



**LAW & TECHNOLOGY SERIES:
TECHNIQUES IN ELECTRONIC CASE MANAGEMENT WORKSHOP**

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

**HILTON MINNEAPOLIS HOTEL
1001 MARQUETTE AVENUE
MINNEAPOLIS, MINNESOTA 55403
September 6-8, 2018
DRAFT AGENDA**

Thursday, September 6, 2018

7:30 – 8:30 a.m. Registration and Continental Breakfast

8:30 – 8:45 a.m. Welcoming Remarks

George A. Couture, Attorney Advisor, Training Division, Defender Services Office, Washington, DC

Daniel Scott, CJA Panel Representative for the District of Minnesota, Kelley, Wolter & Scott, P.A., Minneapolis, MN

Katherian Roe, Federal Public Defender, Federal Defender's Office for the District of Minnesota, Minneapolis, MN (invited)

8:45 – 9:45 a.m. Electronic Case Management Strategies for the 21st Century (Plenary)

Sean Broderick, National Litigation Support Administrator, Defender Services Office, Training Division, Oakland, CA

Jennifer Garcia, Assistant Federal Defender, Federal Defender's Office for the District of Arizona, Phoenix, AZ

With the realities of the digital era upon us, this session will provide an overview of various legal and technological considerations involved with electronic case management. It will address legal and ethical concerns from meet and confers with the government, local discovery rules, cloud computing and national protocols on discovery management/production, to legal tools that can assist you in the digital management of documents, players, and key facts to ensure effective representation of your client. It will introduce participants to Adobe

Acrobat Pro, dtSearch, and CaseMap/TimeMap through demonstrations of key features in each software program, both in the context of a mock case and real-life case scenarios, displaying how these tools may be used to manage a case consistent with the defense theory and professional obligations.

9:45 – 10:00 a.m. Break

10:00 a.m. – noon Computer Software Download and Case Material Preparation and Discussion (Workshop)

Workshop room and group assignments will be posted at the registration desk.

Kalei Achiu, National Litigation Support Paralegal, Defender Services Office, Training Division, Oakland, CA

Sowmya Bharathi, Assistant Federal Defender, Federal Defender's Office for the Southern District of Florida, Miami, FL

Sean Broderick, National Litigation Support Administrator, Defender Services Office, Training Division, Oakland, CA

Francisco Celedonio, Assistant Federal Defender, Federal Defender's Office for the District of Puerto Rico, San Juan, PR

Jose-Miguel "Micky" Colon, Assistant Computer Systems Administrator, Federal Defender's Office for the District of Puerto Rico, San Juan, PR

George A. Couture, Attorney Advisor, Training Division, Defender Services Office, Washington, DC

Naaman Dunn, Computer Systems Administrator, Federal Defender's Office for the Southern District of West Virginia, Charleston, WV

John Ellis, Jr., Attorney, Law Office of John Ellis, Jr., San Diego, CA

Rebecca Estep, Paralegal, Federal Defender's Office for the Northern District of California, Oakland, CA

Cindy Fugate, Paralegal, Federal Defender's Office for the Southern District of Ohio, Cincinnati, OH

Jennifer Garcia, Supervisory Assistant Federal Defender, Federal Defender's Office for the District of Arizona, Phoenix, CA

Nelson Garcia, Computer System Administrator, Federal Defender's Office for the Northern District of New York, Albany, NY

Brooke Gottlieb, Paralegal, Federal Defender's Office for the District of Massachusetts, Boston, MA

Shehnoor Grewal, Research & Writing Specialist, Federal Defender's Office for the Northern District of Florida, Tallahassee, FL

Tony Hellen, Assistant Computer System Administrator, Federal Defender's Office for the Western District of North Carolina, Charlotte, NC

Emma Hernandez, Paralegal, Federal Defender's Office for the Central District of California, Los Angeles, CA

Bruce Johnson, *Investigator, Federal Defender's Office for District of Alaska, Anchorage, AK*

Rich Kotulski, *Computer System Administrator, Federal Defender's Office for District of Minnesota, Minneapolis, MN*

Sammy Lopez, *Assistant Computer System Administrator, Federal Defender's Office for the Southern District of California, San Diego, CA (invited)*

Jennifer McCann, *Computer Systems Administrator, Federal Defender's Office for the Eastern District of Washington, Spokane, WA*

Sara Peloquin, *Assistant Federal Defender, Federal Defender's Office for the Southern District of California, San Diego, CA*

Joan Politeo, *Attorney Advisor, Training Division, Defender Services Office, Washington, DC*

Alexander Ramos, *Assistant Federal Defender, Federal Defender's Office for the District of Utah, Salt Lake City, UT*

Alex Roberts, *National Litigation Support Paralegal, Defender Services Office, Training Division, Oakland, CA*

Ramou Sarr, *Paralegal, Federal Defender's Office for the Central District of California, Los Angeles, CA*

Kelly Scribner, *Assistant National Litigation Support Administrator Defender Services Office, Training Division, Oakland, CA*

Ronald "Ron" Small, *Assistant Federal Defender, Federal Defender's Office for the Middle District of Tennessee, Nashville, TN*

Mark Vermuelen, *Attorney, Law Office of Mark Vermuelen, San Francisco, CA*

Joseph Wanzala, *Paralegal, Federal Defender's Office for the Northern District of California, Oakland, CA*

Tim Watkins, *Director's Leadership Resident, Administrative Office of the U.S. Courts, Washington, DC*

Participants will break into their assigned small groups. Faculty will verify that each participant has properly loaded all the software programs and case materials on their computers, and if they have not, assist them in doing so. Attendees will analyze the mock case to determine organizational strategies for factual and legal issues that they will be using throughout the workshop, as well as their own case. Useful shortcuts and new aspects of the Windows Explorer system will be reviewed, and, time permitting, a brief overview of the basic features of Adobe Acrobat Pro will be covered.

12:00 – 1:15 p.m. Lunch - On Your Own

1:15 – 3:15 p.m. Hands-on Management of Electronically Scanned Paper Training with Adobe Acrobat Pro (Workshop)

Adobe Acrobat Pro is an excellent tool for managing electronically scanned paper, a principal form in which discovery is provided in federal criminal cases. In the small groups, participants will use their computers to do hands-on structured exercises using Acrobat Pro. These exercises will teach participants how to use Acrobat Pro to organize and manage discovery and case materials. These exercises will involve converting paper and non-searchable PDF files into searchable PDF files, creating bookmarks and annotations, and understanding how basic objective coding of documents can significantly aid in the identification, retrieval and organization of factual and legal information, while considering the connection between facts and legal issues needed to defend a case effectively. Throughout the session, the legal decision points that need to be addressed in a typical case will be identified and discussed.

3:15 – 3:30 p.m. Break

3:30 – 5:00 p.m. Hands-on Search and Retrieval Training with Adobe Acrobat Pro and dtSearch (Workshop)

In the small groups, participants will take part in structured exercises to search and retrieve relevant case materials using both Adobe Acrobat Pro and dtSearch. Participants will build indices; develop a better understanding of different search forms; understand the legal implications involved with different search types; and contemplate the advantages of using this software when organizing case materials and other work product, such as the creation of legal brief banks. The indices and the subsequent iterative searches help in the identification of discovery relevant to the legal issues in a client's case.

5:00 p.m. Adjourn for the Day

Friday, September 7, 2018

7:30 – 8:30 a.m. Registration & Continental Breakfast

8:30 – 9:30 a.m. Digital Devices: Forensic Images, Cell Phones and the Gadgets in Everybody's Pockets - What To Do (and What Not To Do) When You Get Them as Part of Your Discovery (Plenary)
John Ellis, Jr., *Attorney, Law Office of John Ellis, Jr., San Diego, CA*
Alex Roberts, *National Litigation Support Paralegal, Defender Services Office, Training Division, Oakland, CA*

Many cases now involve forensic images of computers, databases, cell phones and information gathered from all sorts of new devices. Whether receiving a report, an entire forensic image or GPS tracking data, the defense needs to know how to get the relevant data so that it can be used effectively. Attorneys are not expected to be forensic experts, but it is necessary to know when to hire one. Instead of being overwhelmed by these digital devices, this session will assist federal practitioners in understanding what are the issues; know what resources are available and what first steps to take to find a solution. The presenters will explain what a forensically-imaged drive is, what free tools can be used to do preliminary review, and what to consider before opening those documents on a drive. The panelists will present common forensic and cell phone reports, explain how they can be examined and what information to look for (or request). Finally, the panel will identify scenarios where an expert is necessary, when the expense may be avoided, and what specific insight to look for from experts, so that a trial budget, and defense of the case, can be properly prepared.

9:30 – 9:45 a.m. Break

9:45 – 10:45 a.m. Hands-on Search and Retrieval Training with Adobe Acrobat Pro and dtSearch (Workshop) (continued)

10:45 – 11:00 a.m. Break

11:00 a.m. – noon CaseMap/TimeMap Hands-on Training (Workshop)

CaseMap is an excellent database specifically designed for management and analysis of the legal and factual issues in a federal criminal case. In the small groups, participants will do hands-on, structured exercises using CaseMap/TimeMap. Participants will learn how to create and use a CaseMap database to organize, manage, and connect case facts, legal issues, key players, and documents for use at hearings or at trial. They will learn how to search, filter, and create case summary reports regarding people, documents, and facts. By going through the process of building a CaseMap database, users will be able to more effectively conduct and track their legal analysis and manage their case.

12:00 – 1:15 p.m. Lunch - On Your Own

1:15 – 3:15 p.m. CaseMap/TimeMap Hands-on Training (Workshop) (continued)

3:15 – 3:30 p.m. Break

3:30 – 5:00 p.m. CaseMap/TimeMap Hands-on Training (Workshop) (continued)

5:00 p.m. Adjourn for the Day

Saturday, September 8, 2018

7:30 – 8:30 a.m. Registration & Continental Breakfast

8:30 – 10:30 a.m. Building Your Case with Acrobat, dtSearch and CaseMap/TimeMap (Workshop)

In their small groups, participants will apply the legal concepts and technological skills they have learned throughout the workshop and build a CaseMap database for the case that they have brought with them.

10:30 – 10:45 a.m. Break

10:45 a.m.– Noon Coping with More Discovery Than You Can Read: Online Document Review Platforms, Cloud-Based Repositories and Strategies for Working the Big Case (Plenary)

Russell M. Aoki, Attorney, Aoki Law PLLC, Seattle, WA

What do you do when you have tens of thousands of emails, text messages and documents to review and not enough time to read them all? You look to workflow processes and tools that large civil firms and federal government agencies like the FBI are now using for big e-discovery cases. This plenary will discuss how to develop a review plan to identify what discovery really must be reviewed; who will do the work; the selection of the right review tools; and how discovery will be shared with other team members. The presenters will give examples of how CJA panel members and federal defender offices just like you have used technology and techniques to cull the data to the documents that mattered most, and how you can implement these tools and techniques in your next big e-discovery case.

This session will discuss how to persuasively tell the client's story at the sentencing hearing. It will examine factors to consider in making decisions about what to present and how to conduct the hearing.

12:00 p.m. Closing Remarks/Adjournment

George A. Couture, Attorney Advisor, Training Division, Defender Services Office, Washington, DC