



**FEDERAL DEFENDER
INVESTIGATOR AND PARALEGAL SEMINAR**

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

**HYATT REGENCY PORTLAND AT THE CONVENTION CENTER
375 NE HOLLADAY STREET
PORTLAND, OREGON 97232**

May 14-16, 2024

**AGENDA
(FINAL)**

Tuesday, May 14, 2024

7:30 – 8:30 a.m. Continental Breakfast – *Deschutes Foyer (Level 1)*

**7:30 a.m. – 6:00 p.m. Registration (Check-in & Check-out)
*Deschutes Foyer (Level 1)***

**8:30 – 9:00 a.m. Welcome and Opening Remarks
*Deschutes Ballroom (Level 1)***

Fidel Cassino-DuCloux, Federal Public Defender, Office of the
Public Defender, District of Oregon, Portland, OR

Frank Draper, Chief, Defender Services Office, Training Division,
Washington, DC

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

**9:00 – 10:15 a.m. Plenary: Forensic Chemistry and Toxicology in Drug
Distribution Resulting in Death
*Deschutes Ballroom (Level 1)***

Desiree Lassiter, Attorney Advisor, Defender Services Office,
Training Division, Washington, DC

Are these the headlines for your case - “An accused drug dealer
with a long criminal record has been charged with providing
fentanyl that killed a woman last summer,” “Heroin overdoses

will now be considered homicides, coroner says,” “They Shared Drugs. Someone Died. Does That Make Them Killers,” “Prosecutors are increasingly treating overdose deaths as homicides, but they are not just going after dealers. Friends, family, and fellow users are going to prison.” This session will cover general information concerning the cause and manner of death determination in overdose cases. Also, this session will provide information about common drugs at issue in death resulting cases and what to look for in the forensic chemistry reports, autopsies, and toxicology reports in your case.

10:15 – 10:30 a.m. Refreshment Break – *Deschutes Foyer (Level 1)*

10:30 – 11:45 a.m. Concurrent Sessions - 1

1. **You’re Gonna Need a Warrant for That: Enforcing Our Clients’ Rights Against Police Overreach**
(Repeats at 1:15 p.m.)
Columbia 1 (Level 3)

Michael Gomez, Deputy Federal Public Defender, Office of the Federal Public Defender, Central District of California, Los Angeles, CA

This session will cover basic concepts in Fourth Amendment law, which generally requires law enforcement officers to get a warrant based on probable cause before they can search and seize someone. We will walk through an actual case example, looking at body camera footage and a police report, and learn about the many exceptions courts have created to our Fourth Amendment rights and how we can enforce our clients’ rights against unjustified searches and seizures. We’ll also focus on some common issues in Fourth Amendment litigation that need robust investigation and storytelling.

2. **Strategies and Techniques for Interviewing Difficult Witnesses** (Repeats at 1:15 p.m.)
Columbia 2 (Level 3)

Trish Slater, Chief Investigator, Office of the Federal Public Defender, District of Maryland, Baltimore, MD

Victims and hostile witnesses really want to tell their story, we just need to convince them to tell it to us! Interviewing is more an art than a science. This session will discuss strategies and

techniques for interviewing witnesses and crime victims who may be hostile to the defense.

3. **Digging for Gold, FOIA and Open Records Advanced Course** (Repeats at 1:15 p.m.)
Columbia 3 (Level 3)

Kevin W. McClain, McClain Investigations, LTD, Centralia, IL

A popular presentation with attorneys, investigators, and paralegals alike, this 2024 version has newly updated information that will be of interest for even those who have seen a variation of this presentation before. FOIAs, Open Records are becoming the new normal in the investigative world. Learn from this veteran investigator who has been using open sources for over 10 years and how his creative techniques have yielded amazing results.

4. **Cell Phone Forensics for Federal Defender Investigators and Paralegals** (Repeats at 1:15 p.m.)
Multnomah (Level 1)

Jerry Grant, Digital Forensics Investigator, Office of the Federal Public Defender, Western District of New York, Rochester, NY

With billions of cell phones in the world and millions of phone applications, the amount of evidence created by cell phones can be daunting. This presentation will explain the common types of evidence that can be recovered from cell phones, including deleted data. Some evidence types that will be discussed include location information, text messages, multimedia, voice mails, cloud backups, and more. Real-life case examples will illustrate how evidence recovered from cell phones can be used in cases and investigations. The proper methods to forensically acquire cell phone evidence will be covered, and how evidence can be challenged in court.

5. **Interpreter Ethics for the Defender Nation**
Columbia 4 (Level 3)

Martha Shepard, Interpreter, Federal Defenders of San Diego, Inc., Southern District of California, San Diego, CA
(Moderator)

Israel Aguilar, Interpreter, Office of the Federal Public Defender, Southern District of Texas, Houston, TX

Michael Kagan, Interpreter, Office of the Federal Public Defender, Central District of California, Los Angeles, CA

Sarah Seebeck, Interpreter, Office of the Federal Public Defender, District of Arizona, Phoenix, AZ

In this interactive workshop, participants will get a VERY brief and general overview of the NAJIT Code of Ethics and Professional Responsibility (hand-out) and then will break into four (4) groups to discuss different scenarios. At the end, we will hear reports from every group about solutions and suggestions.

11:45 a.m. – 1:15 p.m. **Lunch (*on your own*)**

1:15 – 2:30 p.m. **Concurrent Sessions - 2**

1. **You're Gonna Need a Warrant for That: Enforcing Our Clients' Rights Against Police Overreach**
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5. **Interpreters as Hyperglots**
Columbia 4 (Level 3)

Jeck Navarrete, Interpreter, Office of the Federal Public Defender, District of Nebraska, Omaha, NE

Interpreters have many skills and abilities. We can become Hyperglots! Let's examine procedural memory as the fine programming of muscles to perfect an accent - while exploring declarative memory, which is the ability to remember facts and our ability to be programmed in both "explicit" and "implicit" memory.

1:15 - 4:00 p.m.

Hands-On Session 1: Cellebrite Reader
Deschutes Ballroom (Level 1)

Representatives of National Litigation Support Team, Defender Services Office, Training Division, Oakland, CA

Cellebrite is one of the leading forensic tools used by law enforcement to capture data from a cell phone. This session will teach you the basics of how to review and analyze mobile device evidence that has been processed by the government or by an independent forensic examiner. Using a popular free tool (Cellebrite Reader) we will show you how to search, tag and generate reports in a hypothetical case. By doing this hands-on training, attendees will better understand how to request information from a digital forensic examiner and how to review mobile forensic data in your next case.

NOTE: Since this is a hands-on training, all participants must bring their own Windows laptops. Space will be limited to the first 20 participants. If you are interested in attending a session, you **MUST** complete the following form which can be found via the link below: [Cellebrite Reader](#).

2:30 – 2:45 p.m.

Break

2:45 – 4:00 p.m.

Concurrent Sessions – 3

1. **How to Hack a Pre-Sentence Report**

Columbia 1 (Level 3)

Alison Clark, Senior Litigator, Office of the Public Defender,
District of Oregon, Portland, OR

A sympathetic Pre-Sentence Report (PSR) can make a huge difference for our clients at sentencing. Join us for a discussion of how paralegals and investigators can assist attorneys in getting more out of PSR interviews. We will break down the component parts of the PSR and discuss how defense preparation and advocacy at PSR interviews lay the groundwork for better reports.

2. **Safety in the Field – De-escalation Strategies**

Columbia 2 (Level 3)

Herbert Duzant, Investigator, Office of the Federal Public
Defender, District of Nevada, Las Vegas, NV

Federal defender staff face many security challenges in today's fieldwork environment, while often working alone. This session will explore how nonviolent verbal and non-verbal communication techniques can be used to stabilize, slow, or reduce the intensity of potentially dangerous case related encounters.

3. **Roundtable for Paralegals**

Columbia 3 (Level 3)

Kip Manley, Chief Paralegal, Office of the Federal Public
Defender, District of Oregon, Portland, OR (*Moderator*)

Kalei Achiu, Paralegal, Office of the Federal Public Defender,
Northern District of California, Oakland, CA

Deborah Alongi, Paralegal, Office of the Federal Public Defender,
District of Oregon, Portland, OR

Emma Hernandez, Litigation Support Paralegal, Los Angeles, CA

This session brings together a group of highly experienced paralegals who each bring unique perspectives on handling different aspects of our impactful work on the lives of our indigent defense community.

4. **Cell Phone Location and Tracking Forensics**
Multnomah (Level 1)

Jerry Grant, Digital Forensics Investigator, Office of the Federal Public Defender, Western District of New York, Rochester, NY

This presentation covers the methods used by law enforcement examiners to locate persons using historical call detail records, precision location data, and E-911 pings. This presentation covers how cell phones work in wireless networks, how to understand call detail records, and how those records can be obtained. These methods are widely used in criminal cases to "place" a person at a particular location based on their cell phone usage. Real case examples will illustrate how location evidence is used in cases ranging from murder to trucking accidents. Attendees will learn about the realities and limitations of locating a cell phone based on historical call detail record analysis.

5. **Cooperation Agreement**
Columbia 4 (Level 3)

Chris Griffin, Interpreter, Office of the Federal Public Defender, District of Arizona, Phoenix, AZ

Sarah Seebeck, Interpreter, Office of the Federal Public Defender, District of Arizona, Phoenix, AZ

In the spirit of our past presentations and our motto that we can't interpret what we don't understand, we bring you this terminology-based training that will do a deep dive into the cooperation addendum language of a drug plea agreement, as well as some proffer terminology. So, whether interpreting or translating is something you do multiple times every day, or just occasionally, this presentation will offer you a chance to analyze word choice and keep your terminology up to date as we discuss best solutions for these terms derived directly from Spanish-language texts.

4:00 - 4:15 p.m.

Refreshment Break - *Deschutes Foyer (Level 1)*

4:15 - 5:30 p.m. **Plenary: The Client is Going to Do What? A Team Approach to Preparing a Client to Testify**
Deschutes Ballroom (Level 1)

Juval Scott, Director, National Sentencing Resource Counsel,
Charlottesville, VA

One of the most stressful decisions any client can make is deciding to testify. This session will discuss how the defense team can assist in this process to allow the client to make the best decision for them. Specifically, this session will review: (1) tools to provide unbiased advice to clients regarding their constitutional right to testify in their own defense; (2) ethical obligations lawyers and team members should consider when evaluating whether a client should testify; and (3) ethical obligations lawyers and team members have once a client has decided to testify. At the conclusion, attendees will be able to: (1) recognize personal biases that influence advice provided to clients regarding their right to testify in their own defense; and (2) guidance on how to work from a client-centered perspective regarding client testimony and its role in the case.

5:30 p.m. **Award Presentation – Investigator, Paralegal and Interpreter of the Year**
Deschutes Ballroom (Level 1)

5:45 p.m. **Adjourn for the day.**

Wednesday, May 15, 2024

8:00 – 9:00 a.m. Continental Breakfast – *Deschutes Foyer*

8:00 a.m. – 5:30 p.m. Registration (Check-in & Check-out)
Deschutes Foyer

9:00 – 10:15 a.m. Plenary: Trauma-Informed Representation: An Investigator’s Role in Understanding the Impact of Clients’ Experiences
Deschutes Ballroom

Dr. Kele Kirschenbaum, PsyD, Dr. Kele Kirschenbaum & Associates, Los Angeles, CA

A comprehensive overview of trauma in the context of the criminal justice system. This presentation will train investigators on the role they play in uncovering trauma and the importance of understanding the impact of trauma on clients. Investigators will review symptoms of PTSD, how to understand the diagnosis, and ways to communicate the effects of trauma to attorneys.

10:15 – 10:30 a.m. Refreshment Break – *Deschutes Foyer*

10:30 – 11:45 a.m. Concurrent Sessions – 4

1. Navigating the BOP
Columbia 1

Liz Daily, Appellate Chief, Office of the Federal Public Defender, District of Oregon, Portland, OR

Stephen Sady, Chief Deputy Federal Defender, Office of the Federal Public Defender, District of Oregon, Portland, OR

This presentation will provide practical tips for defense teams representing clients facing a federal prison sentence. This session will address the following topics: navigation of the BOP website and BOP program statements; computation of risk factors; the importance of Presentence Reports (PSR) and critical objections that must be raised to the PSR; the First Step Act and earned time credits; fielding post-sentencing calls; exhaustion of administrative remedies and potential redress on medical issues; designation objections; and sentence computations.

2. Social Media Investigations: Locating and Mining Social Media Accounts (Repeats at 1:15 p.m.)

Multnomah

Maria Sapene, Chief of Litigation Support, Office of the Federal Public Defender Central, District of California, Los Angeles, CA

Have you been tasked to locate social media accounts for your client or a key witness? Not sure where to begin? If so, this presentation is for you! In this comprehensive training we will explore powerful strategies for identifying an individual's social media accounts, cover how to properly preserve social media content, and discuss how to mine the social media content for valuable fact and mitigation evidence.

Participants will receive valuable handouts and a curated stack of bookmarks with essential online tools for social media sleuthing.

3. The Paralegal Anatomy of a Case (Repeats at 1:15 p.m.)

Columbia 2

Kalei Achiu, Paralegal, Office of the Federal Public Defender, Northern District of California, Oakland, CA
Emma Hernandez, Litigation Support Paralegal, Los Angeles, CA

This session will address how best to analyze and work-up a case, from what to do when you first receive discovery, to taking the case to trial and everything in between. Additionally, this session will give you practical tips on what tools you can use to manage your cases.

4. **Digging Deep: A Workshop on Uncovering Clients' Trauma Histories** (Only time offered.)

Columbia 3

Dr. Kele Kirschenbaum, PsyD, Dr. Kele Kirschenbaum & Associates, Los Angeles, CA

How do we ask our clients about traumatic events in an empathetic way that does not retraumatize our clients? This workshop focuses on understanding the impact of childhood trauma on adult functioning, reviewing various forms of trauma and response styles, learning how to quickly gather important details through questions, statements, and validation, determining the importance of providing support and coping skills, and most importantly, recognizing the value in caring for our mental health through this process. Resource material of examples of questions to ask your clients about their trauma will be provided.

5. **What to Keep in Mind When Interacting with People from Other Cultures**

Columbia 4

Martha Shepard, Interpreter, Federal Defenders of San Diego, Inc., Southern District of California, San Diego, CA

Whether we realize it or not, we all practice culture at different levels and have been confronted with clashes that can lead to misunderstandings. This session will assist us in being more aware as we prepare to interact with different cultures. It will touch on verbal and non-verbal communication and tips to communicate effectively across cultures. We will explore what we should do and what we should avoid within the inter-cultural context.

11:45 a.m. – 1:15 p.m. Lunch (*on your own*)

1:15 – 2:30 p.m.

Concurrent Sessions – 5

1. An Overview of U.S. District Court Library Resources for Paralegals and Investigators

Columbia 1

Melanie O’Keeffe, District Court Librarian, District of Nevada,
Las Vegas, NV

Julia Sathler, District Court Librarian, District of Oregon,
Portland, OR

This presentation will provide an overview of the Circuit and District Courts online resources, databases, newsletters, and research services that are available to all FDO Investigators and Paralegals. This session is not to be missed as there have been many updates and new resources added in the last year.

2. Social Media Investigations: Locating and Mining Social Media Accounts

Multnomah

Maria Sapene, Chief of Litigation Support, Office of the Federal Public Defender, Central District of California, Los Angeles, CA

Have you been tasked to locate social media accounts for your client or a key witness? Not sure where to begin? If so, this presentation is for you! In this comprehensive training we will explore powerful strategies for identifying an individual’s social media accounts, cover how to properly preserve social media content, and discuss how to mine the social media content for valuable fact and mitigation evidence.

Participants will receive valuable materials, including a curated stack of bookmarks containing essential online tools for social media sleuthing.

3. The Paralegal Anatomy of a Case

Columbia 2

Kalei Achiu, Paralegal, Office of the Federal Public Defender,
Northern District of California, Oakland, CA

Emma Hernandez, Litigation Support Paralegal, Los Angeles, CA

This session will address how best to analyze and work-up a case from what to do when you first receive discovery, to taking the case to trial, and everything in between. In addition, this session

will give you practical tips on tools you can use to manage your cases.

4. **The Bond Hearing**

(Only time offered.)

Columbia 3

Erin Murphy, Deputy Federal Public Defender, Office of the Federal Public Defender, Central District of California, Los Angeles, CA

The bond stage is every bit as important as trial and sentencing and affects every other stage of the case. Understanding the legal factors that are considered at the bail stage may help investigators, paralegals, and interpreters better represent their clients. Basic key provisions of the Bail Reform Act that are routinely misinterpreted or ignored at initial appearances and detention hearings, tools for fighting detention, and further investigation that is vital to the release of our clients will be discussed.

5. **Interpreter Technical Tools of the Trade: CAT and AI**

Columbia 4

Israel Aguilar, Interpreter, Office of the Federal Public Defender, Southern District of Texas, Houston, TX

Participants will gain an understanding of the difference between CAT tools (Computer Assisted Translation) and AI (Artificial Intelligence) as tools of the trade for translation work. This presentation will have specific examples to show what tool is best suited to the task and when it's best not to use them.

1:15 - 4:00 p.m.

Hands-On Session 2: Cellebrite Reader

Deschutes Ballroom

Representatives of National Litigation Support Team, Defender Services Office, Training Division, Oakland, CA

Cellebrite is one of the leading forensic tools used by law enforcement to capture data from a cell phone. This session will teach you the basics of how to review and analyze mobile device evidence that has been processed by the government or by an independent forensic examiner. Using a popular free tool (Cellebrite Reader) we will show you how to search, tag and generate reports in a hypothetical case. By doing this hands-on

training, attendees will better understand how to request information from a digital forensic examiner and how to review mobile forensic data in your next case.

NOTE: Since this is a hands-on training, all participants must bring their own Windows laptops. Space will be limited to the first 20 participants. If you are interested in attending a session, you **MUST** complete the following form which can be found via the link below: [Cellebrite Reader](#).

2:30 – 2:45 p.m.

Break

2:45 – 4:00 p.m.

Concurrent Sessions – 6

1. **Secondary Trauma: Managing the Unavoidable in Criminal Defense**
Columbia 1

Madeline Larsen, Investigator, Office of the Federal Public Defender, Northern District of California, Oakland, CA

As criminal defense professionals, we work with individuals who have been traumatized as victims of abuse, crime, or other adversity. In representing our clients, we are often exposed to emotional stories, highly charged situations, as well as graphic and disturbing images and evidence, which can lead to secondary or vicarious trauma. This trauma can affect our own well-being in ways that can be hard to talk about and may leave us feeling we have to manage it on our own. Symptoms can include intrusive memories, irritability, as well as difficulties with sleep and diminished concentration. This session will provide an opportunity to gain an understanding of the trauma that we experience through our work, learn to recognize the impact it has on us, and provide trauma-informed strategies and practical tips for self-protection and self-care.

2. **Unleash the Power of Search Engines: Mastering Advanced Search Engine Techniques**

Multnomah

Maria Sapene, Chief of Litigation Support, Office of the Federal Public Defender, Central District of California, Los Angeles, CA

Search engines are one of the most powerful tools in any online investigator's toolbox. Unlocking their potential can exponentially improve the quality of any investigation. Join us for an in-depth exploration of search engine fundamentals, helpful hacks, and cutting-edge techniques to supercharge your investigations.

Participants will learn how to:

- Implement advance search techniques using Google, Bing, and lesser-known search engines.
- Utilize search engines to discover historical and regional content buried in search results.
- Uncover deep web archives using advanced search operators.

3. **Litigation Support: Choosing the Right Technology for Your Case**

Columbia 2

Representatives of National Litigation Support Team, Defender Services Office, Training Division, Oakland, CA

Paralegals and investigators use technology every day for their cases, but there are seemingly so many changing options. In this session, participants will learn strategies to understand and communicate the technological needs of their team for each case. They will learn how to develop a checklist to review with their attorneys to assess: (1) case priorities in terms of organizing and reviewing the discovery, (2) the comfort level of the attorneys in using technology, (3) the need to share information with team members outside the defender office, and (4) the tools available to them through the National Litigation Support Team (NLST). Since there is no single tool that solves every problem, having a toolbox and knowing what tools to use and when to use them will help alleviate frustration and increase efficiencies for the entire defense team.

4. **Create and Supporting an Effective Release Plan**
Columbia 3

Jen Uyeda, Chief of Training, Office of the Federal Public Defender, Central District of California, Los Angeles, CA
DeAnna Dove, Social Worker, Office of the Federal Public Defender, Central District of California, Los Angeles, CA

Obtaining pretrial release for our clients is the first and best step toward achieving a good result for our clients. This session will focus on the importance of creating our own release plan that is individualized and holistic, how to build our own release plan using available resources, presenting our release plan to the court, and supporting our release plan to ensure our clients' ultimate success. Examples of client-centered release plans will be provided.

5. **Meaningful Language Access: When It is Your Turn to Be the Interpreter**
Columbia 4

Rafael Carrillo, Office of the Federal Public Defender, District of New Mexico, Las Cruces, NM

Through a series of animated video clips to highlight the “good, the bad and the ugly” when communicating with limited English proficient (LEP) individuals, participants will learn to identify acceptable and unacceptable interpreting practices and ways trained interpreters and bilingual individuals with limited interpreter training (Ad Hoc Interpreter) can provide meaningful language access. During this interactive presentation, best practices and cultural considerations to help be better prepared to listen and interpret for our clients and their families with an unbiased ear will be discussed.

4:00 – 4:15 p.m.

Refreshment Break – *Deschutes Foyer*

4:15 – 5:30 p.m.

Plenary: Connecting with Difficult Clients
Deschutes Ballroom

LaTorya Blackwell, Chief Investigator, Office of the Federal Public Defender, Western District of North Carolina, Charlotte, NC

We have all been in a situation when trying to communicate with a difficult client does not go well and becomes nonproductive. How do we handle it and what's the best course of action? While the suggested methods aren't guaranteed, the goal of this session is to offer tips to break through difficult barriers and effectively communicate with your client. Some of these tips and strategies can apply to communicating with difficult witnesses and family members as well.

5:30 p.m.

Adjourn

Thursday, May 16, 2024

8:00 – 9:00 a.m. Continental Breakfast – *Deschutes Foyer*

8:00 a.m. – 1:30 p.m. Registration (Check-in & Check-out)
Deschutes Foyer

9:00 – 10:15 a.m. Concurrent Sessions -7

1. Sentencing Videos Part 1 – Story Telling
Columbia 1

Nora Gruber, Mitigation Film Expert, Portland, OR

Good sentencing videos tell an important and powerful story – one that embodies the dynamic potential of human beings to suffer, err, grow, and change. With visual images, text, and sound, sentencing videos present our clients as complex people who care about other people (who care about them too) and are therefore worthy of the sentencing courts’ empathy, not just sympathy.

This presentation by an experienced mitigation film expert will focus on how to find and develop the story when your defense team has decided they want to do a sentencing mitigation video. This session will discuss ethical issues involved in the process such as interviewing and editing, and the techniques involved of interviewing for investigation versus interviewing for a film. Finally, the session will provide tips and tricks for working as a team and how to develop effective collaboration with all involved.

2. Hot Topics in Immigration: What You Need to Know
Columbia 5

Diana Rashid, Managing Attorney, Adult Detention Project,
National Immigrant Justice Center, Chicago, IL

It is important to understand the intersection between criminal and immigration law. This session will address strategies to best protect non-citizens and avoid immigration consequences.

3. Ethics for Investigators

Multnomah

Brian Carter, Investigator, Office of the Federal Public Defender, Middle District of Tennessee, Nashville, TN (*Moderator*)

Beverly Knox, Investigator, Federal Community Defender of the Eastern District of Michigan, Detroit, MI

Trish Slater, Chief Investigator, Office of the Federal Public Defender, District of Maryland, Baltimore, MD

Herbert Duzant, Investigator, Office of the Federal Public Defender, District of Nevada, Las Vegas, NV

Jim Strupp, Investigator, Office of the Federal Public Defender, District of Oregon, Portland, OR

This session will address ethical issues that commonly arise in the work of investigators and paralegals.

4. It's Crunch Time: An Introduction to Using the Commission's Datafiles - Part One (1)

Columbia 2

Tina Woehr, Attorney, National Sentencing Resource Counsel, Federal Public and Community Defenders, Washington DC

Allison Bruning, Data Analyst, National Sentencing Resource Counsel, Federal Public and Community Defenders, Austin, TX

The tables and graphs made available by the Commission do not answer with enough precision questions of interest to defenders and judges, such as: What kinds of sentences have been imposed in cases like my client? This session will put Sentencing Commission data, and a tool to use it, directly in defenders' hands. Participants will be provided with a Codebook, instructions, and downloadable Excel Worksheet and will learn how to identify defendants sentenced under the same guideline, with the same or similar offense level and criminal history adjustments. Whether you love numbers and statistics, or not, this session is for you: the material and presentation will presume no prior experience with the Commission's data or with Excel.

5. **eDiscovery Review Databases**
Columbia 3

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

As the volume of discovery continues to grow in, people are increasingly leveraging eDiscovery review databases as one solution for organizing, reviewing, and categorizing discovery. U.S. Attorney Offices, depending on the district, have used Relativity, Ipro Eclipse SE, or Everlaw to review discovery and produce it to defense teams. The Defender Services program, acknowledging the need for Federal Defender Offices (FDOs) to be able to ingest database productions of discovery, have established national contracts with Casepoint and Everlaw to provide hosted eDiscovery review databases, and Ipro to provide network licenses for Ipro Eclipse SE to FDOs. These platforms allow end-users to better manage the eDiscovery they receive from the government by finding key documents through various search mechanisms, categorizing documents using tags and folders, and making and sharing notes with members of their legal team. This presentation will provide an overview of Casepoint, Everlaw and Ipro Eclipse SE, describe what formats of data can be loaded into an eDiscovery review database, lay out the types of data that are practically too expensive to host and would not benefit from being hosted, and how best to leverage these platforms' unique features in your next document intensive case.

6. **To Transcribe or Not to Transcribe**
Columbia 4

Sarah Seebeck, Interpreter, Office of the Federal Public Defender,
District of Arizona, Phoenix, AZ
Chris Griffin, Interpreter, Office of the Federal Public Defender,
District of Arizona, Phoenix, AZ

What to do when our client spends 60 full minutes making a statement to law enforcement in a foreign language? Is there a powerful "gotcha" moment hidden within where an Ad Hoc interpreter makes a game-changing language mistake or is there just not anything worthwhile to be found? This presentation will provide tips on how to answer these questions as well as help staff

decide when a full forensic transcription should be requested or when a simple summary will suffice. Other helpful insight will be provided into the transcription process that will further aide staff in deciding how to best use this type of discovery and manageable timetables.

10:15 – 10:30 a.m. Refreshment Break – *Deschutes Foyer*

10:30 – 11:45 a.m. Concurrent Sessions – 8

1. **Sentencing Videos Part 2 - DIY**
Columbia 1

Marcos Barbery, Mitigation Specialist, Federal Defender
Program for the Northern District of Illinois, Chicago, IL

Good sentencing videos tell an important and powerful story – one that embodies the dynamic potential of human beings to suffer, err, grow, and change. With visual images, text, and sound, sentencing videos present our clients as complex people who care about other people (who care about them too) and are therefore worthy of the sentencing courts’ empathy, not just sympathy.

Federal Defender Offices frequently do not have the budget to hire an outside expert to assist in preparing a sentencing video. This presentation by an experienced federal defender sentencing mitigation investigator, will discuss the workflow from start to finish when the defense team is preparing the sentencing video by themselves, and they are not using an outside expert. Practical tips and lessons learned will be discussed and shared.

2. **Investigator Lessons Learned: “What I Wish I Had Known Then That I Know Now ...”**
Multnomah

Herbert Duzant, Investigator, Office of the Federal Public Defender, District of Nevada, Las Vegas, NV (*Moderator*)

Brian Carter, Investigator, Office of the Federal Public Defender, Middle District of Tennessee, Nashville, TN

David Davila, Chief Investigator, Office of the Federal Public Defender, Western District of Texas, San Antonio, TX

Beverly Knox, Investigator, Federal Community Defender of the Eastern District of Michigan, Detroit, MI

Mitzi Miller, Chief Investigator, Office of the Federal Public Defender, District of Oregon, Portland, OR

The road to becoming an effective investigator is not an easy one. It's a path filled with trial-and-error and many life lessons that can help individuals become a much better version of themselves. This interactive session provides an opportunity for experienced investigators to share the hard lessons they learned over the years they wished someone had taught them earlier on in their professional journeys. We will examine several scenarios that highlight work situations which investigators may encounter. There will be time set aside for open-mic questions, comments, and insights participants want to share.

3. **It's Crunch Time: An Introduction to Using the Commission's Datafiles - Part Two (2)**

Columbia 2

Tina Woehr, Attorney, National Sentencing Resource Counsel, Washington DC

Allison Bruning, Data Analyst, National Sentencing Resource Counsel, Austin, TX

Part Two (2) of this session will provide participants the hands-on opportunity to use the downloadable Excel Worksheet discussed in Part One. Participants will learn how to search, sort, and filter to identify defendants sentenced under the same guideline, with the same or similar offense level and criminal history adjustments.

4. **Everything You Need to Know About ReadySuite**

Columbia 4

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

ReadySuite is a software conversion program that can make discovery easier and more accessible for you and your team to review. The program can help you with common document database productions you may receive from the government (from tools like Relativity and Ipro Eclipse). In this session, participants will learn what "load files" are, why they can be valuable, and how ReadySuite can display, summarize, and export document metadata information stored within the discovery production. We will discuss how you can integrate the tool into your discovery intake, workflow, and overall organization of data. Finally, we will demonstrate the program, including various image conversion features such as converting single-page formats to multi-page PDF files.

5. **Creating Programs That Empower, Include and Elevate:
Mentorships, Internships, Apprenticeships**

Columbia 3

Kip Manley, Chief Paralegal, Office of the Federal Public Defender, District of Oregon, Portland, OR

Bruce Johnson, Chief Investigator, Office of the Federal Public Defender, District of Alaska, Anchorage, AK

Jen Uyeda, Chief of Training, Office of the Federal Public Defender, Central District of California, Los Angeles, CA

This session will focus on creating mentorships, internships, and apprenticeships to empower, include, and elevate federal defender staff. Kip Manley will share his experience and tips in building an internship for paralegals that has resulted in full-time paralegal positions in the District of Oregon. Bruce Johnson will share his experience and tips in building a training and apprenticeship program for paralegals and mentoring investigators who want to work on federal criminal cases. Jen Uyeda will share her experience and focus on the importance of building structured mentorship programs that are mentee-centered. These programs offer opportunities for federal defender staff to create stronger support, build greater community and camaraderie, and improve client-centered representation.

11:45 – 12:00 p.m.

Break

12:00 – 1:15 p.m.

Plenary: Communicating with Clients Living with Mental Illness: A Holistic, Compassionate, Client-Centered Approach

Deschutes Ballroom

Andrea George, Executive Director, Federal Defenders of Eastern Washington, Spokane, WA

When appointed to represent a client with mental illness, we must be mindful that communication styles that we normally engage in may create friction that will undermine the defense team-client relationship. This session provides a method of communication which is centered on compassion, empathy, and respect. Participants will learn how this method translates into a partnership between defense team and client that fosters trust and understanding. By employing the practice tips learned through this session, in the context of competency, the insanity defense, *Sell* hearings and diminished capacity, participants will be able to put into practice a communication method that will enable a strong relationship to grow.

1:15 p.m.

Closing Remarks

Deschutes Ballroom

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