

Criminal Defense Attorneys of Michigan
PO Box 18098
Lansing, MI 48901

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The Criminal Defense Attorneys of Michigan *presents...*

Advanced Criminal Defense Practice Conference



featuring



COMMUNICATION ARTS

WORKING WITH EXPERTS

COMPAS ASSESSMENTS



Thursday, November 5, 2009

Friday, November 6, 2009

Saturday, November 7, 2009

Park Place Hotel Plaza
300 E. State Street
Traverse City, MI 49684
231-946-5000

Criminal Defense Attorneys of Michigan
PO Box 18098
Lansing, MI 48901

www.cdamonline.org
517-490-1597

About the Criminal Defense Attorneys of Michigan

The Criminal Defense Attorneys of Michigan was formed in 1976 by criminal defense attorneys from across Michigan to provide an education, resource sharing forum for criminal defense practitioners in Michigan. A primary goal is to enhance the quality of representation of indigent defendants. This conference is one of a series of conferences geared to providing a nuts and bolts approach to national practitioners experienced in practical teaching as well as criminal defense work. Our programs are structured in a lecture, workshop and demonstration format. Small group workshops provide the opportunity to devise trial strategy and observe the techniques of others. It is a mutual education effort as well as a chance to consider the comments by the faculty.

About the Conference

The Criminal Defense Attorneys of Michigan (CDAM) announces an advanced skills conference for criminal defense lawyers to be held in Traverse City, Michigan. Our focus will be Communication Arts, Working with Experts and COMPAS Assessments., New Developments in Michigan Criminal Law, Hot Tips, and Michigan Sentencing Guidelines.

The Conference is planned by CDAM's Educational Committee and financially supported by registration fees and a grant from the Michigan Commission on Law Enforcement Standards. The grant is administered by the State Appellate Defender Office's Criminal Defense Resource Center (CDRC), which provides support services to criminal defense attorneys (www.sado.org). Key personnel on the project include F. Randall Karfonta (CDAM's Education Director), Dawn Van Hoek (SADO Deputy Director and CDRC Director), Bill Moy (CDRC Coordinator), Yvonne Fleener (CDAM Executive Director), and Sheila Dean Connors (Administrative Assistant). CDAM also presents each summer the grant-funded Trial College, through a partnership with Thomas M. Cooley Law School.

Registration and Availability of Conference Materials

Due to a grant from the Michigan Commission on Law Enforcement Standards, your only cost to attend the conference is \$75 for pre-registered CDAM members and \$125.00 for non-members or at the door registration. Please note that this fee is not refundable (unless your cancellation is by U.S. mail postmarked on or before October 13, 2009). This fee includes the cost of your conference materials and the Friday group luncheon. Accommodations can be arranged with the Park Place Hotel at your expense.

JOSHUA KARTON specializes in the application of communication techniques from theatre/film/television to the art of trial advocacy. What turns presentation into persuasion? Twenty-five years of investigating this question culminated in Mr. Karton's preparation of Professor Katyal's argument to the US Supreme Court in *Hamdan v Rumsfeld*.

After University in the United States and Scotland, Mr. Karton trained as an actor at San Francisco's American Conservatory Theatre, returning there to teach after writing/directing the film and video exhibits of *Theatrical Evolution*, winner of the New York Drama Desk Award. His acting students there and at USC's School of Theatre include the recipients of Oscars™ and Emmys™. Mr. Karton's television writing and acting credits range from *Forever Fernwood* to *Beverly Hills 90210*. He serves on the faculties and develops curriculum for AAJ's Ultimate Course, the Gerry Spence Trial Lawyer's College, CDAM/Cooley Summer Trial College, NITA, the JAG Corps, ABA, NACDL, NCDC, CDAM, Western Trial Advocacy Institute, California Western School of Law, numerous public defender programs, as well as maintaining a professional practice of individual case consultation and witness preparation.

ON THE PAGE v IN PERSON

Whether you are addressing the judge or jurors directly, or reaching them through dialogue with a witness, your power of persuasion in the courtroom depends upon your ability to communicate effectively – off the page, in person. Joshua Karton, President of Communication Arts for the Professional, specializes in how to apply the personal communication skills of theatre/film/television to the art of trial advocacy. What are the specific skills (neither gimmicks nor tricks) of director, actor, playwright and screenwriter, that vault oral argument off the yellow pad and into the hearts and minds of jurors?

Attendees of the CDAM Fall Conference 2009 are invited to (1) a participatory non-lecture presentation, and (2) two follow-up tutorial workshops focusing on:

- (a) Achieving personal, one-to-one connection with jurors;
- (b) Humanizing the client;
- (c) Discovering story structure/story-telling strategies;
- (d) Presenting a person, not a lawyer; and
- (e) Transforming stage fright into stage presence.

Enrollment for each follow-up workshop/skills laboratory is limited to 25 ppl.

THURSDAY – November 5, 2009

Alternate Sessions

9:30 - 5:30 A is for Attorney

CDAM's acclaimed new lawyer session. All, or at least some, of what a new lawyer needs to know to begin practicing criminal defense: interviewing a client, setting up a file, basic nuts and bolts of criminal court procedures, QUESTIONS AND ANSWERS. Morning session is procedure, working lunch; afternoon session is trial skills.



James R. Samuels, Big Rapids
Lisa Kirsch Satawa, Southfield

10:00 - 1:00 Web-Based Research Skill Development and Technology Training

The Criminal Defense Resource Center's program to learn skills needed to perform web-based legal research utilizing the Defender Books and document assembly in traditional and electronic methods for E-filing programs.



Eric Buchanan, SADO, Detroit;
Randy Davidson, SADO, Detroit
Bill Moy, SADO, Detroit
Dawn Van Hoek, SADO, Detroit

2:30 - 6:30 Small Group Trial Practice Workshop

Prior to the lecture session of the conference, CDAM is offering an expanded small group trial practice workshop. It is an opportunity to devise trial strategy and observe the techniques of others. The subject matter is voir dire.



CDAM Workshop Faculty

3:00 - 6:00 Web-Based Research Skill Development & Technology Training

Repeat session

4:00 - 6:00 Federal Practice Session

Developments in Sixth Circuit Law; Creative Sufficiency of The Evidence Arguments in Sixth Circuit Law; Cooperation And Supervised Release Issues; Variances and Departures; United States Sentencing Guideline Developments.



Penny Beardslee, Federal Defender Office, Detroit
James Gerometta, Federal Defender Office, Detroit
Nancy McGunn, Federal Defender Office, Detroit
Jill Leslie Price, Federal Defender Office, Detroit

4:00 - 6:00 The Nuts and Bolts of Delinquency Proceedings

Standard cases, initiation, discovery, motions, plea, adjudication, disposition; competency/ criminal responsibility; and juveniles in adult court; QUESTIONS AND ANSWERS.



Lynn D'Orio, Ann Arbor

4:00 - 6:00 Appellate Practice

Getting the complete record, discovery materials, exhibits, transcripts; Working with facts, issue framing, concurrent jurisdiction, preserving issues for habeas corpus.



Jeanice Dagher-Margosian, SADO, Lansing
Richard Ginsberg, Ann Arbor

FRIDAY – November 6, 2009

7:30 a.m. Registration

9:00 - 11:00 Communication Arts for the Professional

Joshua Karton, California

11:00 - 11:15 Break



11:15 - 12:00 Communication Arts for the Professional

Joshua Karton, California

12:00 - 1:00 Group Luncheon OR Lunchtime Hot Tips and Topics

Eric Buchanan, SADO, Detroit
Bill Moy, SADO, Detroit



1:00 - 1:15 Public Defense and Criminal Defense Community Updates

Margaret Sind Raben, CDAM President

1:15 - 3:15 Fibs, Facts, and Fantasies: Evaluating the Testimony Of the Child and Of the Expert Witness

Working with an expert in CSC cases, consulting, testimony, and neutralizing the opposing expert.

Lisa Kirsch Satawa, Southfield
Kathryn Okla Efos, PhD, West Bloomfield



3:15 - 3:30 Break

3:30 - 4:30 Finding and Working With Expert Witnesses; Indigent

Defense

Resources for finding expert witnesses for consultation and for testimony, including ideas for indigent defense.

Barbara Klimaszewski, Saginaw

4:30 - 5:00 Life Without Parole For Juveniles.

Why it is constitutional in Michigan and what you can do about it. Michigan Courts sentence huge numbers of juveniles to life without parole (LWOP); find out why LWOP should be challenged and what you can argue. Overview of this terms Supreme Court litigation on juvenile LWOP.



Kimberly Thomas, Assistant Clinical Professor, University of Michigan Law School

5:00 - 5:30 Hot Tips From The Trenches

5 minute segments of great practice ideas from Attendees for use next week. An idea solicitation form will be given to attendees.



5:30 Reception and Cornucopia Drawing

SATURDAY – November 7, 2009



9:00 - 9:45 Recent Developments in Michigan Criminal Law
F. Martin Tieber, East Lansing

9:45 - 10:45 COMPAS and Risk Assessment Instruments
How it works; How it is used in the DOC; How it is used in sentencing; Issues in Risk Assessment Instruments.



Steven Miller, PhD, Grosse Isle
Kathleen Shaeffer, Professional Probation & Parole Consulting, Inc., Detroit
Anne Yantus, SADO - Detroit
David Wells, President/CEO, Northpointe Institute, Williamsburg

10:45 - 11:00 Break

11:00 - 12:00 COMPAS and Risk Assessment Instruments
(continued)

12:00 - 12:45 Michigan Sentencing Guidelines



Anne Yantus, SADO - Detroit

VENDORS and EXHIBITORS

Please remember to visit our vendors and exhibitors, Friday, 8:00 a.m. - 5:00 p.m. and stay for the drawing of products and services at the reception. CDAM appreciates the generous support of our sponsors.

CDAM Membership Information

- \$35.00 Student
- \$80.00 Associate Member
- \$80.00 Atty Licensed Less Than 5 Years
- \$125.00 Atty Licensed 5 or More Years
- \$250.00 Sustaining Member
- \$500.00 Constitutional Warrior



Admin Use:

Date: _____

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CDAM Membership: Current Lapsed Non-Member

REGISTRATION FORM

- \$75.00 CDAM Member, Pre-Registration
(join CDAM now to receive the Member rate)
- \$125.00 Non-Member
- \$125.00 Walk-in Registration for all at the door

Please note: The conference fee is non-refundable. The conference fee is required in advance due to space limitations, last-minute cancellations and the limited capacity of these conferences. We will refund your fee only if you cancel by U.S. mail postmarked on or before October 13, 2009.

ALTERNATE SESSIONS FOR THURSDAY, NOV. 5
Please indicate your preference for the alternate Thursday sessions.
All alternate session are based on a first registered basis. (Choose One)

- A is for Attorney, 9:30 – 5:30, Thursday, Nov. 5, 2009
- Web-Based Research Skill Development, 10:00 – 1:00, Thursday, Nov. 5
- Small Group Trial Practice Workshop, 2:30 – 6:30, Thursday, Nov. 5, 2009
- Web-Based Research Skill Development (repeat session), 3:00 – 6:00, Thursday, Nov. 5, 2009
- Federal Practice Session, 4:00 – 6:00, Thursday, Nov. 5
- The Nuts and Bolts of Delinquency Proceedings, 4:00 – 6:00, Thursday, Nov. 5, 2009
- Michigan Appeals, 4:00 – 6:00, Thursday, Nov. 5, 2009
- I DO NOT WISH TO TAKE AN ALTERNATE SESSION

LUNCH SESSION FOR FRIDAY, NOV. 6

- Group Luncheon, 12:00 – 1:00
- Lunch-time Hot Tips and Topics, 12:00 – 1:00 (Working Lunch with Erin Buchanan & Bill Moy)

FOLLOW UP KARTON SESSIONS FOR FRIDAY, NOV. 6

Limited to 25 on a First Registered Basis

- Karton Follow-up Tutorial Workshop, 1:00 – 3:00, Friday, Nov. 6, 2009
- Karton Follow-up Tutorial Workshop, 3:15 – 5:15, Friday, Nov. 6, 2009

NAME: _____

ADDRESS: _____

CITY: _____ ST: _____ ZIP: _____

TELEPHONE: _____

EMAIL: _____

TOTAL AMOUNT ENCLOSED: _____

Please return this form to: Attn: Conference Registration
Criminal Defense Attorneys of Michigan

P.O. Box 18098, Lansing, Michigan 48901-8098

Fees can be paid on line: www.cdamonline.org