



NATIONAL SYMPOSIUM ON INDIGENT DEFENSE:

# Looking Back, Looking Forward, 2000–2010

FEBRUARY 18–19, 2010 • WASHINGTON, DC

## Agenda

### Thursday, February 18

Time	Event	Location
8:30–8:50 a.m.	<b>Opening and Welcome</b> <ul style="list-style-type: none"> <li>• <b>Symposium Moderator:</b> Charles Ogletree, Jesse Climenko Professor of Law, Harvard University Law School, Cambridge, MA</li> <li>• <i>The Honorable Laurie O. Robinson, Assistant Attorney General, Office of Justice Programs, U.S. Department of Justice, Washington, DC</i></li> </ul>	Grand Ballroom
8:50–9:15 a.m.	<b>Keynote Address</b> <ul style="list-style-type: none"> <li>• <i>The Honorable Eric H. Holder, Jr., Attorney General of the United States, U.S. Department of Justice, Washington, DC</i></li> </ul>	Grand Ballroom
9:15–10:30 a.m.	<b>Plenary 1: Fulfilling the Promise of Counsel</b> <p>More than 45 years have passed since the U.S. Supreme Court’s decision in <i>Gideon</i>, and it has been decades since the Court extended the right to counsel to juveniles. Yet the struggle to establish effective, well-funded defense programs throughout the 50 States continues. Although there has been important progress since the last National Symposium in 2000, there is undeniable, mounting evidence that we are far from the goal of equal justice. This plenary will provide an overview of the progress and setbacks in implementing the Sixth Amendment over the last decade. The panel of leaders from different arenas will be challenged to consider lessons learned from failed attempts at public defense reform as well as successful efforts and to think beyond past practices as they explore what it will take to secure the right to counsel in America.</p> <p><b>Moderator:</b> <i>Jo-Ann Wallace, President and Chief Executive Officer, National Legal Aid &amp; Defender Association, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Avis E. Buchanan, Director, Public Defender Service for the District of Columbia, Washington, DC</i></li> <li>• <i>The Honorable Michael A. Cherry, Supreme Court Justice, Nevada Supreme Court, Carson City, NV</i></li> <li>• <i>Nancy Diehl, Retired Attorney, Wayne County Prosecutor’s Office, Detroit, MI</i></li> <li>• <i>The Honorable Lydia P. Jackson, State Senator, Louisiana Senate, Shreveport, LA</i></li> <li>• <i>Norman Lefstein, Professor of Law and Dean Emeritus, Indiana University School of Law, Indianapolis, IN</i></li> </ul>	Grand Ballroom

Time	Event	Location
10:30–10:45 a.m.	Break	Promenade and Second Floor Foyer
10:45–11:45 a.m.	Plenary 1: Concurrent Workshops	
Workshop 1–A	<p><b>The Current Crisis in Indigent Defense: Litigation Solutions</b></p> <p>National reports often have referred to a crisis in indigent defense stemming from too many indigent clients to be represented and insufficient financial resources to provide the necessary defense services. Several defense programs have challenged their caseloads in court by filing motions to halt assignments or withdraw from cases. In a few jurisdictions, systemic lawsuits have been filed challenging entire systems of indigent defense. This workshop will focus on litigation alternatives for dealing with the current crisis.</p> <p><i>Moderator: Stephen Bright, President and Senior Counsel, Southern Center for Human Rights, Atlanta, GA</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• Dana Hlavac, Deputy County Manager for Criminal Justice Services, Mohave County, Kingman, AZ</li> <li>• The Honorable Mark Stephens, District Public Defender, Public Defender’s Office, Knoxville, TN</li> <li>• Parker Thomson, Attorney, Hogan and Hartson, Miami, FL</li> </ul>	Colonial
Workshop 1–B	<p><b>Legislative Changes in Public Defense Services</b></p> <p>Since the last National Symposium on Indigent Defense sponsored by the U.S. Department of Justice, 11 States have amended their statutes dealing with the delivery of indigent defense services. Some States have enacted laws that transform the way in which indigent defense is delivered, whereas others have made relatively modest changes in their statutes. This panel will explore structural changes that States have made for indigent defense and the extent to which they are succeeding or hold the promise of doing so in the future.</p> <p><i>Moderator: Mary Lou Leary, Principal Deputy Assistant Attorney General, Office of Justice Programs, U.S. Department of Justice, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• Robin Huseby, Executive Director, Commission on Legal Counsel for Indigents, Valley City, ND</li> <li>• The Honorable Lydia P. Jackson, State Senator, Louisiana Senate, Shreveport, LA</li> <li>• Ronald W. Schneider, Chair, Maine Commission on Indigent Legal Services, Portland, ME</li> </ul>	Chinese
Workshop 1–C	<p><b>How Investigative Reports Can Support Defense Reform</b></p> <p>Several recent reports have documented the dramatic problems facing public defense and solutions implemented by several jurisdictions. This discussion will focus on how to leverage existing reports and recommendations as well as how to obtain new reports to support reform at local, State, and national levels. Panelists will share key findings and successes from the most recent reports issued by the National Right to Counsel Committee, sponsored by The Constitution Project; the National Legal Aid &amp; Defender Association; the National Association of Criminal Defense Lawyers, and others.</p> <p><i>Moderator: Michelle Molloy, Senior Vice President, Spitfire Strategies, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• The Honorable Rhoda Billings, Co-Chair, National Right to Counsel Committee, Lewisville, NC</li> <li>• Robert Boruchowitz, Professor, Seattle University School of Law, Seattle, WA</li> <li>• David Carroll, Director of Research and Evaluation, National Legal Aid &amp; Defender Association, Cambridge, MA</li> </ul>	Senate

Time	Event	Location
10:45–11:45 a.m.	<b>Plenary 1: Concurrent Workshops (continued)</b>	
Workshop 1–D	<p><b>The Evolving Role of the Public Defender</b></p> <p>Public defenders in increasing numbers are expanding the role they play in shaping the quality of justice in their communities. By collaborating with other criminal justice agency leaders, reaching out to the community, engaging the media, and advocating for policies that enhance the integrity of the courts, public defense leaders have embraced new ways to advocate for clients and their communities. This workshop will explore how defender leadership roles enhance justice, the Federal government’s efforts in supporting these new roles, and how collaborative leaders can work together to improve resources, systems, and community support.</p> <p><i>Moderator: Paul Butler, Professor, George Washington University Law School, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Melanca Clark, Counsel, Brennan Center for Justice, New York University School of Law, New York, NY</i></li> <li>• <i>The Honorable Lee Satterfield, Chief Judge, Superior Court of the District of Columbia, Washington, DC</i></li> <li>• <i>Robin Steinberg, Executive Director, The Bronx Defenders, Bronx, NY</i></li> </ul>	Pennsylvania
Workshop 1–E	<p><b>Indigent Defense and Criminal Justice Reform: Challenges and Opportunities</b></p> <p>Recent criminal justice reform efforts have been aimed at cutting costs while improving fairness and reducing crime. Current initiatives include diverting funds from the prison industrial complex to more cost-effective treatment options, renewing commitment to research-driven sentencing and corrections practices, and recognizing the importance of addressing the needs of former inmates returning to their homes and communities. This workshop will focus on the important role public defense can play in stimulating desirable change and the ramifications that criminal justice reform initiatives may have for efforts to improve public defense systems.</p> <p><i>Moderator: Richard Goemann, Director, Defender Legal Services, National Legal Aid &amp; Defender Association, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Tony Fabelo, Director of Research, Council of State Governments Justice Reinvestment Initiative, Austin, TX</i></li> <li>• <i>William Leahy, Chief Counsel, Committee for Public Counsel Services, Boston, MA</i></li> <li>• <i>Anthony Thompson, Professor of Clinical Law, New York University School of Law, New York, NY</i></li> </ul>	Rhode Island
Workshop 1–F	<p><b>Effective Representation and Drug Courts</b></p> <p>While drug courts have been praised for effectiveness in reducing drug abuse and recidivism, this approach to justice raises new challenges for defense counsel to ensure due process while leveraging access to critical resources for their client. This session will explore the legal and ethical concerns of drug courts and their impact on public defense and examine innovative ways in which the national community can partner to ensure that such courts strike an appropriate balance between treatment and due process.</p> <p><i>Moderator: A. Elizabeth Griffith, Associate Deputy Director, Bureau of Justice Assistance, U.S. Department of Justice, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Rick Jones, Executive Director, Neighborhood Defender Service of Harlem, New York, NY</i></li> <li>• <i>Michael P. Judge, Chief Public Defender, Los Angeles County, Los Angeles, CA</i></li> <li>• <i>The Honorable Michael L. Rankin, Associate Judge, Superior Court of the District of Columbia, Washington, DC</i></li> </ul>	Georgia

Time	Event	Location
10:45–11:45 a.m.	<b>Plenary 1: Concurrent Workshops (continued)</b>	
Workshop 1–G	<p><b>The Privatization of Juvenile Punishment: Has It Gone Too Far?</b></p> <p>In the wake of one of the biggest justice scandals in Luzern County, PA, which resulted in the recent indictment of two juvenile court judges accused of taking bribes from a private detention center for sending children to that facility, speakers will address whether an insurmountable conflict of interest exists with “for profit” private detention centers. The audience will develop an understanding of the pros and cons between private “for profit” and private “not for profit” detention centers and service providers. Additionally, while the growing use of ankle monitoring bracelets has helped court-involved children return to school rather than spending their days in detention centers, they cost money; in many cases, that cost is passed along to the accused, regardless of his or her economic status. The workshop panel will examine these issues and present recommended solutions for the justice community.</p> <p><i>Moderator: Christopher Gowen, Senior Staff Attorney, American Bar Association, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Marsha Levick, Deputy Director and Chief Counsel, Juvenile Law Center, Philadelphia, PA</i></li> <li>• <i>Marc Schindler, Interim Director, District of Columbia Department of Youth Rehabilitation Services, Washington, DC</i></li> <li>• <i>Wansley Walters, Director, Miami-Dade County Juvenile Services, Miami, FL</i></li> </ul>	Massachusetts
Workshop 1–H	<p><b>Systemic Advocacy and Juvenile Defense: Bringing About Meaningful Change</b></p> <p>Speakers will convey their experiences bringing about meaningful change relevant to juvenile defense through systemic advocacy. They will share their insights on successful reform strategies that they have employed in their State legislatures, commissions, and courts. Audience participants who are interested in learning about how Pennsylvania is addressing the serious concerns raised in the Luzerne County case and how litigation has been used to increase resources for juvenile defenders should attend this session. Information about relevant Federal legislation will also be provided.</p> <p><i>Moderator: Kathi Grasso, Senior Juvenile Justice Policy and Legal Advisor, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>The Honorable Lisa Baker, State Senator, Pennsylvania Senate, Dallas, PA</i></li> <li>• <i>Elizabeth Clarke, President, Juvenile Justice Initiative, Evanston, IL</i></li> <li>• <i>Robin Dahlberg, Senior Staff Attorney, American Civil Liberties Union Racial Justice Program, New York, NY</i></li> </ul>	New York
11:45 a.m.–12:45 p.m.	<b>Working Lunch</b>	State/East
	<ul style="list-style-type: none"> <li>• <i>The Honorable Thomas E. Perez, Assistant Attorney General for the Civil Rights Division, U.S. Department of Justice, Washington, DC</i></li> </ul>	
12:45–1:30 p.m.	<b>State Delegation Discussions</b>	State/East

Time	Event	Location
1:45–3:00 p.m.	<p><b>Plenary 2: Innovations in Juvenile Defense Reform</b></p> <p>Innovation—growing out of acute necessity—is spreading throughout juvenile indigent defense systems nationwide. When it comes to innovation in the public defense of youth, we need to look across several systems including typical public defender offices, appointed/contract counsel systems, nonprofit law centers, and law school clinical programs. While public defenders and other appointed counsel represent the bulk of youth who come into the system, nonprofit law centers and law school clinics are vital and contribute greatly to reform. This session will explore current strategies and innovations that have been initiated by juvenile defenders and others in public defender offices, courts, communities, clinics, and law centers across the country.</p> <p><b>Moderator:</b> <i>Kristin H. Henning, Professor of Law and Co-Director, Juvenile Justice Clinic, Georgetown University Law Center, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>The Honorable Sue Bell Cobb, Chief Justice, Alabama Supreme Court, Montgomery, AL</i></li> <li>• <i>Robert Listenbee, Jr., Chief, Juvenile Unit, Defender Association of Philadelphia, Philadelphia, PA</i></li> <li>• <i>The Honorable Carlos J. Martinez, Public Defender, Public Defender’s Office, Miami, FL</i></li> <li>• <i>The Honorable Robert C. Scott, Chairman, Subcommittee on Crime, Terrorism, and Homeland Security, Committee on the Judiciary, U.S. House of Representatives, Washington, DC</i></li> </ul>	Grand Ballroom
3:00–3:15 p.m.	Break	Promenade and Second Floor Foyer
3:15–4:15 p.m.	<p><b>Plenary 2: Concurrent Workshops</b></p>	
Workshop 2–A	<p><b>MacArthur Juvenile Indigent Defense Action Network</b></p> <p>As part of the MacArthur Juvenile Indigent Defense Action Network (JIDAN) Project, California, Florida, Massachusetts, and New Jersey are establishing baseline data to undertake strategies that will improve the representation of youth in their States’ juvenile justice systems. While the MacArthur JIDAN Project will point the way in groundbreaking capacity-building efforts over the next 2 years, the dire situation of juvenile defenders calls for recognition at the highest policy levels of our justice system. This workshop will explore the status quo and how increased Federal and State support for professional training and support for juvenile defender organizations could help to change it. The audience will learn about how California is building an infrastructure for a statewide juvenile defense community—to reach lawyers wherever they are with training, expert/appellate advice, and assistance in fighting for quality representation. New Jersey has focused on providing post-dispositional representation, representation at the initial detention hearing, and improved special education advocacy. Through JIDAN, the Miami Dade Public Defender is implementing attorney training and developing attorney performance evaluations and supervisory materials.</p> <p><b>Moderator:</b> <i>Melodee Hanes, Counsel to the Administrator, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Sue Burrell, Staff Attorney, Youth Law Center, San Francisco, CA</i></li> <li>• <i>The Honorable Carlos J. Martinez, Public Defender, Public Defender’s Office, Miami, FL</i></li> <li>• <i>Sandra Simkins, Clinical Professor, Children’s Justice Clinic, Rutgers School of Law—Camden, Camden, NJ</i></li> </ul>	Senate

Time	Event	Location
3:15–4:15 p.m.	<b>Plenary 2: Concurrent Workshops (continued)</b>	
<b>Workshop 2–B</b>	<p><b>Juvenile Defense as a Specialty: The Role and Obligations of Counsel</b></p> <p>Juvenile defenders have to know everything criminal defense counsel has to know (evidence, sentencing law, trial practice), but they also have to know about what works in rehabilitation, adolescent development, and how to do post-sentencing advocacy, including education and conditions of confinement work. Despite the demanding array of areas in which they must have expertise, they often find themselves an afterthought in discussions about indigent defense services, in practice standards, and in discussions of defender career tracks. This workshop will examine and propose solutions to perpetual problems in not recognizing juvenile defense as its own specialty and forcing talented attorneys to transfer out of juvenile defense to advance in the office.</p> <p><b>Moderator:</b> <i>Patricia Puritz, Executive Director, National Juvenile Defender Center, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Kristin H. Henning, Professor of Law and Co-Director, Juvenile Justice Clinic, Georgetown University Law Center, Washington, DC</i></li> <li>• <i>Robert Listenbee, Jr., Chief, Juvenile Unit, Defender Association of Philadelphia, Philadelphia, PA</i></li> <li>• <i>Winston A. Peters, Assistant Public Defender, Los Angeles County Public Defender’s Office, Los Angeles, CA</i></li> </ul>	<b>Pennsylvania</b>
<b>Workshop 2–C</b>	<p><b>Post-Disposition Advocacy: Making a Critical Difference in Outcomes for Youth</b></p> <p>Many public defender offices and private bar attorneys terminate their representation of youth at the disposition hearing. It is no surprise that youth recidivate at high rates as they do not have the benefit of legal counsel during the pendency of the youth’s involvement in the juvenile delinquency system. Speakers will address State law, standards, and policy that describe the responsibilities of children’s counsel in delinquency proceedings to include monitoring the child’s interest at every stage of delinquency representation post-disposition. They will highlight public defender offices that have created post-disposition juvenile advocacy units that are making a critical difference in ensuring youth have access to special education and other necessary services, as well as promising public policy initiatives that are leading toward long-term reform.</p> <p><b>Moderator:</b> <i>Jeff Slowikowski, Acting Administrator, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Patricia Lee, Deputy Public Defender, Managing Attorney, Juvenile Unit, San Francisco Public Defender’s Office, San Francisco, CA</i></li> <li>• <i>The Honorable Michael Nash, Presiding Judge, Los Angeles Juvenile Court, Los Angeles, CA</i></li> <li>• <i>Eric J. Zogry, Juvenile Defender, State of North Carolina Office of the Juvenile Defender, Durham, NC</i></li> </ul>	<b>Rhode Island</b>

Time	Event	Location
3:15–4:15 p.m.	<b>Plenary 2: Concurrent Workshops (continued)</b>	
Workshop 2–D	<p><b>Maintaining Your Office’s Resources in a Difficult Budgetary Climate</b></p> <p>Chief Defenders will share their innovative and creative ways of working to maintain a budget in these challenging economic times. You will hear suggestions on ways to build unconventional collaborations and community support for defender services and other ways to stretch your dollars.</p> <p><b>Moderator:</b> Lynn Overmann, Senior Advisor to the Assistant Attorney General, Office of Justice Programs, U.S. Department of Justice, Washington, DC</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• The Honorable Jeff Adachi, Public Defender, Office of the San Francisco Public Defender, San Francisco, CA</li> <li>• Edwin Burnette, Vice President of Defender Legal Services, National Legal Aid &amp; Defender Association, Alexandria, VA</li> <li>• Yvonne Smith Segars, Public Defender, New Jersey Office of the Public Defender, Trenton, NJ</li> </ul>	Chinese
Workshop 2–E	<p><b>Youth Waiver Into the Adult Criminal Justice System: Review of Research and Defender Responses</b></p> <p>Current research findings reflect that youth waiver into the adult criminal justice system has an adverse impact on rates of recidivism and is detrimental to overall youth well-being. Panelists will provide an overview of this research and the defender responses.</p> <p><b>Moderator:</b> Liz Ryan, President and Chief Executive Officer, Campaign for Youth Justice, Washington, DC</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• Robert A. Hahn, Senior Scientist, U.S. Centers for Disease Control and Prevention, U.S. Department of Health and Human Services, Atlanta, GA</li> <li>• Richard E. Redding, Associate Dean for Administration and Professor of Law, Chapman University School of Law, Orange, CA</li> <li>• Santha Sonenberg, Attorney, Public Defender Service for the District of Columbia, Washington, DC</li> </ul>	Georgia
Workshop 2–F	<p><b>Status Offenders: The Role of Legal Counsel</b></p> <p>This panel will explore the topic of status offenders and the importance of legal representation in their cases. Given the real threat of incarceration, the question “Are status offenders entitled to counsel?” needs to be answered. Speakers will provide insights into this question and on Federal law, model statutes, and other programs that ensure attorneys and appropriate interventions for status offenders. In addition, speakers will engage the audience in a discussion of a pending appellate case addressing the issue in Washington State.</p> <p><b>Moderator:</b> Elissa Rumsey, Compliance Monitoring Coordinator, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, Washington, DC</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• Robert Boruchowitz, Professor, Seattle University School of Law, Seattle, WA</li> <li>• Jessica R. Kendall, Assistant Staff Director, American Bar Association Center on Children and the Law, Washington, DC</li> <li>• Robert Schwartz, Executive Director, Juvenile Law Center, Philadelphia, PA</li> </ul>	Massachusetts

Time	Event	Location
3:15–4:15 p.m.	<b>Plenary 2: Concurrent Workshops (continued)</b>	
Workshop 2–G	<p><b>Representation, Education, and Modeling: Multidisciplinary Law School Clinics</b></p> <p>Law school clinical programs serve many different purposes in promoting best practices in juvenile representation. These programs, often because they enjoy smaller case loads and sufficient resources, offer clients excellent and well-supervised representation by student-attorneys. The education received by law students allows them to focus on their development as ethical, prepared, and reflective attorneys. These programs often can model best practices to the public defenders, appointed counsel, and courts in which they practice. This session will explore the design and implementation of three such multidisciplinary programs: the Georgetown University Law Center Juvenile Justice Clinic, the Suffolk University Law School Juvenile Justice Center, and the University of the District of Columbia Juvenile and Special Education Law Clinic.</p> <p><b>Moderator:</b> <i>Lou Ann Holland, Program Manager, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Wallace J. Mlyniec, Professor of Law, Co-Director, Juvenile Justice Clinic, Georgetown Law Center, Washington, DC</i></li> <li>• <i>Jeffrey J. Pokorak, Professor and Director of Clinical Programs, Suffolk University Law School, Boston, MA</i></li> <li>• <i>Joseph B. Tulman, Professor of Law, David A. Clarke School of Law, University of the District of Columbia, Washington, DC</i></li> </ul>	New York
4:30–5:45 p.m.	<p><b>Plenary 3: Indigent Defense Reform: The Many Modes of Collaboration</b></p> <p>“Collaboration” is an often-used word (particularly around reform efforts), but what does collaboration really mean for indigent defense reform? This plenary will provide a detailed look at how some States have begun indigent defense improvements by collaborating with the judiciary, bar leaders, nonprofits, legislators, grassroots leaders, and funders to protect and advance the Sixth Amendment right to counsel. This session will highlight how some leaders do not come to the issue with a natural affinity for defense reform, but rather assume a leadership role through effective collaboration that enlightens them as to the extent of the indigent defense crisis in their States. The panelists will explore creative ideas for improving collaborative reform efforts.</p> <p><b>Moderator:</b> <i>Cait Clarke, Director, Public Interest Law Opportunities, Equal Justice Works, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Brian Austin, Jr., Under Secretary, Criminal Justice Policy and Planning Division, Office of Policy and Management, Hartford, CT</i></li> <li>• <i>The Honorable Daniel T. Eismann, Chief Justice, Idaho Supreme Court, Boise, ID</i></li> <li>• <i>The Honorable Rodney G. Ellis, State Senator, Texas Senate, Houston, TX</i></li> </ul>	Grand Ballroom
5:45 p.m.	<b>Adjourn for the Day</b>	



Time	Event	Location
8:30–9:30 a.m.	<b>Plenary 3: Concurrent Workshops</b>	
<b>Workshop 3–A</b>	<p><b>Collaborations With the Private Bar</b></p> <p>In many States, indigent defense counsel is appointed from the private bar. In that case, the collaboration between public and private defense attorneys becomes key to ensuring effective representation for indigent defendants. The private bar can also be an effective and influential partner in ensuring reform in indigent defense. This session will focus on these valuable public/private partnerships.</p> <p><i>Moderator: Robin Maher, Director, American Bar Association Death Penalty Representation Project, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Frank X. Neuner, Jr., Managing Partner, Laborde &amp; Neuner, Lafayette, LA</i></li> <li>• <i>Donald P. Salzman, Pro Bono Counsel, Skadden, Arps, Slate, Meagher, and Flom, Washington, DC</i></li> <li>• <i>Johanna Steinberg, Assistant Counsel, NAACP Legal Defense and Educational Fund, Inc., New York, NY</i></li> </ul>	<b>Senate</b>
<b>Workshop 3–B</b>	<p><b>State Collaborations for Systemic Reform—Learning From Setbacks</b></p> <p>This session will explore several different State-level efforts to reform indigent defense systems. The discussion will examine collaborative strategies in Georgia, Mississippi, and Texas. In particular, panelists will discuss what strategies were employed in each State and why they were chosen, who the key parties to bring to the table in any such effort are, and which strategies worked and which didn't, and why. Panelists will discuss what we can learn from these successes and their setbacks and how to employ these lessons in the future.</p> <p><i>Moderator: Virginia Sloan, President, The Constitution Project, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>James D. Bethke, Director, Texas Task Force on Indigent Defense, Austin, TX</i></li> <li>• <i>The Honorable Norman S. Fletcher, Retired Justice, Of Counsel, Brinson, Askew, Berry, Seigler, Richardson &amp; Davis LLP, Rome, GA</i></li> <li>• <i>Phyllis E. Mann, Director, National Defender Leadership Institute, National Legal Aid &amp; Defender Association, Cedar Hill, TX</i></li> </ul>	<b>Pennsylvania</b>
<b>Workshop 3–C</b>	<p><b>Court Involvement in Reform—Critical Judicial Collaborations</b></p> <p>The judiciary has tremendous influence and can be a key partner in seeking indigent defense reforms. This session will explore the different collaborations between the defense bar and the judiciary that have been successful in achieving reform, focusing on the success of New York, Nevada, and North Carolina.</p> <p><i>Moderator: Norman Reimer, Executive Director, National Association of Criminal Defense Lawyers, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>The Honorable Rhoda Billings, Co-Chair, National Right to Counsel Committee, Lewisville, NC</i></li> <li>• <i>The Honorable Michael A. Cherry, Supreme Court Justice, Nevada Supreme Court, Carson City, NV</i></li> <li>• <i>The Honorable Judith Kaye, Retired Justice, Of Counsel, Skadden, Arps, Slate, Meagher and Flom, New York, NY</i></li> </ul>	<b>Chinese</b>

Time	Event	Location
8:30–9:30 a.m.	<b>Plenary 3: Concurrent Workshops (continued)</b>	
Workshop 3–D	<p><b>Effective Use of Media: Examples of Collaboration</b></p> <p>This session will explore how State reform efforts can be accelerated by collaborations involving the press and other key State leaders. The successful use of local and national media advances the common goals of collaboration among indigent defense providers and committed State leaders.</p> <p><i>Moderator: Maureen Dimino, Indigent Defense Counsel, National Association of Criminal Defense Lawyers, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• David Carroll, Director of Research and Evaluation, National Legal Aid &amp; Defender Association, Cambridge, MA</li> <li>• Alan Maimon, Special Projects Reporter, Las Vegas Review-Journal, Las Vegas, NV</li> <li>• The Honorable Gerald Malloy, State Senator, South Carolina Senate, Hartsville, SC</li> </ul>	Rhode Island
Workshop 3–E	<p><b>Unlikely Allies—Collaborating Around Litigation</b></p> <p>Litigation is generally confrontational and antagonizing. However, it may also serve as a focal point around which traditional adversaries and unlikely allies can work to realize common goals. This session will discuss how advocates for the indigent, public defenders, and the judiciary have used lawsuits to enlist the assistance of each other and bar associations, prosecutors, legislators, and other defense attorneys to obtain more resources for indigent defense programs.</p> <p><i>Moderator: Robin Dahlberg, Senior Staff Attorney, American Civil Liberties Union, New York, NY</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• The Honorable Karla Gray, Retired Chief Justice, Montana Supreme Court, Helena, MT</li> <li>• The Honorable Carlos J. Martinez, Public Defender, Public Defender’s Office, Miami, FL</li> <li>• Susan O. Storey, Chief Public Defender, Connecticut Division of Public Defender Services, Office of Chief Public Defender, Hartford, CT</li> </ul>	Georgia
Workshop 3–F	<p><b>Partnering With Foundations, Governments, and Nonprofits to Improve Indigent Defense</b></p> <p>This session explores how nonprofit organizations, State and local governments, and private foundations can work together to leverage resources for indigent defense reform. Leveraging private and public dollars to provide opportunities for the next generation of public defense lawyers is one way to bring about lasting improvements inside rural and urban justice systems. Panel members will speak about their perceptions of the current reform efforts under way. The discussion will explore ways to leverage resources with foundations, nonprofits, and governments to improve the quality of representation for the indigent.</p> <p><i>Moderator: Cait Clarke, Director, Public Interest Law Opportunities, Equal Justice Works, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• Kirsten Levingston, Program Officer, The Ford Foundation, New York, NY</li> <li>• Leonard Noisette, Program Director, Criminal Justice Fund, Open Society Institute, New York, NY</li> <li>• Jonathan Rapping, Chief Executive Officer and Founder, Southern Public Defender Training Center, Atlanta, GA</li> <li>• Rebecca Rittgers, Programme Executive, U.S. Reconciliation and Human Rights Programme, The Atlantic Philanthropies, New York, NY</li> </ul>	Colonial

Time	Event	Location
8:30–9:30 a.m.	<b>Plenary 3: Concurrent Workshops (continued)</b>	
Workshop 3–G	<p><b>State Administering Agencies as a Resource for Indigent Defense*</b></p> <p>This session will provide an overview of how State Administering Agencies across the Nation determine how to spend U.S. Department of Justice Byrne Justice Assistance Grant (JAG) formula grants for criminal justice and how some States have been successful in securing a portion of those funds to go toward indigent defense.</p> <p><b>Moderator:</b> <i>Kay Chopard Cohen, Deputy Executive Director, National Criminal Justice Association, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Brendan O’Neill, Public Defender, Delaware Public Defender’s Office, Wilmington, DE</i></li> <li>• <i>Christine P. Rapillo, Director of Juvenile Delinquency Defense, Connecticut Division of Public Defender Services, Hartford, CT</i></li> <li>• <i>Jeanne Smith, Director, Division of Criminal Justice, Colorado Department of Public Safety, Denver, CO</i></li> </ul> <p><i>*This session is repeated in Workshop 4–H on Friday, February 19 from 11:15 a.m. to 12:15 p.m.</i></p>	Massachusetts
Workshop 3–H	<p><b>Law School Partners for Training: Broadening and Deepening Education for Bench and Bar</b></p> <p>Funding for indigent defense and for training defenders is chronically inadequate in jurisdictions across the country. Often considered “neutral ground” in the sometimes contentious discussion of how to address juvenile and criminal justice issues, law schools also often have faculty members working on relevant issues and an institutional mission that includes service to the profession. In this session, participants will consider how to leverage resources at law schools to expand indigent defense and to help meet related training needs for lawyers and judges. The presenters for this workshop have been involved in successful training, continuing legal education, and advanced multidisciplinary education programs for the bench and bar, in addition to systemic reform efforts. Emphasizing juvenile justice, the presenters will discuss partnership opportunities and specific programs and design ideas.</p> <p><b>Moderator and Speaker:</b> <i>Joseph B. Tulman, Professor of Law, David A. Clarke School of Law, University of the District of Columbia, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Eden Harrington, Assistant Dean of Clinical Education and Public Service, University of Texas School of Law, Austin, TX</i></li> <li>• <i>Carole Wagan, Director, Center for Advanced Legal Studies, Suffolk University Law School, Boston, MA</i></li> </ul>	New York
9:45–11:00 a.m.	<b>Plenary 4: Ensuring Quality Representation</b>	Grand Ballroom
	<p>How can your jurisdiction ensure quality representation for indigent defendants? There are a number of nationally recognized legal and ethical standards and guidelines for public defenders, assigned counsel, and contract attorney systems. Yet since the 1963 Gideon and the 1967 <i>Gault</i> rulings by the Supreme Court, States, counties, and jurisdictions across the Nation have established varying means of providing public representation for adult and juvenile defendants unable to afford a private defense attorney. Plenary speakers will discuss the importance of nationally recognized standards related to caseloads, attorney training, and ethical considerations in the provision of indigent defense. The value of training, supervision, and management will be discussed from a variety of perspectives, as well as the impact of quality representation on clients, judges, prosecutors, and the judicial system. Subsequent workshops will highlight the importance of reform efforts related to caseloads, workloads, attorney performance, ethics, and other standards in indigent defense systems across the United States.</p> <p><b>Moderator:</b> <i>Stephen Bright, President and Senior Counsel, Southern Center for Human Rights, Atlanta, GA</i></p>	

Time	Event	Location
	<p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>The Honorable Stanford Blake, Circuit Court Judge, Eleventh Judicial Circuit of Florida, Criminal Division, Miami, FL</i></li> <li>• <i>Derwyn Bunton, Chief District Defender, Orleans Public Defender's Office, New Orleans, LA</i></li> <li>• <i>Marvin Anderson, Exoneree, Innocence Project, Hanover, VA</i></li> </ul>	
11:00–11:15 a.m.	Break	Promenade and Second Floor Foyer
11:15 a.m.–12:15 p.m.	Plenary 4: Concurrent Workshops	
Workshop 4–A	<p><b>Beyond Counting Cases: Workloads for Crime Reduction</b></p> <p>How do defender caseloads impact quality representation and other standards for indigent defense? This workshop will provide a picture of caseloads carried by public defender offices nationwide, as well as the policies and procedures public defender offices have adopted to ensure manageable caseloads that follow nationally accepted standards. Speakers from Wisconsin will speak specifically about the impact of defender caseloads from the prosecutorial perspective and the steps the State took to mandate caseload limits. Discussion will focus on how State and local indigent defense systems can support quality representation through caseload limits.</p> <p><b>Moderator:</b> <i>Caroline Cooper, Associate Director and Research Professor, Justice Programs Office at the School of Public Affairs, American University, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Lynn Langton, Statistician, Bureau of Justice Statistics, U.S. Department of Justice, Washington, DC</i></li> <li>• <i>The Honorable John T. Chisolm, District Attorney, Milwaukee County District Attorney's Office, Milwaukee, WI</i></li> <li>• <i>Nicholas L. Chiarkas, Public Defender, Wisconsin State Public Defender Agency, Madison, WI</i></li> </ul>	Chinese
Workshop 4–B	<p><b>The Court's Role in Ensuring Due Process: The Nevada Model</b></p> <p>On January 4, 2008, the Nevada Supreme Court took a monumental step toward ensuring justice for the poor, adopting a series of reforms regarding the representation of indigent defendants in criminal and juvenile cases. In its order, the Nevada Supreme Court set forth extensive ethical standards for the representation of indigent defendants, ordered that public defenders inform county officials when they are unable to accept further appointments in line with such standards, and removed the judiciary from the administration of right to counsel services. The order concluded that by "any reasonable standard" a caseload crisis exists in Clark (Las Vegas) and Washoe (Reno) counties where public defenders are handling caseloads far in excess of nationally recommended limits. The workshop will focus not only on "what" the Court did, but perhaps more importantly, on the process undertaken to reach such reforms.</p> <p><b>Moderator:</b> <i>Emily Chiang, Visiting Assistant Professor, S.J. Quinney College of Law, University of Utah, Salt Lake City, UT</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>The Honorable Michael A. Cherry, Supreme Court Justice, Nevada Supreme Court, Carson City, NV</i></li> <li>• <i>David Carroll, Director of Research and Evaluation, National Legal Aid &amp; Defender Association, Cambridge, MA</i></li> <li>• <i>Franny A. Forsman, Federal Public Defender, Law Offices of the Federal Public Defender, Las Vegas, NV</i></li> </ul>	Colonial

Time	Event	Location
11:15 a.m.–12:15 p.m.	<b>Plenary 4: Concurrent Workshops (continued)</b>	
<b>Workshop 4–C</b>	<p><b>Michigan Builds a Movement for Public Defense Reform</b></p> <p>What does it take to turn policy into effective practice? The State of Michigan was able to develop broad-based, bipartisan political and public support for reform in a climate of diminishing resources. The Eleven Principles of a Public Defense Delivery System were adopted in 2002 and serve as the fundamental standards for a public defense delivery system to provide effective, efficient, quality, and ethical representation to those in criminal proceedings who cannot afford to hire an attorney. The State legislature recently announced a new subcommittee on indigent defense as the Campaign for Justice, in partnership with the State Bar of Michigan, is pursuing legislative changes to the approach by which Michigan provides adequate defense for the poor population. Workshop speakers will describe the practical strategies they applied in one of the most fiscally challenged States in the Nation to jump-start statewide reform efforts, protect early and intermediate gains, and implement best practices to ensure quality indigent defense.</p> <p><i>Moderator: Steve Zeidman, Professor and Director of the Criminal Defense Clinic, City University of New York Law School, New York, NY</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• Nancy J. Diehl, Retired, Wayne County Prosecutor’s Office, Detroit, MI</li> <li>• The Honorable Mark Meadows, Representative, Michigan House of Representatives, Lansing, MI</li> <li>• Laura Sager, Executive Director, Campaign for Justice, Lansing, MI</li> </ul>	<b>Senate</b>
<b>Workshop 4–D</b>	<p><b>Using Standards to Improve the Quality of Defense Services With Assigned Counsel</b></p> <p>Virtually every public defense delivery system in the United States, in whole or part, relies on assigned counsel. This session will explore in a variety of settings how standards are used to evaluate and establish effective and efficient assigned counsel systems and how standards are used to measure and monitor the performance of attorneys within it.</p> <p><i>Moderator: Adele Bernhard, Associate Professor, Pace Law School, Pace University, White Plains, NY</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• William J. Leahy, Chief Counsel, Committee for Public Counsel Services, Boston, MA</li> <li>• Fern Laethem, Director, Sacramento County Conflict Criminal Defenders, Sacramento, CA</li> <li>• James R. Neuhard, Director, State Appellate Defender Office, Detroit, MI</li> </ul>	<b>Pennsylvania</b>
<b>Workshop 4–E</b>	<p><b>Justice Sought: Ethical Duties of Attorneys in the Criminal Justice System</b></p> <p>This panel will explore several important issues as follows: What are the ethical duties of defenders, prosecutors, and judges when confronted with a defense office that is failing to provide competent representation? What about attorney members of oversight commissions who are responsible for public defense budgets as lawyers—do they have ethical duties to prevent unethical conduct by the indigent defense attorneys who work within their systems?</p> <p><i>Moderator: Maureen Dimino, Indigent Defense Counsel, National Association of Criminal Defense Lawyers, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• Monroe Freedman, Professor of Law, Hofstra University Law School, Garden City, NY</li> <li>• Henderson Hill, Attorney, Ferguson, Stein, Chambers, Gresham and Sumter, PA, Charlotte, NC</li> <li>• Robin Maher, Director, American Bar Association Death Penalty Representation Project, Washington, DC</li> </ul>	<b>Rhode Island</b>

Time	Event	Location
11:15 a.m.–12:15 p.m.	<b>Plenary 4: Concurrent Workshops (continued)</b>	
Workshop 4–F	<p data-bbox="386 331 1291 394"><b>Measure by Measure: Using Data to Evaluate Quality and Advocate for Indigent Defense Funding</b></p> <p data-bbox="386 401 1291 661">Reliable statistics can mean so much more to your organization than just numbers. Data systems can be used to highlight indigent defense needs, successfully argue for more resources, and ultimately free up the time of staff in indigent defense delivery systems to focus on their primary responsibility: quality defense. Panelists will provide answers to the following important questions: How can organizations know whether standards, caseload reductions, and other reforms make a difference?; How can a public defender agency adequately monitor the performance of multiple assigned counsel and contract attorney systems across the State?; and What pitfalls should a public defender agency be aware of when implementing a system to gather caseload statistics?</p> <p data-bbox="386 674 1291 735"><b>Moderator:</b> <i>Duren Banks, Chief, Prosecution and Adjudication Statistics Unit, Bureau of Justice Statistics, U.S. Department of Justice, Washington, DC</i></p> <p data-bbox="386 743 487 772"><b>Speakers:</b></p> <ul data-bbox="386 781 1291 945" style="list-style-type: none"> <li>• <i>T. Patton Adams, Executive Director, South Carolina Commission on Indigent Defense, Columbia, SC</i></li> <li>• <i>Margaret Gressens, Research Director, North Carolina Office of Indigent Defense Services, Durham, NC</i></li> <li>• <i>Carl Richey, President, Justice Works, LLC, Bountiful, UT</i></li> </ul>	Georgia
Workshop 4–G	<p data-bbox="386 972 1291 1003"><b>Importance of Holistic Representation for Juvenile Justice</b></p> <p data-bbox="386 1010 1291 1270">Standards and guidelines serve to inform all stakeholders—indigent defense providers, judges, prosecutors, law enforcement, probation officers, State and county officials, and others affected by the juvenile justice system—about the specific role that defense counsel should play in representing children charged with crimes. Indeed, publicly endorsed standards help those with little experience with juvenile indigent defendants understand the fundamental requirements for effective representation. While in every justice system defendants may have needs outside the context of adversarial proceedings and of defense work, <i>these needs for comprehensive services and holistic representation are amplified by the unique and precarious position of juveniles</i> in the justice system.</p> <p data-bbox="386 1283 1291 1486">Because of the panelists’ personal leadership in formulating defense quality standards, and in particular the <i>Ten Core Principles for Providing Quality Delinquency Representation through Public Defense Delivery Systems</i>, those attending will have a rare opportunity to hear about the motivations leading to creation of these standards and their development from the authors themselves. Additionally, panelists will consider the obstacles to implementation of these standards, innovative approaches to implementation, and the role of counsel in specialty courts, such as drug and mental health courts, among others.</p> <p data-bbox="386 1499 1291 1560"><b>Moderator:</b> <i>Stephanie Baucus, Associate Director, Office of Intergovernmental and Public Liaison, U.S. Department of Justice, Washington, DC</i></p> <p data-bbox="386 1568 487 1598"><b>Speakers:</b></p> <ul data-bbox="386 1606 1291 1732" style="list-style-type: none"> <li>• <i>The Honorable Carlos J. Martinez, Public Defender, Public Defender’s Office, Miami, FL</i></li> <li>• <i>Patricia Puritz, Executive Director, National Juvenile Defender Center, Washington, DC</i></li> <li>• <i>Jo-Ann Wallace, President and Chief Executive Officer, National Legal Aid &amp; Defender Association, Washington, DC</i></li> </ul>	Massachusetts

## Friday, February 19

Time	Event	Location
11:15 a.m.–12:15 p.m.	<b>Plenary 4: Concurrent Workshops (continued)</b>	
Workshop 4–H	<p><b>State Administering Agencies as a Resource for Indigent Defense</b></p> <p>This session will provide an overview of how State Administering Agencies across the Nation determine how to spend U.S. Department of Justice Byrne Justice Assistance Grant (JAG) formula grants for criminal justice, and how some States have been successful in securing a portion of those funds to go toward indigent defense.</p> <p><b>Moderator:</b> <i>Kay Chopard Cohen, Deputy Executive Director, National Criminal Justice Association, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Brendan O’Neill, Public Defender, Delaware Public Defender’s Office, Wilmington, DE</i></li> <li>• <i>Christine P. Rapillo, Director of Juvenile Delinquency Defense, Connecticut Division of Public Defender Services, Hartford, CT</i></li> <li>• <i>Jeanne Smith, Director, Division of Criminal Justice, Colorado Department of Public Safety, Denver, CO</i></li> </ul>	New York
12:15–1:15 p.m.	<p><b>Working Lunch</b></p> <ul style="list-style-type: none"> <li>• <i>The Honorable Lanny A. Breuer, Assistant Attorney General, Criminal Division, U.S. Department of Justice, Washington, DC</i></li> </ul>	State/East
1:15–2:00 p.m.	<b>State Delegation Discussions</b>	State/East
2:15–3:30 p.m.	<p><b>Plenary 5: Strengthening Forensic Science</b></p> <p>In March 2009, the National Academy of Sciences released a congressionally mandated report on the assessment of the needs of the forensic science community and its scientific disciplines. This study of the standards and protocols for analyzing and reporting on evidence led to 13 recommendations to improve the field, including the establishment of a National Institute of Forensic Sciences that would assist in the resolution of the identified inadequacies, as well as improve and advance the forensic sciences. The panel will discuss the state of forensics, the study findings, and their potential impact for the legal community.</p> <p><b>Moderator:</b> <i>Kristina Rose, Acting Director, National Institute of Justice, U.S. Department of Justice, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>The Honorable William J. Fitzpatrick, District Attorney, Onondaga County, Syracuse, NY</i></li> <li>• <i>Jennifer Friedman, Deputy Public Defender and Forensic Science Coordinator, Los Angeles County Public Defender’s Office, Los Angeles, CA</i></li> <li>• <i>Randall Murch, Associate Director, Research Program Development, Virginia Tech Center for Technology, Security, and Policy, Alexandria, VA</i></li> <li>• <i>Barry Scheck, Co-Director, The Innocence Project, New York, NY</i></li> </ul>	Grand Ballroom
3:30–3:45 p.m.	<b>Break</b>	Promenade and Second Floor Foyer

Time	Event	Location
3:45–4:45 p.m.	<b>Plenary 5: Concurrent Workshops</b>	
Workshop 5–A	<p><b>Case Management Systems: Improving Public Defense and the Criminal Justice System</b></p> <p>An effective case management system will benefit a public defender office's operations and interactions with stakeholders, whether they are office staff or management, clients, funders, law enforcement agencies, legislators, courts, or the general public. From managing staff workload and caseloads, making a case for funding, and evaluating office performance, to tracking trends and improving efficiency within the office and within the criminal justice system, a good case management system is a useful tool for any public defender office. Well-designed case management systems also demonstrate the ability of appropriately resourced public defender offices to both improve public safety and save the tax payers money. These and other benefits of a good case management system, as well as useful features of such a system, will be discussed.</p> <p><b>Moderator:</b> <i>Avis E. Buchanan, Director, Public Defender Service for the District of Columbia, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Joshua Dohan, Director, Youth Advocacy Department, Committee for Public Counsel Services, Roxbury, MA</i></li> <li>• <i>James R. Neuhard, Director, State Appellate Defender Office, Detroit, MI</i></li> <li>• <i>David Newhouse, Research Assistant Professor, The Spangenberg Project, Hillsboro, OR</i></li> </ul>	Senate
Workshop 5–B	<p><b>DNA: Pretrial Investigation and Defense</b></p> <p>Forensic sciences have been used in courtrooms for many years to prove, illustrate, corroborate, or eliminate suspects or defendants in their roles in the commission of crimes. Applications at the investigative and pretrial stages of a case can be critical to resolving the case or ensuring the appropriate suspect is convicted. This panel will discuss the importance of using DNA evidence at the pretrial phase of a criminal case and how different types of forensic evidence and their results can (and cannot) support the defense strategy.</p> <p><b>Moderator:</b> <i>Michael G. Sheppo, Director, Office of Investigative and Forensic Sciences, National Institute of Justice, U.S. Department of Justice, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Lisa Kreeger-Norman, Attorney, United States Army Criminal Investigations Laboratory, Forest Park, GA</i></li> <li>• <i>Betty Layne DesPortes, Attorney, Benjamin &amp; DesPortes, PC, Richmond, VA</i></li> <li>• <i>Edward Ungvarsky, Capital Defender for Northern Virginia, Northern Virginia Capital Defender Office, Arlington, VA</i></li> </ul>	Pennsylvania
Workshop 5–C	<p><b>DNA: Post-Conviction Investigation and Defense</b></p> <p>The National Academy of Sciences (NAS) report recommendations to create an independent agency and to separate crime labs from law enforcement are controversial, whereas others have wide support and are consistent with American Bar Association standards. Before the NAS report, actual innocence cases resulted in more than 240 exonerations through post-conviction DNA analysis by testing evidence either not tested at the time of trial or analyzed using less discriminating technology. Crime scene samples once thought to be unsuitable for testing may now yield DNA profiles. Courts must weigh the probative value of DNA evidence in determining whether to grant a motion requesting post-conviction relief.</p> <p><b>Moderator:</b> <i>Jack Hanna, Criminal Justice Section Director, American Bar Association, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Paul C. Gianelli, Professor, Case Western Reserve University, Cleveland, OH</i></li> <li>• <i>Barry Scheck, Co-Director, The Innocence Project, New York, NY</i></li> <li>• <i>Michael Ware, Special Fields Bureau Chief, Dallas County District Attorney's Office, Dallas, TX</i></li> </ul>	Chinese



Time	Event	Location
3:45–4:45 p.m.	<b>Plenary 5: Concurrent Workshops (continued)</b>	
Workshop 5–D	<p><b>Impression Evidence—Probabilistic Testimony, and Scientific and Legal Issues</b></p> <p>Forensic examinations involving specific forensic disciplines are typically dependent on qualitative analyses and expert interpretation of observed patterns, rather than quantitative results, based on a statistical and scientific foundation. These disciplines include latent fingerprints, questioned documents, shoe prints, and other forms of impression and pattern evidence. This workshop addresses the current fundamental research needs in the areas of impression evidence examination and the legal issues surrounding what is reasonable now and in the future in terms of courtroom presentation of results.</p> <p><b>Moderator:</b> <i>Edwin Zedlewski, Director, International Center, National Institute of Justice, U.S. Department of Justice, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Jules Epstein, Associate Professor of Law, Widener University School of Law, Wilmington, DE</i></li> <li>• <i>Sargur Srihari, SUNY Distinguished Professor, University at Buffalo, The State University of New York, Buffalo, NY</i></li> </ul>	Rhode Island
Workshop 5–E	<p><b>Juveniles’ Competence to Exercise Legal Rights and Confessions</b></p> <p>Recent research on adolescent brain development shows that the juvenile brain is not fully developed in areas of reasoning and judgment. States and juvenile justice professionals are currently re-examining prevailing practices involving juveniles to determine what changes are needed in light of what we now know about adolescent psychosocial and brain development. This panel will focus on issues related to juveniles’ competence to exercise legal rights during interrogations and confessions.</p> <p><b>Moderator:</b> <i>Jean M. Faria, State Public Defender, Louisiana Public Defender Board, Baton Rouge, LA</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>Steven A. Drizin, Clinical Professor of Law, Northwestern University School of Law, Chicago, IL</i></li> <li>• <i>Barry C. Feld, Centennial Professor of Law, University of Minnesota Law School, Effie, MN</i></li> <li>• <i>Marsha Levick, Deputy Director and Chief Counsel, Juvenile Law Center, Philadelphia, PA</i></li> </ul>	Georgia
Workshop 5–F	<p><b>Investigative Technologies: GPS, Fingerprints, Cell Phones, and Video</b></p> <p>In the last decade, the interaction between science, technology, law, and criminal justice has produced as many questions as advances in evidence analysis. In reviewing the most cutting-edge investigative technologies, experts will discuss commensurate standards, admissibility, and other criminal case issues.</p> <p><b>Moderator:</b> <i>Kristina Rose, Acting Director, National Institute of Justice, U.S. Department of Justice, Washington, DC</i></p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <i>D. Miles Brissette, Assistant Criminal District Attorney, Tarrant County Criminal District Attorney’s Office, Fort Worth, TX</i></li> <li>• <i>Gary Perkinson, Agent in Charge, Special Investigations Unit, Oklahoma State Bureau of Investigation, Oklahoma City, OK</i></li> </ul>	Massachusetts

## Friday, February 19

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Time	Event	Location
4:50–5:15 p.m.	<b>Closing Session</b>  The goal of the Symposium goes beyond just expanding the base of knowledge—the goal is to begin the process of reform so that all defendants, adult and juvenile, are assured access to counsel. In the final session, participants will receive important information regarding how the U.S. Department of Justice can assist in translating the ideas for indigent defense reform discussed at the Symposium into action when they return home. <ul style="list-style-type: none"><li>• <i>The Honorable Laurie O. Robinson, Assistant Attorney General, Office of Justice Programs, U.S. Department of Justice, Washington, DC</i></li><li>• <i>The Honorable Thomas J. Perrelli, Associate Attorney General, U.S. Department of Justice, Washington, DC</i></li></ul>	<b>Grand Ballroom</b>
5:15 p.m.	<b>Adjourn</b>	