Thursday, August 24, 2017

7:30 to 8:30 a.m. REGISTRATION & CONTINENTAL BREAKFAST – Salon E Foyer

8:30 to 8:45 a.m. WELCOMING REMARKS – Salon E
Frank Draper, Attorney Advisor, Office of Defender Services Training Division, Washington, DC
Leigh Skipper, Chief Federal Defender, Community Defender for the Eastern District of Pennsylvania, Philadelphia, PA
Jeffrey Lindy, CJA Panel Representative for the Eastern District of Pennsylvania, Philadelphia, PA

8:45 to 10:00 a.m. WRITING, WITH STYLE – Salon E
Jay McEntire, Senior Litigator, Eastern District of Washington, Spokane, WA
Good lawyering depends on good communicating, and good communicating requires clear writing. The goal for this talk: to provide succinct, easy-to-implement writing tips to generate clear writing, which will enable better communicating, which result in better lawyering—plain and simple.

10:00 to 10:15 a.m. BREAK

TRACK PRESENTATION DESCRIPTIONS

1. Immigration
The arrests of noncitizens are expected to significantly increase under the directives laid out in the executive orders of the new administration. Immigration cases present a variety of issues often not encountered in the defense of other types of cases, such as detention by immigration authorities and deportation. Learn some of the basics about immigration law, the do’s and don’ts of plea negotiation for noncitizen clients, and the specific defenses available in illegal reentry cases. All of those issues and more will be covered during the sessions in this track.
2. **Motion Practice & Trial Skills**
   The ability to contemplate and craft thoughtful, meaningful motions is an ever-evolving skill. These sessions will discuss potential motions counsel should think about filing to win their client’s cases before or during trial and litigating these issues at trial.

3. **Forensics**
   A fundamental understanding of science and processes is critical to representing a client in federal cases, particularly as the government. These sessions are designed to provide a basic overview of frequently encountered forensic issues. They will further discuss ways defense attorneys can either refute the evidence or use it to their advantage.

4. **Mitigation & Mental Health**
   Mitigation consists of anything that helps the prosecutor or judge better understand who the client is, and why he or she committed a crime. Creativity is key; the mitigation in a case is limited only by counsel’s imagination and investigation. Mitigation is often based on the personal characteristics and history of a client, but it may also concern the facts of the offense or the potential effects of a specific sentence. Recent statistics show that a growing number of the indigent accused suffer from varying forms of mental health issues. These sessions are designed to touch upon the issues you may see, and need to develop in your practice.

5. **Sentencing Strategies & Practices**
   Sentencing in federal criminal cases is no longer limited to a mere guideline calculation. This track highlights avenues available to defense counsel to obtain better sentences for their clients. Track sessions will look at the guidelines, interpretations of sentencing statutes and how to create a critical sentencing narrative by developing persuasive, fact-based, sentencing strategies.

10:15 to 11:15 a.m.  **TRACK PRESENTATIONS**

1. **Immigration**
   **PLEA NEGOTIATIONS FOR NON-CITIZENS– Salon A**
   (repeats today at 1:30 to 2:30)
   Dan Kesselbrenner, Executive Director, National Immigration Project of the National Lawyers Guild, Boston, MA
   Under the new administration, noncitizen clients are facing even more criminal prosecutions with harsh consequences. Knowing whether your client’s conviction will be a crime involving moral turpitude versus an aggravated felony may make the difference between remaining in the U.S. with their family and being deported. This session will educate attorneys on the deportable and inadmissible crimes, such as aggravated felonies, crimes involving moral turpitude, domestic offenses, drug offenses, and firearms. In addition, this session will review the practical tips on plea negotiations to resolve cases with the least detriment to the noncitizen.
2. Motion Practice & Trial Skills  
RULES OF EVIDENCE 404 AND 405: HOW TO USE THEM AND NOT BE ABUSED BY THEM – Salon B  
(repeats today at 1:30 to 2:30)  
James Smith, III, Attorney, CPLS, P.A., Orlando, FL  
We spend so much of our time and effort trying to exclude evidence that we tend to forget many evidentiary rules that allow us to tell our client's side of the story. This presentation will explore how criminal defense attorneys can use the evidentiary rules to admit favorable evidence at trial.

3. Forensics  
CAN YOU HEAR ME NOW? CELL PHONES AND THE FOURTH AMENDMENT – Salon C  
(repeats today at 1:30 to 2:30)  
Meghan Skelton, Assistant Federal Defender, District of Maryland, Greenbelt, MD  
Courts are recognizing more privacy rights regarding cell phones. Forty-year-old Fourth Amendment doctrines that had eroded privacy seem to be teetering on the edge of collapse. But the modern surveillance state is still trying to learn every last detail about our clients, and us, from our cell phones and how we use them.

4. Mitigation & Mental Health  
MITIGATION INVESTIGATION – Salon D  
(repeats today at 1:30 to 2:30)  
Elizabeth Vartkessian, Executive Director, Advancing Real Change, Inc., Baltimore, MD  
This session will cover foundational topics such as client and witness interviews, record searches, and the creation of key case documents.

5. Sentencing Strategies & Practices  
TOO OLD AND TOO YOUNG FOR PRISON: THE RELEVANCE OF AGE AT SENTENCING – Salon E  
(only time offered)  
Denise Barrett, Sentencing Resource Counsel, Baltimore, MD  
Age is relevant to the fair sentencing of our clients under 18 U.S.C. §3553(a). Learn more about how age is a significant factor related to culpability risk of recidivism, and the impact of imprisonment. This session will focus on mitigating your client focusing on his/her age at the time of the offense.

11:15 to 11:30 a.m. BREAK
11:30 to 12:30 p.m. LAW MAN: MY STORY OF ROBBING BANKS, WINNING SUPREME COURT CASES, AND FINDING REDEMPTION – Salon E
Shon Hopwood, Associate Professor of Law, Georgetown Law, Washington, DC

Listen to Shon tell his story of redemption from a young bank robber who served 12 years in BOP, to jailhouse lawyer, law school graduate, and now Associate Professor of Law at the Georgetown Law Center.

12:30 to 1:30 p.m. LUNCH

1:30 to 2:30 p.m. TRACK PRESENTATIONS

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5. **Sentencing Strategies & Practices**

AVOIDING AND CHALLENGING MANDATORY MINIMUMS IN THE POST-SESSIONS WORLD – Salon E
(repeats today at 3:50 to 4:50)

Amy Baron-Evans, Sentencing Resource Counsel, Boston, MA

The future of sentencing includes mandatory minimums; and the current administration is seeking them with gusto. It’s time to revitalize badly outdated Eighth Amendment law regarding term of years sentences for adults, to which the Supreme Court opened the door in its juvenile decisions. The Court’s decisions regarding Due Process challenges to the use of stiff sentences to coerce pleas is also badly outdated, pre-dating DOJ’s 25-year policy of encouraging that practice. Besides the substance of these arguments, when and how to make them? How to make the record?

2:35 to 3:35 p.m.  TRACK PRESENTATIONS

1. **Immigration**

MAKING THE IMPOSSIBLE POSSIBLE: TRIAL TACTICS FOR DEFENDING ILLEGAL RE-ENTRY AND TRANSPORTING CASES - Salon A
(repeats today at 3:50 to 4:50)

Francisco “Frank” Morales, Assistant Federal Public Defender, Office of the Federal Public Defender, Corpus Christi, TX

So you say you have no defense? We'll find you one. In this session, attendees will receive various trial tactics that could be helpful in hearing the words "Not guilty" following a jury trial in illegal re-entry cases (1326) and transporting cases (1324). The topics range from fighting citizenship claims to humanitarian defenses in the defeat of transporting charges.
2. Motion Practice & Trial Skills
SIX AREAS TO WORRY ABOUT IN FIREARM CASES – Salon B
(only time offered)
Leigh Skipper, Chief Federal Defender, Community Defender for the Eastern District of Pennsylvania, Philadelphia, PA

Firearms prosecutions still make up much of the cases brought in federal criminal court and there are a multitude of issues which seem to keep repeating themselves. While an hour is not enough to cover all gun related issues, this session will take a look at six important areas of concern and how to go about addressing them.

3. Forensics
EYEWITNESS IDENTIFICATION – Salon C
(repeats today at 3:50 to 4:50)
Karen Newirth, Senior Staff Attorney, The Innocence Project, New York, NY

Eyewitness misidentification is the greatest contributing factor to wrongful convictions proven by DNA testing, playing a role in more than 70% of convictions overturned through DNA testing nationwide. Inaccurate eyewitness identifications can confound investigations from the earliest stages. Critical time is lost while police are distracted from the real perpetrator, focusing instead on building the case against an innocent person. This session will provide an overview of the solid and growing proof of the inaccuracy of traditional eyewitness ID procedures and approaches taken in federal court.

4. Mitigation & Mental Health
THE MANY USES OF NEUROPSYCHOLOGY – Salon D
(repeats today at 3:50 to 4:50)
Dr. Joette James, PHD, Rockville, Washington, DC

Discussion of the discipline of neuropsychology and how it differs from forensic psychiatry. Presentation of case studies on the various uses of neuropsychology and IQ testing, including in challenges to prior convictions and competency, as powerful mitigation at sentencing.

5. Sentencing Strategies & Practices
PRESERVING ISSUES FOR APPEAL – Salon E
(only time offered)
Shon Hopwood, Associate Professor of Law, Georgetown Law, Washington, DC

No matter how good your issue, you can't win if you can't get into court. Inadequate issue preservation is a tremendous obstacle to advancing and winning sentencing issues on appeal. This session will discuss strategies on how to properly make your district court record.

3:35 to 3:50 p.m. BREAK
1. **Immigration**

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2. **Motion Practice & Trial Skills**

**THE PREPARATION AND TRIAL OF A FEDERAL CHILD PORNOGRAPHY OFFENSE – Salon B**

( repeats on Saturday at 9:35 to 10:35 a.m.)

Jason Ser, Assistant Federal Public Defender, Southern District of New York, White Plains, NY

This session will suggest various pretrial measures for attorneys to take when faced with the prospect of going to trial. The presentation will also discuss evaluation of the strengths and weaknesses of the forensic evidence in the case and the approaches for handling the cross-examination of the Government's forensic expert.

3. **Forensics**

**EYEWITNESS IDENTIFICATION – Salon C**

(repeat from 2:35 p.m.)

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neuropsychology and IQ testing, including in challenges to prior convictions and competency, as powerful mitigation at sentencing.

5. **Sentencing Strategies & Practices**

AVOIDING AND CHALLENGING MANDATORY MINIMUMS IN THE POST-SESSIONS WORLD – Salon E

(repeat from 1:30 p.m.)

Amy Baron-Evans, Sentencing Resource Counsel, Boston, MA

The future of sentencing includes mandatory minimums; and the current administration is seeking them with gusto. It’s time to revitalize badly outdated Eighth Amendment law regarding term of years sentences for adults, to which the Supreme Court opened the door in its juvenile decisions. The Court’s decisions regarding Due Process challenges to the use of stiff sentences to coerce pleas is also badly outdated, pre-dating DOJ’s 25-year policy of encouraging that practice. Besides the substance of these arguments, when and how to make them? How to make the record?

4:50 to 5:00 p.m. **BREAK**

5:00 to 6:00 p.m. **WHO TELLS YOUR STORY: BETTER ADVOCACY IS WHEN YOU REMEMBER, FEEL AND IT MOVES YOU – Salon E**


Having a theory for sentencing and supporting themes is critical to your organization of the case and forms the basis of your sentencing story. This session will define a theory and theme, and will address how to develop theories and themes and weave them into your story of mitigation for sentencing. It will also discuss the elements of storytelling and how to effectively use storytelling to make a compelling argument at sentencing.
Friday, August 25, 2017

7:30 to 8:30 a.m. REGISTRATION & CONTINENTAL BREAKFAST – Salon E Foyer

8:30 to 9:30 a.m. ECHOES OF WAR: COMBAT TRAUMA, CRIMINAL BEHAVIOR, AND HOW WE CAN DO A BETTER JOB THIS TIME AROUND – Salon E
Brockton D. Hunter, The Law Office of Brockton D. Hunter, P.A., Minneapolis, MN
For as long as warriors have returned from battle, some have brought their war home with them, bearing invisible wounds that haunt in the present. These echoes of war - manifested in self-destructive, reckless and violent behavior - reverberate through society, destroying not only the lives of these heroes, but their families and communities. A new generation of veterans, more than 2.6 million, is now returning home from Iraq and Afghanistan and there is good reason to believe more of them will bring their war home with them than ever before. Unlike previous generations, this one is relatively small, yet it has fought the two longest wars in our country’s history - simultaneously. Many of this generation will have survived combat injuries that would have killed them in the past, but will nonetheless bear the psychological scars of their brush with death. This session will cover the history of combat trauma, its ties to criminal behavior, and how we can do a better job with this generation of veterans in the justice system this time around, from pre-trial strategies, to trial defenses and sentencing. It will also cover investigation approaches, including obtaining and interpreting military and VA records, building trust with veteran clients, and identifying and interviewing key witnesses.

9:30 to 9:40 a.m. BREAK

9:40 to 10:40 a.m. TRACK PRESENTATIONS

1. Immigration
IMMIGRATION NUTS & BOLTS – Salon A
(repeats today at 10:50 to 11:50 a.m.)
Violeta Chapin, Associate Clinical Professor of Law, University of Colorado Law School, Boulder, CO
Noncitizens represent approximately 13% of the population but unfortunately face increased criminal prosecutions. As a result, practitioners need to know generally about immigration law and what the immigration consequences are for their clients. This session will cover the basics, including immigration statuses, deportation and removal, deportability vs inadmissibility, and forms of immigration relief. This session is ideal for counsel who seek a basic understanding of immigration law as well as those who have experience in “crimmigration” defense.
2. **Motion Practice & Trial Skills**
   CROSS OF THE INFORMANT – **Salon B**
   (repeats today at 1:15 to 2:15 p.m.)
   Professor Dehlia Umunna, Harvard Law School, Cambridge, MA
   A nuts and bolts session on how to conduct an effective cross-examination of an informant, including suggestions on impeachment, bias, and ways to use the plea agreement to advance your defense theory and undermine the government’s case.

3. **Forensics**
   **FINGERPRINTS** – **Salon C**
   (only time offered)
   Robert Epstein, Assistant Federal Defender, Community Defender for the Eastern District of Pennsylvania, Philadelphia, PA
   In real life, and according to many experts, fingerprints are the lesser cousin of a lie detector and shouldn’t be anywhere near a courtroom. Learn what makes this evidence “junk,” learn how the National Academy of Sciences attacks “fingerprint science,” and arm yourself with the tools for addressing, attacking and presenting this otherwise deadly evidence.

4. **Mitigation & Mental Health**
   **REMOVING THE STIGMA FROM MENTAL HEALTH ISSUES IN YOUR SENTENCING PRACTICE** – **Salon D**
   (only time offered)
   Frank Draper, Attorney Advisor, Defender Services Office Training Division, Washington, DC
   Mental health issues are part of your client’s “history and characteristics.” Overall, 45% of federal prisoners have had a mental health problem (61.2% for women in federal prison). Often our clients have mental health issues reaching back to childhood. This session is designed to help participants learn how to present your client’s mental health issues in a mitigating way by removing the stigma of mental illness, and suggesting an appropriate sentence that takes into account punishment, treatment, and recidivism.

5. **Sentencing Strategies & Practices**
   **YA LO PAGUÉ: CALCULATING SENTENCING ENHANCEMENTS UNDER THE REBOOTED 2L1.2** – **Salon E**
   (repeats on Saturday at 9:35 to 10:35 a.m.)
   Tamara Mulembo, Assistant Federal Public Defender, District of Arizona, Tucson, AZ
   Joan Politeo, Deputy Federal Public Attorney, Central District of California, Riverside, CA
   This session will address the new and sweeping changes to the immigration guidelines effective November 1, 2016. We will use scenarios to help us
identify the challenges in applying the new guidelines to help ensure the lowest possible sentence for our clients.

10:40 to 10:50 a.m.  BREAK

10:50 to 11:50 a.m.  TRACK PRESENTATIONS

1. Immigration
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2. Motion Practice & Trial Skills
BEING HUMAN IS HARDER THAN IT SEEMS – Salon B
(repeats today at 2:30 to 3:30 p.m.)
Jennifer Sellitti, New Jersey Office of the Public Defender, Trenton, NJ
Every conscientious attorney strives to be client-centered, to build relationships with our clients, and to truly know his/her story. Time constraints and heavy caseloads, however, sometimes make the task of truly knowing our clients seem impossible. This lecture aims to give participants efficient ways to build client relationships. It takes the concepts of compassion, communication, and empathy out of the realm of the “touchy feely” and repositions them as tools for better trial advocacy. The trial advocacy skill that anchors the lecture is direct examination, but the techniques can be applied to any other area of practice.

3. Forensics
CHALLENGING UNRELIABLE FORENSIC EVIDENCE – Salon C
(repeats today at 2:30 to 3:30 p.m.)
Chris McKee, Director of the Schaden Experiential Learning & Public Service Programs, University of Colorado Law School, Boulder, CO
From fingerprints to firearm toolmarks to DNA interpretations, not all forensic evidence is backed up by science. With the landmark report in 2009 by the National Academy of Sciences to the 2016 PCAST Report by renowned Scientific Advisors to the President, the problems with forensic science is now well documented. This session will focus on how to use these reports and offer
strategies for discovery, pre-trial motions and trial challenges of unreliable forensic evidence.

4. **Mitigation & Mental Health**  
**TELLING THE STORY OF AFRICAN-AMERICAN CLIENTS: USING HISTORY, SOCIAL CONTEXT, AND RACE TO UNDERSTAND THEIR DEVELOPMENTAL TRAJECTORY - Salon D**  
(repeats today at 2:30 to 3:30 p.m.)  
Dr. Hope Hill, **Associate Professor, Department of Psychology, Howard University, Washington, DC**  
This presentation will outline a model to incorporate the role of history, social context and race in working with African American clients. Using a developmental model, we will provide strategies on understanding the lives of our clients through examining the impact of neighborhoods, social policies and social context. We will examine their experience through the lens of implicit bias and examine the impact of micro aggressions in shaping their lives. Finally, we offer how these factors shape preparation of your case.

5. **Sentencing Strategies & Practices**  
**PUT A PHD ON IT—USING SOCIAL SCIENCE AT SENTENCING – Salon E** (only time offered)  
Denise Barrett, **Sentencing Resource Counsel, Baltimore, MD**  
Recent research in criminology and other related social and behavioral sciences provides empirical evidence relevant to the purposes of sentencing. This session will review some of this research, show where to find more of it, and provide ideas on how to use it to obtain lower sentences for clients.

11:50 to 1:15 p.m. LUNCH

1:15 to 2:15 p.m. TRACK PRESENTATIONS

1. **Immigration**  
**1326(D) MOTIONS AND OTHER MOTIONS IN THE DEFENSE OF NONCITIZENS – Salon A**  
(repeats today at 2:30 to 3:30 p.m.)  
Hena Mansori, **Supervising Attorney, National Immigrant Justice Center (NIJC), Chicago, IL**  
With the number of clients being deported at a high record, defense counsel will need to arm themselves with litigation strategies to defend against illegal reentry prosecutions. In this session, counsel will learn how to effectively challenge 1326 cases by collaterally attacking the prior deportation order via 1326(d) motions and strategies for seeking reopening and invalidation of the predicate removal order, with an eye towards dismissal of the case.
2. **Motion Practice & Trial Skills**  
**CROSS OF THE INFORMANT – Salon B**  
(repeat from morning)  
Professor Dehlia Umunna, *Harvard Law School, Cambridge, MA*  
A nuts and bolts session on how to conduct an effective cross-examination of an informant, including suggestions on impeachment, bias, and ways to use the plea agreement to advance your defense theory and undermine the government’s case.

3. **Forensics**  
**DNA: WHERE TO START IN YOUR CASE – Salon C**  
(repeats today on Saturday at 9:35 to 10:35 a.m.)  
Ellen Leonida, *Assistant Federal Public Defender, Northern District of California, San Francisco, CA*  
As advances in forensic DNA testing technology make DNA an issue in more and more of our cases, we will all have to become familiar with the biology, technology, and math involved in understanding and challenging DNA results. This is the first step toward that - a DNA primer for poets, dreamers, and all others who went to law school to avoid math and science.

4. **Mitigation & Mental Health**  
**SENTENCING A SEX OFFENDER: USING SOCIAL SCIENCE RESEARCH ON CHILDHOOD SEXUAL ABUSE TO MITIGATE THE FEDERAL SENTENCING GUIDELINES – A CASE STUDY – Salon D**  
(only time offered)  
Patrick McGrain, *Ph.D., Assistant Professor, Criminal Justice, Gwynedd Mercy University, Gwynedd Valley, PA*  
The procedural requirements of federal sentencing are well established. Among the relevant sentencing factors the court is obligated to consider is the nature and circumstances of the offense, as well and the history and characteristics of the defendant. Scholarly research in criminology, addiction, race, and other related social and behavioral sciences can provide significant empirical evidence relevant to these sentencing factors. Such research can also provide fruitful grounds for mitigation. In fact, under 18 U.S.C. § 3661, “[n]o limitation shall be placed on the information concerning the background, character, and conduct of a person convicted of an offense which a court of the United States may receive and consider for the purpose of imposing an appropriate sentence.” This presentation provides a case study illustrating how social science research was effectively used to significantly reduce the federal sentence of a convicted sex offender.
5. **Sentencing Strategies & Practices**  
**CRIMES OF VIOLENCE – Salon E**  
(repeats today at 2:30 to 3:30 p.m.)  
Ebise Bayisa, *Senior Training Attorney, U.S. Sentencing Commission, Washington, DC*  
Attendees will leave this course with an understanding of the steps necessary to analyze whether a prior conviction may be used as a predicate offense for recidivist enhancements such as career offender and Armed Career Criminal. The step-by-step instruction will guide students through the new categorical approach post-*Mathis*, with an emphasis on determining whether the statute at issue is divisible.

2:15 to 2:30 p.m. **BREAK**

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3:30 to 3:45 p.m. **BREAK**
ATTACKING BIAS THROUGH MOTIONS PRACTICE: REVEALING AND LITIGATING UNFAIR TARGETING OF PEOPLE OF COLOR IN FEDERAL COURT – Salon E

Alison Siegler, Clinical Professor of Law, University of Chicago School of Law, Chicago, IL

People of color are often the targets of unfair law enforcement and prosecution practices. This presentation addresses how to investigate and litigate the lawfulness and constitutionality of those practices, including bringing motions for selective enforcement and selective prosecution.
Saturday, August 26, 2017

7:30 to 8:30 a.m. REGISTRATION & CONTINENTAL BREAKFAST – Salon E Foyer

8:30 to 9:30 a.m. RESOURCES FOR CJA PANEL ATTORNEYS – Salon E
Sharon Samek, Attorney Advisor, Defender Services Office Legal & Policy Division, Washington, DC
Jeffrey Lindy, CJA Panel Representative for the Eastern District of Pennsylvania, Philadelphia, PA
The CJA Guidelines specify how panel attorneys obtain funding for expert services and other resources to defend their clients in appointed criminal cases. This panel will help you make sense of it all. Learn some new ideas and tips on how to obtain technical and litigation support funding and the best ways to use those funds. The panel will also explore potential roles of investigators, mitigation specialists and other experts, as well as resource available through www.fd.org and the Defender Services Office Training Division. Questions welcomed.

9:35 to 10:35 a.m. TRACK PRESENTATIONS

1. Immigration
   YA LO PAGUÉ: CALCULATING SENTENCING ENHANCEMENTS UNDER THE REBOOTED 2L1.2 – Salon A
   (repeat from 9:40 a.m. on Friday)
   Tamara Mulembo, Assistant Federal Public Defender, District of Arizona, Tucson, AZ
   Joan Politeo, Deputy Federal Public Attorney, Central District of California, Riverside, CA
   This session will address the new and sweeping changes to the immigration guidelines effective November 1, 2016. We will use scenarios to help us identify the challenges in applying the new guidelines to help ensure the lowest possible sentence for our clients.

2. Motion Practice & Trial Skills
   THE PREPARATION AND TRIAL OF A FEDERAL CHILD PORNOGRAPHY OFFENSE – Salon B
   (Repeat from 3:40 p.m. on Wednesday)
   Jason Ser, Assistant Federal Public Defender, Southern District of New York, White Plains, NY
   This session will suggest various pretrial measures for attorneys to take when faced with the prospect of going to trial. The presentation will also discuss evaluation of the strengths and weaknesses of the forensic evidence in the case and the approaches for handling the cross-examination of the Government’s forensic expert.
3. **Forensics**
**DNA: WHERE TO START IN YOUR CASE - Salon C**
(repeat from 1:15 on Friday)
Ellen Leonida, Assistant Federal Public Defender, Northern District of California, San Francisco, CA
As advances in forensic DNA testing technology make DNA an issue in more and more of our cases, we will all have to become familiar with the biology, technology, and math involved in understanding and challenging DNA results. This is the first step toward that - a DNA primer for poets, dreamers, and all others who went to law school to avoid math and science.

4. **Sentencing Strategies & Practices**
**EMOTIONAL RESCUE: ADDING THE MOST IMPORTANT INGREDIENT TO YOUR SENTENCING PRESENTATION - Salon D**
(only time offered)
Eric Vos, Federal Public Defender, District of Puerto Rico, San Juan, PR
As lawyers we are taught to give undue respect to fact and law. Despite this training, humans, judges included, base important decisions on emotion. You choose your mate, your house, your job, your books, your schools, your community, your car, almost everything on emotional needs. You then use facts and figures to justify your emotionally driven choices. Hear how to hone your emotional sentencing message, get the court have a visceral need to help your client and to marry this most human impulse with factual and legal sentencing arguments. Of the three sentencing ingredients, emotion, fact and law, only one of them is human. And only one of them is mandatory. Learn to drive that emotional wedge early and often for better sentencing results.

10:35 to 10:45 a.m. **BREAK**

10:45 to Noon **PANEL DISCUSSION: ETHICAL ISSUES CONFRONTING CRIMINAL DEFENSE ATTORNEYS - Salon E**
Francisco “Frank” Morales, Assistant Federal Public Defender, Office of the Federal Public Defender, Corpus Christi, TX
Eric Vos, Federal Public Defender, District of Puerto Rico, San Juan, PR
Watch experienced lawyers discuss how best to handle clients, even difficult ones, in different ways. While the speakers may not always agree on what is best, they ask meaningful questions, give thought-provoking answers, and make us all laugh about the trials and tribulations we experience when trying to make even the most difficult clients happy - and all while making sure we meet our ethical obligations.