



**PARALEGAL AND INVESTIGATOR SKILLS
WORKSHOP:
A TEAM APPROACH TO CRIMINAL DEFENSE**

**ADMINISTRATIVE OFFICE OF THE U.S. COURTS OFFICE OF
DEFENDER SERVICES TRAINING DIVISION**

**DOUBLETREE BY HILTON PHILADELPHIA CENTER CITY
237 S. BROAD STREET
PHILADELPHIA, PA 19107
June 28-30, 2018**

DRAFT AGENDA (rev. 5/23/2018)

Thursday, June 28

- 7:30 - 8:30 a.m. Registration & Continental Breakfast**
- 8:30 - 8:40 a.m. Welcome and Introduction to Workshop**
Leigh Skipper, Federal Public Defender, E.D. PA
Ubong E. Akpan, Attorney Advisor, Defender Services Office Training Division, Administrative Office of U.S. Courts, Washington, DC
- 8:40 - 9:40 a.m. Defense Team Roles & Developing an Investigative/Organizational Plan**
Sean Broderick, National Litigation Support Administrator, Defender Services Office Training Division, Administrative Office of U.S. Courts, (Oakland, CA)
Madeline Larsen, Investigator, Office of the Federal Public Defender, N.D. CA (Oakland)
Ronald C. Small, Assistant Federal Public Defender, Office of the Federal Public Defender
This session will address a team approach to defending a case; the different roles paralegals and investigators can play; and the importance of developing investigative and organizational plans at the outset of each case. More specifically, we will discuss how to define success as a defense team; the different responsibilities a paralegal and investigator may have in ensuring success; how paralegals, investigators and attorneys work

together effectively; and identifying key issues that must be addressed in order for the defense team to proceed with any case from both the trial and sentencing perspectives.

- 9:40 - 10:40 a.m. Locating Witnesses, Records and Relevant Documents**
Kevin J. Murphy, Investigator, Kevin J. Murphy Investigations, Philadelphia, PA
This session will address the most effective methods for locating witnesses and documents that are key to the defense case or relevant to mitigation, as well as how to compile the criminal record of a witness or client. The session will cover traditional methods of finding witnesses and documents, and will also address effective uses of popular internet locator tools.
- 10:40 - 10:50 a.m. Break**
- 10:50 a.m. – 12:50 p.m. Small Group Session: Creating an Investigative/Organizational Plan and Locating Documents, Records and Witnesses**
Participants meet with their small group facilitators to brainstorm methods for identifying and locating key documents, witnesses and records in the model case and to create an investigative/organizational plan.
- 12:50 - 2:15 p.m. Lunch** (on your own)
- 2:15 - 3:15 p.m. Analyzing Documents**
Pamela Bishop, Principal, Commonwealth Litigation Support Services, Inc., Ashland, VA
In this session, we will discuss approaches to analyzing documents that are typically found in many federal cases. We will address analysis in the context of both the defense case and sentencing mitigation.
- 3:15 - 3:30 p.m. Break**
- 3:30 - 5:30 p.m. Small Group Session: Analyzing Documents**
Participants meet with their small group facilitators to analyze a set of documents selected from the model case and discuss the results of their analysis, such as the development of new investigative leads, and any potential impact on the theory of defense or mitigation.
- 5:30 p.m. Adjourn for the day**

Friday, June 29

8:00 - 9:00 a.m. Continental Breakfast

9:00 - 10:00 a.m. Interviewing Witnesses

Madeline Larsen, Investigator, Office of the Federal Public Defender, N.D. CA (Oakland)

This session will cover strategies for interviewing different types of witnesses, including friendly, neutral and hostile fact witnesses. The presentation will touch on consideration of cultural differences, use of interpreters, and note-taking.

10:00 - 10:15 a.m. Break

10:15 a.m - 12:15 p.m. Small Group Session: Interviewing Skills

Participants meet with their small group facilitators to practice their interviewing skills using several witnesses identified in the model case.

12:15 - 1:45 p.m. Lunch (on your own)

1:45 - 2:45 p.m. Defending a Case in an Online World

Herbert L. Duzant, II, Investigator, Office of the Federal Public Defender, D. NV

This session will teach participants techniques for using the internet as an investigative and research aid in their cases. Participants will discover new sites and software; learn a better way of using search engines to get results that are more relevant, and less daunting in number; and discuss the impact of social networking sites on investigation.

2:45 - 3:45 p.m. Small Group Session: All Skills

Participants meet with their small group facilitators to continue work on skills highlighted throughout the workshop thus far.

3:45 - 4:00 p.m. Break

4:00 - 5:00 p.m. Concurrent Breakouts (participants attend the session for which they signed up prior to the workshop):

(1) Drafting Declarations and Reports

David Davila, Chief Investigator, Office of the Federal Public Defender, W.D.TX

This presentation will discuss how to ensure that your reports are clear and concise, and review the essentials in constructing declarations.

(2) Persuasive Writing

Joan Politeo, Visiting Attorney Advisor, Defender Services Office Training Division, Administrative Office of U.S. Courts, Washington, D.C.

This presentation will discuss the principles of persuasive writing, preparing participants to apply these principles to sentencing memos and mitigation reports.

5:00 p.m. Adjourn for the Day

Saturday, June 30

7:30 - 8:30 a.m. Continental Breakfast

8:30 - 10:30 a.m. Small Group Session: Writing Skills
Participants meet with their small group facilitators to write part of a declaration, report, or sentencing memo, based on the facts of the model case.

10:30 - 10:45 a.m. Break

10:45 - 11:45 a.m. Ethical Dilemmas for the Criminal Defense Team - Panel Presentation

Moderator: Sean Broderick, National Litigation Support Administrator, Defender Services Office Training Division, Administrative Office of U.S. Courts (Oakland, CA)

Kevin J. Murphy, Investigator, Kevin J. Murphy Investigations, Philadelphia, PA

Ronald C. Small, Assistant Federal Public Defender, Office of the Federal Public Defender

Based in part on examples of ethical issues that have arisen during the course of this workshop, we will discuss approaches to resolving the common ethical dilemmas that defense teams are likely to confront.

11:45 a.m. - noon Closing Remarks

Ubong E. Akpan, Attorney Advisor, Defender Services Office Training Division, Administrative Office of U.S. Courts, Washington, DC

Noon Adjourn