

## Megan's Law Litigation

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

Those subject to Megan's Law or Parole Supervision for Life and/or Community Supervision for Life understand how difficult it can become to secure desirable employment and to develop normal, healthy relationships with others. Despite the hardships, there are legal avenues that may help to lessen the restrictions that Megan's Law carries.

Megan's Law has been in effect since 1994, and today there are many people eligible to file motions to be released from Megan's Law registration and lifetime supervision. To succeed using these motions, one must submit a properly prepared and persuasive presentation of social, family, and employment records as well as an appropriate psychological evaluation. Additionally, a court hearing is required.

### Challenging Tier Level Determinations

The law requires that anyone convicted of an offense requiring registration under Megan's Law shall undergo a process by which the County prosecutor will determine which level of registration is appropriate. This is sometimes called the Tier Level Analysis. This includes:

- TIER ONE: community notification is limited to law enforcement agencies which may be in the geographic area or likely to have contact with the individual.
- TIER TWO: includes the enforcement agencies in Tier One and expands notification to community and educational institutions.
- TIER THREE: includes people that are likely to come into contact with the individual registered.

The determination of how and whom (in the public) should be notified is determined on a case-by-case basis. Some TIER TWO and all TIER THREE designations result in placement on the Internet registry of sex offenders.

Wilentz, Goldman & Spitzer, P.A. attorneys have a great deal of experience in handling cases involving Megan's law, including representing clients that challenged their Tier designations in court, and those whom have sought to petition the court to be removed from registration requirements. If you or someone you care about is expressing Megan's Law concerns, Wilentz attorneys may be able to help.

**To speak with an attorney about your legal options, please call: 732-855-6100.**