Carol M. Henderson

NJ CLE Credit: This program had been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 1.2 hours of total CLE credit. Of these, 0.0 hours qualify as hours of credit for ethics/professionalism, and 1.2 hours qualify as hours of credit toward certification in criminal trial law.

NY CLE Credit: 1.0 substantive credit (pursuant to the approved jurisdiction policy)

PA CLE Credit: 1.0 substantive credit (\$1.50 mandatory registration fee required)

FACULTY BIOGRAPHIES²

Rocco C. Cipparone, Jr. has been a criminal law trial attorney for the past 23 years, with substantial jury trial experience, first as a federal prosecutor and subsequently as a criminal defense attorney. Mr. Cipparone is the principal at the Law Offices of Rocco C. Cipparone, Jr., Haddon Heights, NJ (www.CipparoneLaw.com), and concentrates his practice on criminal defense and civil litigation. He is certified by the Supreme Court of New Jersey as a Criminal Trial Attorney, and is rated "AV Preeminent" by Martindale-Hubbell. Among Mr. Cipparone's extensive trial experience, in 2008 he was trial counsel for the lead defendant in what is commonly referred to as the "Fort Dix" terrorism case. Mr. Cipparone handles complex federal criminal cases nationally, and state criminal cases in NJ and PA. Since 1991, Mr. Cipparone has been teaching at Rutgers University Law School, Camden, at which he teaches "Criminal Practice." He frequently presents CLE lectures in the area of trial practice, and has written several published articles regarding criminal law and trial practice. Mr. Cipparone has received numerous awards and recognition for his legal skills and efforts including a Special Achievement Award from the Attorney General of the United States, awards from the FBI, DEA, Secret Service, Association of Criminal Defense Lawyers – NJ, and many others. Prior to starting his firm, Mr. Cipparone served as an Assistant U.S. Attorney in New Jersey prosecuting all manner of federal criminal cases. He also was designated as an Organized Crime Drug Task Force Prosecutor. Mr. Cipparone served as a law clerk to The Honorable Anthony J. Scirica, U.S. Court of Appeals for the Third Circuit. He is a *magna cum laude* graduate of the University of Pennsylvania Law School, where he also served on the *Law Review* Editorial Board.

Assistant Attorney General Carol M. Henderson is a Deputy Chief of the Appellate Bureau with the Division of Criminal Justice. She has extensive appellate experience with the New Jersey Supreme Court, the Appellate Division, the federal district court, and the Third Circuit Court of Appeals. AAG Henderson has lectured and written articles on appellate practice, sentencing, legal writing and prosecutor misconduct.

Acting First Assistant Prosecutor Robert D. Laurino has been a member of the Essex County Prosecutors Office since 1980. He has served in every administrative position within the Office, from Assistant Prosecutor, to Director of the Special Victims Unit, Deputy Chief Assistant Prosecutor, Chief Assistant Prosecutor, Acting First Assistant Prosecutor, and Acting Essex County Prosecutor. He has completed over 100 jury trials, and handled thousands of cases involving sexual violence, including the notable Glen Ridge sexual assault case involving the gang rape of a developmentally disabled juvenile. Mr. Laurino was the subject of the book *Our Guys* by Bernard Lefkowitz, and served as a consultant to Robert Greenwald Productions for the 1999 ABC TV television movie "*Our Guys: Outrage in Glen Ridge*," which was based upon his case. Mr. Laurino is a faculty member for the National District Attorneys Association and AEquitas: The Prosecutors' Resource on Violence Against Women, where he has taught trial advocacy courses on matters concerning sexual assault and DNA evidence. He has lectured nationally on sexual violence, forensic evidence, and the abuse of individuals with disabilities. A *cum laude* graduate of Villanova University, Mr. Laurino received a master's degree from Rutgers University. Mr. Laurino graduated

² The faculty biographies are listed alphabetically, not by presentation order.

from Seton Hall University School of Law, where he was an editor of the *Law Review*. He is a member of the New Jersey and New York bars.

Assistant Attorney General Ron Susswein has served for a combined 29 years as a DAG/AAG in the Division of Criminal Justice and the Union County Prosecutor's Office. During his career, AAG Susswein helped to draft many of the Attorney General directives and guidelines that are designed to channel a prosecutor's plea bargaining discretion, including the policies concerning "Brimage," "Graves Act," "NERA," and public corruption cases. Mr. Susswein is a frequent presenter for the Attorney General's Advocacy Institute on a myriad of topics related to criminal practice.

PROGRAM SCHEDULE

8:00 a.m.- 9:00 a.m.	Check-in and Continental Breakfast (Complimentary to registered program participants**)
9:00 a.m. - 11:00a.m..	Ethical and Practical Considerations in Plea Bargaining
11:00 a.m. - 12:00 p.m.	Comprehensive Witness Preparation - Proving and “Defending” the Prosecution’s Case
12:00 p.m. - 12:30 p.m.	Lunch - Strong Lounge (complimentary for registered participants)
(Actual time to be determined)	KEYNOTE ADDRESS: Attorney General Paula T. Dow
1:00 p.m. - 2:00 p.m.	The Prosecutor and the Press: An Ethics Primer
2:00 p.m. - 3:00 p.m.	New Jersey Search and Seizure Law: A Whirlwind Review of Recent Cases and Hot Topics
3:00 p.m. - 4:00p.m.	Sentencing Law Update and Review