

NJ AG Division Head Focused On Next Generation Of Leaders

By **Bill Wichert**

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Now leading the Division of Law in the New Jersey Attorney General's Office after more than two decades there, Michelle Miller is looking to build up her staff while maintaining current policies and developing the next generation of attorneys who will guide an institution she said needs to be a "rock solid, steady hand" in helping to run state government.

After recently becoming division director in a permanent capacity, Miller said she wants to ensure the unit's work remains the "gold standard" she discovered while working as a law clerk in the same building where she now heads the roughly 500-lawyer operation, which is tackling high-profile issues like the opioid epidemic and pollution.

"We hold ourselves to a high standard," Miller told Law360 in her Trenton office. "I feel that it was very much ingrained in me that ... whenever you go into the courtroom, whenever you go into a client agency, whenever you go into a commissioner's office, that you are really representing the attorney general and the Division of Law, and I carry that mantle proudly."

"And that's the kind of thing that we want to make sure that we instill in the deputies," she said.

Bringing along the "next generation of careerists" at the division is among Miller's priorities after being tapped by state Attorney General Gurbir S. Grewal in early March to assume the director's position on a permanent basis. She had served as acting director since July 2015.

A key part of developing that next group of division leaders will be filling vacant management positions, Miller said. Existing managers, who have been doing "yeoman's work for the past couple of years," would then have more time to mentor deputy attorneys general, she said.

"We were very much brought along to be the next generation, and I want to do that for the deputies in the ranks now," said Miller, referring to herself and members of her senior staff. "I want them to know that this is a place where they can learn and grow and be promoted and be that next generation for ... the next 20 years."



Michelle Miller

The value of such veteran experience comes through in the institutional knowledge the division has about state departments and agencies, the governor's office and the policies implemented in the past, according to Miller. In addition to providing legal counsel to state officials, the division is responsible for thousands of matters in state and federal courts.

"We're the repository of many, many, many years of case law, information, advice, interaction with clients," Miller said. "We try to be the rock solid, steady hand for our clients."

While the division is predominantly defense-oriented — such as when its attorneys are fighting a lawsuit against the state or a challenge to an administrative decision — the organization also has a "robust affirmative litigation practice," Miller said.

On the affirmative side, the caseload includes environmental pollution, consumer fraud and securities fraud matters as well as opioid-related litigation, which will be a continuing focus of the division, according to Miller.

"So all of those engines are still completely revving ... and will continue to do so," she said.

The division also uses outside counsel for certain matters, such as medical malpractice cases, Miller said. "I think that there's real value in utilizing outside counsel, particularly those firms that have expertise in the area," she said.

Miller's latest promotion comes after rising through the division's ranks since becoming a deputy attorney general in 1995 and developing a reputation for intellectual rigor, thoughtfulness, tenacity and an ability to connect with people at all levels of the organization, among other qualities, current and former colleagues said.

For the counseling provided by the division and its defensive and affirmative litigation practices, Miller is "a measured, calm and incredibly knowledgeable force," according to Rebecca Monck Ricigliano, a partner in the white collar and regulatory enforcement group at Crowell & Moring LLP.

"Each one of them could take up one person's job, and Michelle has the uncanny ability to do all three," said Ricigliano, formerly the first assistant attorney general of New Jersey.

Former Attorney General Christopher Porrino, now a partner with Lowenstein Sandler LLP, said he could always count on Miller to "solve the most difficult ... legal questions."

"She's a tremendous public servant," said Porrino, who served under Gov. Chris Christie, a Republican. "The people of the state of New Jersey are fortunate to have her in that role."

Grewal, who succeeded Porrino as attorney general in January after Democratic Gov. Phil Murphy took office, said in a statement that, from the moment he was nominated for the job in December, he was told that Miller was "one of New Jersey's most capable and intellectually rigorous lawyers."

"Over the last few months, I've had the chance to work with her closely, and she has more than lived up to her stellar reputation," Grewal said. "Whenever our office confronts a particularly thorny legal issue, I feel better knowing that Michelle and her team of career professionals are working on it. I'm delighted she accepted my offer to assume the director position on a permanent basis."

A native of Yardville, New Jersey, Miller said she initially attended Fairleigh Dickinson University as a dance major. As part of her program at the school, Miller said she toured and performed with the Garden State Ballet.

“There's a lot of discipline and lessons learned being a dancer that I carry with me to this day,” Miller said. “It's all about being prepared upfront and practice, practice, practice. Practice your opening, practice your dance.”

After the university dropped the dance major, Miller switched to an English language and literature major, and a professor later suggested that she take the LSAT because of her “very persuasive writing style,” she said. Miller said she did well on the test and went on to Seton Hall University School of Law.

Miller became inspired to work for the division during her clerkship with state Appellate Division Judge Ermine Lane Conley, she said. She recalled the high quality of the division's briefs and the value the judge placed on its work.

“So between what I saw and how she viewed the work of this office ... for me it was the gold standard,” Miller said.

Miller said she remembered the judge “remarking on how she valued the input from the deputies. She trusted everything that they put in a brief. She knew that they would be an accurate reflection of the facts and analysis of the law.” Judge Conley encouraged her to apply to the division, Miller said.

“The way she viewed the work that came from our office ... and knowing the level of trust and respect that the bench gave us, I never forgot that,” Miller added.

As a law clerk, Miller also said she was drawn to the constitutional issues — the ones that matter to “the greater public” — being tackled by division attorneys.

At the division, the notable cases Miller would work on included *Abbott v. Burke*, the landmark school funding litigation. Another highlight of her career was defending the constitutionality of the Charter School Program Act of 1995 during her first argument before the state Supreme Court, which ruled in the state's favor, Miller said.

The division has become her “home away from home,” the place where Miller grew up as an attorney under the guidance of mentors that included her former supervisor, Nancy Kaplen, and onetime director and now-Supreme Court Justice Jaynee LaVecchia, she said.

“It really is more than just a job for me,” Miller said.

Reflecting on the pride she feels in working there, Miller said that if the division ensures that “the next generation of deputies feels the same way ... I will have done my job.”

--Editing by Philip Shea and Jill Coffey.