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## PROGRAM ANNOUNCEMENT

*The Advocacy Institute Is Pleased to Present*

### THE DIVISION OF CRIMINAL JUSTICE'S 2018 APPELLATE SYMPOSIUM

**August 2, 2018  
10:00 a.m. – 4:00 p.m.  
Richard J. Hughes Justice Complex  
4th Floor A Rooms  
25 Market Street  
Trenton, New Jersey**

PLEASE READ: 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 day-long symposium will address hot topics and emerging issues in criminal law enforcement in New Jersey, including: community caretaking, the Emergency Aid Doctrine and exigency; Speedy Trial rights and responsibilities; upcoming New Jersey Supreme Court litigation; and sentencing and jail credit updates.

#### *Who Should Attend?*

**This seminar is only intended for Division of Criminal Justice Deputy Attorneys General, Assistant Prosecutors, detectives and investigators handling criminal matters. This program is not open to other government attorneys or law enforcement personnel beyond those identified above. Please do not attempt to register if you are not a member of one of the listed groups.**

## ***Who Is the Faculty?***

Please see below.

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

**NY CLE Credit:** 5.0 Substantive Credits (pursuant to the approved jurisdiction policy).

**PA CLE Credit:** 4.5 Substantive Credits (\$7.50 per credit mandatory registration fee required).

## **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.

### **Non-State Employees or State Employees not Connected to the Garden State Network**

If you are not a State employee, or are otherwise unable to access the AGAI Course Registration System through the Garden State Network, kindly email the Advocacy Institute at: [njagai@njoag.gov](mailto:njagai@njoag.gov) for an authorization code to allow you access to the AGAI Course Registration System through the My New Jersey portal. **Setting up your account through the portal is a two-step process, the details of which are set forth in the next two paragraphs.**

Once you receive the portal authorization code you will be prompted to go to the My New Jersey portal at <http://www.state.nj.us/> and create a portal account. Once your portal account is created you are prompted to enter your authorization code. This is Step 1 of the process, which you need only do once.

**If you have already been issued an authorization code in the past you do not need to request another one.** You can log into your account on the Garden State Network at <http://www.state.nj.us> and under the heading NJ L&PS Applications you will see the Attorney

General's Advocacy Institute's Registration System. Click on that and log into your account on our system.

Upon setting up your portal account, you need to set up your AGAI Course Registration System account. This is Step 2. To do so, log on to the My New Jersey Portal <http://www.state.nj.us/>. 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 new 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.

## **PROGRAM SCHEDULE**

### ***Community Caretaking, the Emergency Aid Doctrine, and Exigency: How These Exceptions are Applied in the Home Context***

**10:00 a.m. – 11:00 a.m.**

This course will examine the similarities and differences among the community caretaking and emergency aid doctrines, and the stand-alone exigency exception to the warrant requirement and how they each apply to the residential context. Because principles governing these three exceptions overlap with one another, it sometimes leads to confusion as to which exception is applicable in a given set of circumstances. This course will be of particular interest to prosecutors handling motions to suppress at the trial level and search-and-seizure issues on appeal.

**DAG Steven A. Yomtov** is Senior Counsel with the New Jersey Division of Criminal Justice's Appellate Bureau, where he has worked since he joined DCJ in April 1999. DAG Yomtov 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 an Attorney General's Award for Excellence in Appellate Litigation. DAG Yomtov began his legal career in 1994 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 in 1988 and 1989, respectively, and his J.D. from Pace University School of Law in 1994. Following graduate school, he served as a Governor's Fellow at the New Jersey Office of Management and Budget.

### ***Break***

**11:00 a.m. – 11:15 a.m.**

### ***Criminal Justice Reform-Speedy Trial***

**11:15 a.m. – 12:15 p.m.**

This course will provide guidance on Speedy Trial rights and responsibilities in the era of criminal justice reform. It will cover the Speedy Trial statute and court rule, the required time to indict and commence trial, excludable time, motions, potential issues confronting prosecutors,

and recent case law that has addressed Speedy Trial time periods.

**Maura M. Sullivan** is an Assistant Prosecutor with the Office of the Camden County Prosecutor. She specializes in State and federal appellate litigation and has argued cases in the Appellate Division. Prior to becoming an Assistant Prosecutor, she clerked for nearly three years in federal court for the Honorable James M. Munley in the United States District Court of the Middle District of Pennsylvania and the Honorable Juan R. Sanchez and the Honorable Timothy R. Rice in the United States District Court of the District of Pennsylvania. She received her J.D. from Temple University Beasley School of Law in 2011.

***Lunch***

**12:15 p.m. – 1:15 p.m.**

***Upcoming New Jersey Supreme Court Litigation***

**1:15 p.m. – 2:45 p.m.**

This course will provide a brief overview of the most significant criminal appeals likely to be argued in the New Jersey Supreme Court during the 2018-2019 Court Term.

**Kelly Shelton** is an Assistant Prosecutor with the Warren County Prosecutor's Office, where she supervises the Appellate and Mental Health Units. She has been assigned to various units within the office, including the Special Victim's Unit, the Trial Unit, and the Megan's Law Unit. Prior to joining the prosecutor's office, she practiced civil litigation in Philadelphia, PA. Assistant Prosecutor Shelton is also an instructor for the Attorney General's Advocacy Institute. She graduated *magna cum laude* from Temple University School of Law in 1994.

**Kayla Rowe** is an Assistant Prosecutor in the Appellate Section of the Essex County Prosecutor's Office. She handles criminal matters before the Law Division, Appellate Division and Supreme Court, and provides trial assistance to her colleagues. Prior to joining the Essex County Prosecutor's Office, she briefly worked in civil litigation. Kayla clerked for the Honorable Stephen B. Rubin, J.S.C., in Hunterdon County. She graduated from Washington and Lee University and the Villanova University School of Law.

***Break***

**2:45 p.m. – 3:00 p.m.**

***What's New with Sentencing and Jail Credit and Why You Should Care***

**3:00 p.m. – 4:00 p.m.**

This course will provide an update of recent cases and statutes relating to sentencing and jail credit. New decisions will be discussed with a focus on the impact they can have on plea bargains and appellate litigation.

**AAG Carol M. Henderson** is a Deputy Chief of the Appellate Bureau of the Division of Criminal Justice and has been with the Bureau since 1979. She has briefed and argued over 60

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 established a victim notification system for appellate cases which allows county victim witness offices to register cases where victims wished to be informed of appellate proceedings. AAG Henderson is an instructor for the Attorney General's Advocacy Institute, the New Jersey Bar Association and ICLE and has published articles on appellate practice, habeas litigation, interlocutory appeals, sentencing, legal writing, and prosecutor ethics and conduct. In 2008, she was the recipient of the New Jersey County Prosecutors' Association award for "Outstanding Advocacy Over a Career." AAG Henderson is the former chairperson of the Criminal Law Section and the Appellate Practices Committee of the New Jersey State Bar Association and a past president of the Women Lawyers' Caucus of Mercer County. AAG Henderson graduated with honors from Ramapo College of New Jersey and received her law degree from Seton Hall Law School.