

LOUISIANA ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

17th Annual LAW & ALL THAT JAZZ CLE SEMINAR



April 26-28, 2007
Astor Crowne Plaza Hotel
739 Canal Street
New Orleans, Louisiana

Appearing at Jazz Fest 2007:
Rod Stewart • Norah Jones • Jill Scott
Brad Paisley • Ludacris • New Edition • ZZ Top
Bonnie Raitt • Dr. John • Steely Dan • Stephen Marley
Van Morrison • Counting Crows • Irma Thomas
Better Than Ezra • Harry Connick Jr.
Neville Brothers and many more!

Sponsored by:
Louisiana Association of Criminal Defense Lawyers
Seminar Co-Chairs: James Boren & Laurie White
LACDL P.O. Box 82531 Baton Rouge, LA 70884
Phone: 225-767-7640 Fax: 225-767-7648 www.lacdl.org

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Tentative Schedule

THURSDAY, APRIL 26, 2007

- 8:00 - 9:00 a.m. **Registration/ Continental Breakfast**
- 9:00 - 9:30 a.m. **Welcome**
- 9:30 - 10:30 a.m. **"A Flooded Evidence Room: Defense Lawyers Dream...or Not?"**
Katherine Mattes, New Orleans, LA
- 10:30 - 11:30 a.m. **What makes "Death Different?"**
Richard Jaffee, Birmingham, AL
- 11:30 - 12:30 p.m. **Lunch (on your own)**
- 12:30 - 1:30 p.m. **"Making the Courtroom Your Living Room": Trial Tips From 31 Years of the Good and the Bad**
Rusty Hardin, Houston, TX
- 1:30 - 2:30 p.m. **The Trial Terrorist Bill: What Does it Really Say?**
Pamela Robillard Mackey, Denver, CO
- 2:30 - 2:45 p.m. **Break**
- 2:45 - 3:45 p.m. **Crawford, Phase II: The Rise of Davis/Hammon**
Marvin Schechter, New York, NY
- 3:45 - 4:45 p.m. **Jury Selection in Child Sex Cases**
Craig Jett, Dallas, TX
- 6:30 - 8:30 p.m. **Welcome Cocktail Reception**
Location TBD

IMPORTANT NOTE: The schedule listed in this brochure is accurate at the time of printing. We make every effort to present the topics as listed at the assigned times. Due to unforeseen circumstances, times, speakers and/or presentations are subject to change.

FRIDAY, APRIL 27, 2007

- 7:30 - 8:00 a.m. **Continental Breakfast**
- 8:00 - 9:00 a.m. **Federal Sentencing and the Perfect Presentence Report**
Richard Crane, Nashville, TN
- 9:00 - 10:00 a.m. **"In Defense of Andrea Yates: The Verdict's Impact"**
George Parnham, Houston, TX
- 10:00 - 11:00 a.m. **Professionalism: "It's a Small World After All"**
Will Korman, Boston, MA
- 11:00 - 11:15 a.m. **Break**
- 11:15 - 12:15 p.m. **Ethics: "There are Things You Can Do You Ought Not"**
Mike DeGeurin, Houston, TX
- 12:15 - 1:15 p.m. **The Fourth Amendment as the Roberts Bench Sees It: Search and Seizure**
Cynthia Hujar Orr, San Antonio, TX

SATURDAY, APRIL 28, 2007

- 8:00 - 9:00 a.m. **Professionalism: "Being A Lawyer To Be Reckoned With"**
Jeff Weiner, Miami, FL
- 9:00 - 10:30 a.m. **The Rings of Immigration Hell: The Collateral Consequences of Criminal Convictions to Aliens**
Robert McWhirter, Phoenix, AZ
- 10:30 - 11:30 a.m. **Freud 101 for the Lawyer: How Do You Relate to Your Client?**
Debra DePrato, MD, Baton Rouge, LA
Laurie White, New Orleans, LA

**** This schedule will allow 14.5 hours of Louisiana CLE credit. Other States may vary.**

New Orleans
For New Orleans Jazz and Heritage Festival information please see their website at:
www.nojazzfest.com
JAZZ FEST

Faculty

Richard Crane has practiced sentencing and post conviction law for over 25 years. From 1973 through 1981, he was chief legal counsel for the Louisiana Department of Corrections and from 1984 through 1987 and since that time Richard has represented individuals and corporations on sentencing and post conviction matters. Richard's clients have included "Godfather of Soul," James Brown and former Louisiana Governor Edwin Edwards. Richard has served on the Practitioners' Advisory Committee to the United States Sentencing Commission since 1989 and writes regularly on sentencing issues.

Mike DeGeurin joined Percy Foreman in 1977. He has earned international acclaim in sensational cases including the Clarence Brandley case, featured on 60 minutes, where he proved his innocence 10 days before his execution date freeing him 10 years on Texas Death Row; successfully defending Paul Fatta against murder charges arising from the government raid on Waco's Branch Davids; and in another case featured on 60 minutes, exonerating Kelly Kock from murder charges by proving her confession false and coerced. There have been two movies made about his cases.

Debra DePrato, MD is a full time faculty at LSUHSC – NO. She is a board certified adult and forensic psychiatrist, and is a board eligible child and adolescent psychiatrist. Dr. DePrato currently serves at Project Director for the Louisiana Models for Change 7.5 million dollar juvenile justice community based grant funded by the John D and Catherine T MacArthur Foundation. Dr. DePrato served as Program Director for the LSUHSC Juvenile Justice Program from 7/1/00 until 2/14/06. Dr. DePrato founded the Division of Law and Psychiatry at LSUHSC. She received her medical degree in 1984 from LSUHSC in Shreveport; and completed her adult and child residency training at Albert B Chandler Medical Center in Lexington KY. She completed a forensic psychiatry fellowship at Yale University in 1992. Dr. DePrato has served as an expert in Forensic and Child Psychiatry in numerous states/courts. Associate Professor of Clinical Public Health and Preventive Medicine School of Public Health, LSU Health Sciences Center – New Orleans Project Director, MacArthur Foundation's Louisiana Models for Change, Board of Regents.

Rusty Hardin is the name partner of Rusty Hardin & Associates established in Houston, Texas in 1996. He has more than 30 years of litigation experience, having begun his career as an assistant district attorney for Harris County in 1975 and was named Prosecutor of the Year in 1989 by the State Bar of Texas. Among the firm's clients: accounting giant Arthur Andersen, Dow Jones and the J. Howard Marshall II estate; Exxon Mobil Corporation; the Harris County Hospital District; Formosa Plastics Corporation; Osprey Petroleum Company; Rice University; Venetian Hotel/Las Vegas Sands. Mr. Hardin served as chief trial counsel for Independent Prosecutor Kenneth Starr in the Whitewater investigation, and he is a member of the ABOTA. He has been ranked as one of the Top Ten "Super Lawyers" in Texas by *Texas Monthly* magazine for four consecutive years and as the state's "Go-To Lawyer" for civil defense litigation by *Texas Lawyer* in 2002. Mr. Hardin received his undergraduate degree from Wesleyan University in Middletown, Conn. and his J.D. from Southern Methodist University in Dallas, Texas.

Richard S. Jaffe is the owner and senior attorney with the Birmingham law firm of Jaffe, Strickland & Drennan, which concentrates in the areas of Criminal defense and civil rights litigation. He has handled over fifty capital cases, nineteen of which have been tried to conclusion. None of his clients have received a death sentence. Mr. Jaffe was lead counsel in three cases resulting in exonerations from death row at new trials. For 14 months he served as lead counsel in USA V. Eric Robert Rudolph. He is currently a board member of the National Association of Criminal Defense Lawyers. In 1996 the Alabama Bar Association awarded him the Clarence Darrow Award for contributions to indigent defense. In 2001 the Alabama Criminal Defense Lawyers Association awarded him a life-time achievement award for his contributions to criminal defense. He is a member of the NY, DC, GA, and AL Bars.

Craig Jett is an attorney with the firm of Burleson, Pate & Gibson, located in Dallas, Texas, specializing in the areas of Criminal Defense, State and Federal, Appellate and Remedies. Mr. Jett, has been admitted to the State Bar of Texas, U.S. District and Federal Courts, the U.S. Supreme Court and the U.S. Court of Appeals 5th Circuit. He received his J.D., Doctor of Jurisprudence from Southern Methodist University School of Law and a Bachelor of Arts from the University of Texas. Mr. Jett is currently serving as the President Elect of the Texas Criminal Defense Lawyers Association and a member of the Dallas County Criminal Bar Association.

William Korman is a 1995 graduate of the Boston University School of Law and a 1992 graduate of Syracuse University. After law school, he spent two years at the Suffolk County District Attorney's Office before joining a small criminal defense firm in Boston. In 2005, he founded Korman & Associates, a firm focusing on criminal defense and appellate advocacy throughout New England. Massachusetts Lawyers Weekly named him one of the top 'Up and Coming Attorneys' in 2001."

Pamela Robillard Mackey, currently best known for her defense of Kobe Bryant, she practices criminal defense and complex civil litigation as a shareholder at Haddon, Morgan, Mueller, Jordan, Mackey & Foreman, P.C. in Denver, Colorado. In addition to her "street crime" practice she has defended several well-known corporations and corporate executives. She is formerly of the Colorado Public Defender's Office (1989-1994). She received her J.D. with highest honors from The George Washington University Law School in 1985 where she served as Executive Editor of *The George Washington Law Review*. Her undergraduate degree is in Journalism. She received her B.S. from The University of Colorado at Boulder in 1981 with highest honors. She is the former chair of the Criminal Justice Act Standing committee having been appointed by Chief Judge Babcock, a member of the 10th Circuit Court of Appeals criminal pattern jury instruction committee and a member of the DBA Conciliation Panel. She is a fellow of the American College of Trial Lawyers, is listed in *The Best Lawyers in America*, was selected by her peers in 2003 as the Best of the Bar in individual criminal defense and was named one of the top 50 lawyers in Colorado (5280).

Katherine Mattes is the Deputy Director of the Tulane Law School Criminal Clinic. She has a BA, with honors, from UCLA, 1987; and a JD, cum laude, from the University of San Diego, 1991. She was a deputy public defender in San Diego before moving to New Orleans where she accepted the position of Assistant Special Counsel for the Judiciary Commission of Louisiana in 1996. Since joining the Tulane Law School faculty in 2002, Ms. Mattes has worked with the Criminal Clinic supervising both trial and appellate litigation. Ms. Mattes was lead counsel in *State v. Denson*, a landmark case that resulted in statewide changes to the treatment of mentally ill criminal defendants who are incompetent to stand trial. Continuing her work in this area, Ms. Mattes has testified before a state legislative committee; has taught and lectured on issues relating to incompetent criminal defendants; and participated in related litigation. Currently, she is writing a manual on the legal rights and treatment of incompetent criminal defendants in Louisiana. Ms. Mattes is also the author of *Representing Battered Defendants in Louisiana – A Criminal Defense Attorney's Guide to Representing Victims of Domestic Violence*.

Robert McWhirter received his Juris Doctorate from Arizona State University College of Law in 1988. Upon graduation, Mr. McWhirter clerked for then Vice Chief Justice Stanley G. Feldman of the Supreme Court of Arizona. Mr. McWhirter, was an Assistant Federal Public Defender from, 1989 to 2007. Mr. McWhirter, developed a specialty in criminal immigration law having published articles in the *Georgetown Immigration Law Review*, the *Criminal Practice Law Report* and the American Bar Association published his book *The Criminal Lawyer's Guide to Immigration Law: Questions and Answers*, the second edition of which will come out in 2006. Mr. McWhirter also teaches criminal immigration law and immigration consequences of criminal convictions. Mr. McWhirter has been a visiting professor of law at the Catholic University of Chile and the University of Chile. He has consulted with the new public defender office of Chile as part of the judicial reform in that country and served as an advisor to the Venezuelan Constitutional Assembly. Mr. McWhirter currently works for the Maricopa County Legal Defender in death penalty trial defense, homicide defense, and other serious felony cases and is a Certified Specialist in Criminal Law with the State Bar of Arizona.

Cynthia H. Orr is serving as Treasurer of the National Association of Criminal Defense Lawyers and a Past-President of the Texas Criminal Defense Lawyers Association. She is also active in the American Bar Association as the Co-Chair to the Defense Functions Services Committee. Cynthia obtained the first confession of error by the State of Texas in a death penalty case. She was counsel on the Amicus brief in *CNN v. General Manuel Noriega* before the United States Supreme Court. She is a co-founder of the Texas Innocence Network. She began her career clerking for Fifth Circuit Judge Emilio Garza when he was on the District Court bench in San Antonio, Texas. She was inducted into the San Antonio Women's Hall of Fame in 2006. She is most active advocating for criminal justice reforms.

George Parnham is an attorney who once trained for the priesthood and was thrust into the national spotlight through representing such high-profile clients as Andrea Yates and Clara Harris. Parnham has practiced law for thirty-five years in Houston, Texas, specializing in criminal defense. He has become an expert on the defense of individuals with mental illness and a passionate advocate for legal reform of their treatment in the criminal justice system. Parnham is called upon frequently by local and national news media to render an opinion on insanity plea cases and general defense issues in high profile cases, such as Lee Boyd Malvo (one of the accused D.C. snipers), Robert Durst, Kobe Bryant, and Scott Peterson. Mr. Parnham attended Loyola University in New Orleans, Louisiana, and received his Doctorate of Jurisprudence from the University of Texas Law School in 1970. He is board certified in the area of criminal law by the Texas Board of Legal Specialization. He served as a 1st Lieutenant in the United States Army.

Marvin Schechter is a 30- year veteran attorney specializing in criminal defense. He recently completed a term on the NACDL Board and is a past president of the NYSACDA. Prior to these offices, he chaired the indigent defense committees for both organizations. Mr. Schechter began his career as a staff attorney in the criminal defense section of the Legal Aid Society, rising to Attorney in Charge. A respected lecturer, he has served as an instructor and adjunct professor at several New York City-based law schools. Mr. Schechter received his B.S. degree from the Baruch School of Business and Public Administration and JD from the Brooklyn Law School.

Jeffrey S. Weiner is a former president of NACDL and of the Florida Criminal Defense Attorneys Association. He is a Fellow of the American Board of Criminal Lawyers and is Board Certified as a Criminal Trial Lawyer by the National Board of Trial Advocacy. Jeff has been practicing as a criminal defense attorney since 1974. He has argued trials and appeals throughout the country, including before the United States Supreme Court, the Florida Supreme Court and numerous Federal Courts of Appeal. Jeff is a recipient of NACDL's highest honor, the Robert C. Heeney Award, for his representation of fellow lawyers on behalf of NACDL. Jeff is a former Regent and faculty member of the National Criminal Defense College and a very popular CLE legal lecturer and author.

Laurie White manages and practices from her New Orleans firm, which has defended a wide range of criminal cases, at all stages of legal proceedings both federal and state. She is Board Certified in Criminal Trial Law with the National Board of Trial Advocacy. Laurie is an instructor with the National Institute of Trial Advocacy (NITA) programs around the country teaching courtroom strategies and techniques. She is a past President of LACDL and is active on numerous professional boards and indigent assistance groups. She was named in the *Louisiana Super Lawyers*, 2007. She has been recognized for her skill in post-convictions proceedings, where her success has freed more than 20 people from unjust convictions. Laurie has worked with the NY Innocence Project to prove the innocence using DNA of a Baton Rouge man wrongly convicted and many of her cases have been highlighted in various national media outlets. She has applied to the Texas Bar for admission and plans to live and work in Houston and New Orleans.



Louisiana Association of Criminal Defense Lawyers
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 City, State Zip _____

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April 26-28, 2007 • Astor Crowne Plaza Hotel • New Orleans, Louisiana

SEMINAR FEES *Registration (A CD of materials is included with registration)*

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|---------------------|------------------------------------|---|
| Life Member | <input type="checkbox"/> No Charge | <input type="checkbox"/> \$35- w/ Printed Materials* * |
| LACDL Member | <input type="checkbox"/> \$200 | <input type="checkbox"/> \$235- w/ Printed Materials* * |
| Non-Member | <input type="checkbox"/> \$475 | <input type="checkbox"/> \$510- w/ Printed Materials* * |
| One Day Only | <input type="checkbox"/> \$225 | <input type="checkbox"/> \$260- w/ Printed Materials* * |
| New Member Joining* | <input type="checkbox"/> \$200 | <input type="checkbox"/> \$235- w/ Printed Materials* * |

*New Member joining must pay membership dues with seminar registration.
 Membership Dues: Sustaining \$250, Regular \$ 150 and Indigent Defender \$75.
 * *Written materials will not be provided at the seminar. If you would like printed materials, they must be purchased in advance by April 11, 2007.
 (Registrations received after **April 11, 2007** will incur a \$50 late fee)

Name _____
 State Bar # _____ State(s) * _____

* **Please list any other State you would like to apply for CLE credit.**
 Address _____
 City _____ State _____ Zip _____
 Phone (____) _____ Fax (____) _____
 E-mail _____

METHOD OF PAYMENT

Check # _____ MasterCard VISA Discover AmExpress
 (Please make checks payable to LACDL)
 Cardholder's Name _____
 Billing Address for Card _____
 Account # _____
 Expiration Date _____ V-Code* _____ (*3-5 digit code on the front or back of the credit card.)
 Signature _____

If paying after April 11th, add the \$50 late fee \$ _____
TOTAL AMOUNT ENCLOSED \$ _____

Please complete and mail with appropriate registration fees to:
Louisiana Association of Criminal Defense Lawyers
P. O. Box 82531, Baton Rouge, LA 70884
Phone (225) 767-7640 Fax (225) 767-7648
Contact: Jill Guillory or Patty Young
www.lacdl.org

HOTEL ACCOMMODATIONS - Located along historic Canal Street, **The Astor Crowne Plaza** is the gateway to the most exciting destination, the **New Orleans' French Quarter**. Located where Bourbon Street meets Canal Street. Due to the high demand for hotel rooms during the Jazz and Heritage Festival, **please make your room reservation NOW** by calling the hotel directly at 504-962-0500. Be sure to mention that you are attending the Louisiana Association of Criminal Defense Lawyers LACDL seminar to receive the special rate of \$189 for a single/double guest room and \$239 for a club level room. **The deadline for receiving the special room rate is March 25, 2007.** Reservations made after this date will be accepted based on hotel availability. ROOMS ARE LIMITED, PLEASE REGISTER EARLY!

CLE INFORMATION - This course is pending approval by the Louisiana Continuing Legal Education Committee for a maximum of 14 1/2 credit hours, including 1 hour of Ethics and 2 hours of Professionalism based on a 60-minute hour. LACDL programs are normally accredited by state bar associations which grant CLE. The amount of credit varies by state.

CANCELLATION POLICY & LATE REGISTRATION - Seminar registrations cancelled after April 11, 2007 will be charged a \$100 cancellation fee. There will be no refunds for no-shows. Registrations received after April 11, 2007 will incur a \$50 late registration fee.

THE JAZZ & HERITAGE FESTIVAL - The New Orleans Jazz & Heritage Festival is one of the world's greatest musical celebrations and a showcase of Louisiana culture. It's been more than three decades of singing, swinging, eating, dancing and frolicking in the sun! For 10 days, over 4,000 musicians assemble to share their music with over 500,000 music and fun lovers from throughout the world. Enjoy 12 stages of soul-stirring music: traditional and contemporary jazz, rock and roll. This year is expected to be bigger and better than ever! Cajun, pop, zydeco, folk, country and gospel music. Festival goers can also enjoy regional foods and a giant arts and crafts display. For more information contact the Jazz & Heritage Festival's web page at www.nojazzfest.com.

NOTE - Since Jazz Fest begins on Friday, April 28, 2006, LACDL has expanded the Thursday seminar schedule to allow for shorter schedules on Friday and Saturday. Make plans to enjoy the festival while you're in the Big Easy. We are proud to contribute to tourism and the rebuilding of New Orleans. LACDL is committed to helping Louisiana rebuild after the storms and we thank you for aiding in our efforts.