

Life in the Balance: Defending Death Penalty Cases

Capital Case Training for Mitigation Specialists,
Defense Investigators and Defense Attorneys

March 15-18, 2003
Renaissance Austin Hotel
Austin, Texas

In Cooperation with
Texas Criminal Defense Lawyers Association,
ABA Death Penalty Representation Project,
ABA Juvenile Justice Center &
National Juvenile Defender Center

WHY ATTEND?



Photo of attorney, Charles F. Smith — July 1992

NLADA's Life in the Balance conference brings together mitigation specialists, defense investigators, and capital defense attorneys from around the nation to improve their skills and techniques in all aspects of death penalty defense. Seminars are offered on the latest scientific, medical and psychiatric developments in capital cases; on the most recent developments in the law; and on a wide range of creative trial strategies and tactics. The conference also offers several "discuss your own case" seminars, in which participants will be able to brainstorm the problems and issues of their own real cases, with some of the leading death penalty defense specialists in the country. Beyond an excellent learning environment, the conference gives participants an opportunity to meet and exchange ideas with other attorneys and mitigation specialists from around the nation.

LIST OF TOPICS

A partial list of topics includes:

- New Developments in Mitigation
- Investigating Your First Case
- The Basics of Mitigation for Lawyers
- Working with the Client's Family in Mitigation
- Social History Investigations
- Persuasive Report Writing
- The Non-Lawyer's Guide to Post-Conviction Litigation
- Mitigation Investigations Outside the U.S.
- Organizing Your Case
- Cognitive and Language Disabilities
- The Neuropsychologist as Part of the Defense Team
- Eyewitness Identification and Witness Memory
- Using Expert Testimony on Eyewitness Identification
- Learning Disabilities, ADD, Mental Retardation and Other Death Row Assessments
- Refuting the State's Claim That Your Client is not Mentally Retarded
- Investigating and Developing a Persuasive Claim of Mental Retardation
- The Difference Between Mitigation in Federal and State Cases
- Effects of Addiction and Other Trauma on the Brain
- Investigating, Finding and Using Exculpatory Evidence
- Preparing to Be Cross-Examined
- IQ and Other Psychological and Personality Tests: What They Mean and How to Use Them
- The 2001-2002 U.S. Supreme Court Term: *Atkins*, *Ring*, and More
- Jury Selection and Voir Dire
- Investigating IAC Claims
- Litigation IAC of Appellate Counsel
- Litigating Capital Cases in the Military Justice System
- Competency to Waive *Miranda*
- How to Recognize and Refute Junk Science and Lab Fraud
- Integrating and Reconciling the Themes and Tactics of the Innocence/Guilt Phase with Those of the Penalty Phase
- Litigating *Ring* Issues
- Demonstrative Evidence in the Penalty Phase
- Addressing and Pre-empting Improper and Unethical Arguments
- Litigating Reverse *Daubert* Cases
- Recognizing Indicators of Mental Retardation
- Plea Negotiations
- Voir Dire: Race and Other Issues
- Understanding the State's Expert Pathologist
- Cross-Examining the State's Pathologist/Medical Examiner
- Opening Statements in the Penalty Phase
- Closing Arguments in the Penalty Phase
- Ethical Issues in Representation

For Texas lawyers, the conference also offers a track of seminars that will deal with special issues practice and other peculiarities of the Texas death penalty system.

CONFERENCE AGENDA

SATURDAY, MARCH 15

A day of specialized mitigation/investigation training; the conference's welcoming address followed by substantive plenary and small group sessions.

SUNDAY, MARCH 16

Additional mitigation/investigation training; presentation of NLADA's *Life in the Balance Achievement Award*; the conference's keynote address and the beginning of two and one-half days devoted to instruction for capital defense litigators.

MONDAY, MARCH 17

An instructive day of capital case training designed for capital defense litigators with lectures to describe, explain and present substantive information; demonstrations to exhibit skills that enable learning by observing; workshops to practice skills with discussion, feedback and repeated practice; and "discuss your case" workshops where participants discuss their own cases with the experts.

TUESDAY, MARCH 18

Special commemoration of the 40th birthday of the Supreme Court's ruling in *Gideon v. Wainwright*.

The concluding half-day of the conference with two plenary sessions and small group workshops to wrap up the learning process. The training concludes at approximately 1:30 p.m.

FACULTY

Carmeta Albarus-Rodney

Cessie Alfonso

Ellen Blau

John Blume

Pamela Blume-Leonard

David Bottsford

Marie Campbell

George Castelle

Nancy Cowardin

Mark Cunningham

Jodie English

Dr. Bruce Frumkin

Terry Harper

Dr. Robert Heilbronner

Kendall Hill

George Kendall

Capt. Henry Lazzaro

Denise LeBoeuf

Stephen Lindsay

Elizabeth Loftus

John Mauldin

Ira Mickenberg

Jill Miller

Lori James-Monroe

Betty Neimi

John Niland

Lee Norton

Col. Adele Odegard

Mark Olive

David Ruhnke

George Sornberger

Dr. Warner Spitz

Russ Stetler

John Wright

GENERAL INFORMATION

CONFERENCE HOTEL

Renaissance Austin Hotel
9721 Arboretum Blvd.
Austin, TX 78759
Phone (512) 343-2626
Fax (512) 346-7953

NLADA conference attendees staying at the Renaissance Austin Hotel will receive a special discounted room rate of \$125 single/\$135 double per night, exclusive of taxes. **The deadline date for reservations is Tuesday, February 20, 2003.** After that date, requests for reservations will be accepted on a space and rate availability basis. All reservations must be guaranteed by credit card or deposit. Be sure to inform the reservations agent that you are with the NLADA Life in the Balance Conference to secure the discounted rate.

TRAVEL INFORMATION

Special airfare discounts of up to ten percent are available to Austin-Bergstrom International Airport on Continental Airlines (call 800-468-7022, reference number: UFXCTX) or on American Airlines (call 800-433-1790, meeting identification A33H1AV) or on Southwest Airlines (call 800-433-5368, identifier code V7079). Fares on all carriers are subject to airline terms and availability.

Airport Transportation: The Renaissance Austin Hotel is 20 miles from the Austin-Bergstrom International Airport. From the airport you may take a taxi for approximately \$40 or call the Super Shuttle at (800 BLUE VAN) for \$15 one-way or \$26 round-trip.

CONFERENCE SPONSORSHIP AND SUPPORT

There are many opportunities for individuals, programs, organizations and corporations to get involved with the conference. If you are interested in receiving information on sponsorship opportunities, please contact Mizue Suito at (202) 452-0620, ext. 217 or m.suito@nlada.org.

CONTINUING LEGAL EDUCATION UNITS

NLADA will apply for CLE accreditation for all qualifying conference sessions in most states with mandatory CLE. Complete information will be available in the registration packet you receive at check-in. Please be familiar with the CLE requirements of your state.

CONFERENCE REGISTRATION

Participants must be involved in the defense of persons accused in criminal cases. **The materials and information provided at Life in the Balance are confidential and may not be disclosed except to other defense practitioners.**

The Life in the Balance fee includes all materials, continental breakfast each day and the reception. To register, complete a registration form for each participant and return with a check payable to NLADA or credit card information (MasterCard or Visa only) to: NLADA Life in the Balance, 1625 K Street NW, Suite 800 Washington, DC 20006 or fax to (202) 872-1031. Please see registration form for fees and note the cancellation policy. Please be aware of the registration fee cut-off dates as indicated on the registration form. You are encouraged to make hotel reservations in a timely manner so as to be assured a room at the conference hotel.

NLADA's Life in the Balance 2003

REGISTRATION FORM

March 15-18, 2003 • Renaissance Austin Hotel • Austin, Texas

Please make copies for all attendees, complete one for each, and return the registration form with your check payable to NLADA or credit card information (MasterCard or Visa only) to: LIB, NLADA, 1625 K Street NW, Suite 800, Washington, DC 20006, Fax: (202) 872-1031. Please be aware of the registration fee cut-off dates as indicated on the registration form. If you have any questions, contact Aiyana Bullock at a.bullock@nlada.org or (202) 452-0620 ext. 207.

Name: _____ E-Mail: _____

Title: _____

Organization: _____

Address: _____

City, State, Zip: _____

Telephone: (_____) _____ Fax: (_____) _____

CURRENT POSITION: Assigned Counsel Defender Mitigation Specialist
 Defense Investigator Private Attorney Other _____

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REGISTRATION FEES:	Until February 3	After February 3	
Program Member, Combined Tracks:	<input type="checkbox"/> \$400	<input type="checkbox"/> \$450	Combined Track includes all four days of training.
Individual Member, Combined Tracks	<input type="checkbox"/> \$450	<input type="checkbox"/> \$500	
Non-Member, Combined Tracks:	<input type="checkbox"/> \$600	<input type="checkbox"/> \$650	
Program Member, Mitigation Track:	<input type="checkbox"/> \$200	<input type="checkbox"/> \$225	Mitigation Track includes Saturday and Sunday.
Individual Member, Mitigation Track	<input type="checkbox"/> \$225	<input type="checkbox"/> \$250	
Non-Member, Mitigation Track:	<input type="checkbox"/> \$375	<input type="checkbox"/> \$400	
Program Member, Litigation Track:	<input type="checkbox"/> \$250	<input type="checkbox"/> \$275	Litigation Track includes Sunday to Tuesday.
Individual Member, Litigation Track	<input type="checkbox"/> \$275	<input type="checkbox"/> \$300	
Non-Member, Litigation Track:	<input type="checkbox"/> \$425	<input type="checkbox"/> \$450	

SPECIAL NEEDS: Mobility Disability Audio/Visual Disability Other: _____

MEMBERSHIP: Join NLADA Now and Receive the Individual Member Rate for Life in the Balance 2003

Life Member \$1000 Individual Attorney \$90 Individual Non-Attorney \$50

PAYMENT: Check enclosed, made payable to NLADA MasterCard Visa

Credit Card # _____/_____/_____/_____ Expiration Date _____/_____

Signature _____ Name on Card _____

HOTEL REGISTRATION INFORMATION

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CANCELLATION POLICY

Registration cancellations must be received in writing no later than February 10, 2003. Cancellations, transfers and refunds are subject to a \$30 administrative charge. After February 10th registrations are transferable but not refundable. Transfer requests must be received within 30 days after the conference to be considered. Transfers must be applied to another NLADA event scheduled prior to December 31, 2004 or will be forfeited. Substitutions may be made at any time with written notification to the NLADA Conference Office.