



# APPELLATE DEFENDER SKILLS TRAINING

# 2010



NEW ORLEANS, LOUISIANA  
LE PAVILLON HOTEL

JANUARY 21-24

CO-SPONSORED BY LOUISIANA  
APPELLATE PROJECT  
(LAP)

# Appellate Defender Training

## Overview

NLADA's Appellate Defender Training (ADT) is an intensive multi-day skills development program for appellate public defenders (including contract and assigned counsel defenders) practicing in both the state and federal system appellate courts. ADT uses a "learning by doing" teaching methodology: participants will bring their own case files to work on during the program, and they will be asked to apply the practice methods presented through ADT plenary presentations and materials to their case. With the assistance of expert faculty, participants will analyze fact and law issues, develop case theories and themes, and incorporate them into their brief or writ drafting. ADT is the only national appellate defender conference where participants work on their own cases, not just hypothetical problems.

## Curriculum

The 2010 Appellate Defender Training consists of group plenary sessions, in which faculty and participants work together on the program model or case file to demonstrate appellate skills and techniques, and small group workshops, in which the participants work on their individual cases with two experienced faculty members using the skills and techniques learned in the plenary session. The curriculum also includes a one-hour interactive presentation on appellate ethics. This year's program will feature two concurrent tracks: the Skills Writing Track and the Advanced Advocacy Track.

## Preparation for the Conference

Prior to attending the program, all participants must prepare a one-page, typed factual summary of the case upon which they will be working during the training and bring 12 copies of the summary to the program. For the Skills Writing track, the case should be a direct appeal of a felony or misdemeanor conviction; however, it must not be a case in which the participant has already written the brief. For the Advanced Advocacy Track, the case should be either an unsuccessful writ that was considered by their state Supreme Court or the Circuit Court of Appeals or a case that is being targeted for a possible writ to the U.S. Supreme Court. Participants should read the trial transcript and record of the case in advance of the training and bring summaries of any expert or other specialized testimony. Copies of factual summaries and other materials cannot be made on site.

## Limited Enrollment

Enrollment is limited by faculty size and the number of meeting rooms available, on a first-come, first-serve basis. Total enrollment will be limited to 42 participants for the Skills Writing Track and 14 for the Advanced Advocacy Track. Registration is restricted to attorneys engaged in or about to become engaged in the defense of criminal cases. Public and contract defenders and assigned appellate counsel will receive priority. Applications have exceeded available spaces at past events, so early registration is strongly encouraged.

## Tentative Agenda

### Skills Writing Track

Wednesday, January 20, 2010

4:30 - 6:00 pm

Early Conference Registration

Thursday, January 21, 2010

7:30 - 8:30 am

Conference Registration

8:30 - 9:00 am

Conference Welcome and Introduction

9:00 - 9:45 am

Plenary: Brainstorming the Facts

10:00 - 10:30 am

The Reality Check: Brainstorming the Law

10:45 am - 12:15 pm

Small Group Workshops

1:45 - 2:45 pm

Plenary: Brainstorming the Facts of Your Case

2:45 - 4:15 pm

Small Group Workshops

4:30 - 5:15 pm

Plenary: Developing a Theory of Defense and Supporting Themes

5:15 - 6:00 pm

Plenary: Transforming the Facts into a Persuasive Story

Friday, January 22, 2010

8:30 - Noon

Small Group Workshops

1:30 - 3:30 pm

Small Group Workshops

3:45 - 4:45 pm

Plenary: Writing a Persuasive Brief:

Statement of Facts --Words and Pictures

4:45 - 5:45 pm

Brief Writing Workshop

Saturday, January 23, 2010

8:30 - 9:15am

Breakfast

9:15 - 12:00 pm

Small Group Workshops

1:30 - 2:45 pm

Plenary: Integrating the Facts and the Law: Dealing with the Good the Bad and the Ugly -- Writing Your Argument

3:00 - 5:30 pm

Small Group Workshops

Sunday, January 24, 2010

8:30 - 10:30 am

Brief Writing Workshop

10:45 - 12:15 pm

Communication Skills Building

12:15 - 12:30 pm

Final Thoughts and Program Conclusion

### Advanced Advocacy Track

Wednesday, January 20, 2010

4:30 - 6:00 pm

Early Conference Registration

Thursday, January 21, 2010

7:30 - 8:30 am

Conference Registration

9:00 - 9:15am

Welcome and Introduction to Program

9:15 am - Noon

The Nuts & Bolts of Drafting

1:30 -5:00 pm

Small Group Workshops

Friday, January 22, 2010

9:00 am - Noon

Small Group Workshops

1:30 -5:00 pm

The Impact Of Recent U.S. Supreme Court Cases :2008-2009

Saturday, January 23, 2010

9:00 am - Noon

Communication Skills Building

12:15- 1:15 pm

Management: The Impact Of New ABA Ethics Opinion & New ABA Caseload Standards

1:30 - 5:00 pm

Communication Skills Building

Sunday, January 24, 2010

9:00 am - Noon

Small Group Workshops

Noon- 12:30 pm

Conference Conclusion

*NLADA wishes to acknowledge the Louisiana Appellate Project's support of Appellate Defender Training*

### For more information....

For more information on the Appellate Defender Training, an updated agenda and further logistical information, please check the NLADA website at [www.nlada.org/Training](http://www.nlada.org/Training). NLADA will post additional information as it becomes available.

## Logistical Information

### **Conference Location:**

Le Pavillon Hotel  
833 Poydras Street  
New Orleans, Louisiana 70112  
Conference Rate: \$133  
Hotel Telephone: 504.581.3111  
Toll-Free Reservations: 1.800.535.9095

Located in the heart of downtown New Orleans, Le Pavillon Hotel sits adjacent to the historic French Quarter, only five short blocks to the celebrated music clubs of Bourbon Street and the famous restaurants and antique shops of Royal Street.

### **Accessibility:**

Le Pavillon Hotel, a non-smoking hotel, is fully accessible for people with restricted mobility and has guestrooms adapted for wheelchairs. Arrangements for a guestroom that meets your specific requirements should be requested when making reservations with the hotel. If you have a physical challenge that may impact your participation in this conference, please contact the training department at (202) 452-0620 x207.

### **Car Rental:**

AVIS has been selected as the official rental car agency for NLADA's Appellate Defender Training. AVIS will extend a 5-10% discount on a lower qualifying rate to the participants of the conference. AVIS is located in all three available airports. These special rates include unlimited

mileage. To make reservations, call AVIS toll-free at (800) 331-1600 and refer to reservation code # J789524.

### **Travel:**

Air Transportation - Le Pavillon Hotel is located 13 miles from the Louis Armstrong International Airport. Special airfare discounts of up to 5% percent are available on American Airlines. Book fares online only at [www.aa.com](http://www.aa.com). To get the NLADA discount, indicate A7610AM in the promotional code box. Fares are subject to airline terms and availability.

Ground Transportation - Airport Shuttle is the official ground transportation for the Louis Armstrong New Orleans International Airport and is available to and from the hotel for \$15 one-way, per person. For assistance and to purchase tickets, proceed to the Airport Shuttle ticket desks, located directly across from or near the airline's baggage claim area on the ground level. Shuttle tickets are non-refundable. Handicap vehicles require a 2-week advance reservation. For more information or reservations, please call 866.596.2699 or visit online at [www.airportshuttleneworleans.com](http://www.airportshuttleneworleans.com).

### **CLE:**

Most states require that attorneys attend CLE-accredited training each year to maintain bar membership. NLADA has applied for accreditation in most states

with mandatory CLE.

- Please complete the CLE form included in your conference materials and return it to the registration desk. Alternatively, within (10) business days, you may mail your CLE form to NLADA.
- Individual state forms are available at the conference registration desk.
- If you are an attorney from Delaware, Oklahoma, Illinois or California, please remember to stop by the registration desk to sign the mandatory sign in sheets.

### **Weather:**

Outside temperatures range from the low 40's to the mid 60's. Meeting rooms may be cool, dress in comfortable layers.

### **Cancellation Policy:**

Registration cancellations must be received in writing at the NLADA office no later than December 21, 2010. Cancellations received prior to that date may be transferred to another individual or refunded, less a \$75 administrative charge. Cancellations received after that date are not refundable but may be transferable, less a \$75 administrative charge, to another NLADA training event scheduled before January 31, 2011. Registration cancellations postmarked after December 21, 2010 are neither refundable nor transferable. Substitutions may be made at any time prior to the event. Please notify NLADA of substitutions in writing.

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### **Track I – Skills Writing Track**

Participants in the Skills Writing Track will thoroughly analyze the facts of their cases, develop comprehensive theories of defense with supporting themes, create persuasive story lines to forward their theories and themes, and begin to effectively write their briefs. The Skills Writing Track will consist of 6 sections: 3 for General Skills and 3 specialized small groups – a Federal Defender Group, a Juvenile Defender Group and an Advanced Writing Group. Participants in the Advanced Writing Group, which is intended for intermediate and more experienced appellate defenders, must have at least 5 years of experience handling state and/or federal appeals and have previously attended NLADA's Appellate Defender Program or similar appellate training program.

### **Track II – Advanced Advocacy Track**

The goal of the Advanced Advocacy Track is to provide support and training for state and federal public defenders who wish to produce substantially better written and more polished writs of certiorari to the U.S. Supreme Court. Experienced appellate defenders will learn the “nuts and bolts” of issue analysis, substantive law issues and procedural rulings from the most recent U.S. Supreme Court decisions, developing theory and themes, and drafting techniques for “winning” writs. Attorneys attending the Advanced Advocacy Track will use either an unsuccessful writ that was considered by their state Supreme Court or the Circuit Court of Appeals or a case that is being targeted for a possible writ to the U.S. Supreme Court. The Advanced Advocacy Track consists of 2 sections. Participants will work in a small group setting with experienced attorney facilitators to write and polish the case files they bring to the program and will argue to a “judicial panel” of their peers why their writ should be accepted by the Supreme Court. Participants of the Advanced Advocacy Track should have at least 8 years complex appellate advocacy experience.

Visit [http://www.nlada.org/Training/Training/Train\\_Defender/Train\\_Defender\\_Appellate](http://www.nlada.org/Training/Training/Train_Defender/Train_Defender_Appellate) for information about the faculty.

# Appellate Defender Training Registration Form - 2010

Please make copies for all attendees, complete one for each, and return the registration form(s) with your check payable to NLADA, P.O. Box 79083, Baltimore, MD 21279-0083. You may also pay via MasterCard, Visa or Amex by faxing this form to: (202)872-1031. Contact our registration department at registration@nlada.org for questions.

Name: _____
Title: _____
Name for Badge: _____
Organization: _____
Address: _____
City, State, Zip: _____
Telephone: (_____) _____
Fax: (_____) _____
E-mail: _____

## Special Needs:

- Mobility Disability  Audio/Visual Disability  
 Other: \_\_\_\_\_

## Current Position:

- Chief Defender  Public Defender  Staff Supervisor  
 Assigned Counsel  Non-lawyer Manager  Professor  
 Manager  Other: \_\_\_\_\_

Years of criminal appellate work: \_\_\_\_\_

Number of appeals argued: \_\_\_\_\_

Number of appeals filed: \_\_\_\_\_

## Track:

PLEASE CHECK ONE:

- ADVANCED TRACK  SKILLS TRACK

Skills Writing Track (Check Your Preferred Small Group)

\_\_\_\_\_ General Skills Small Group

\_\_\_\_\_ Federal Small Group

\_\_\_\_\_ Juvenile Defender Group

\_\_\_\_\_ Advanced Writing Group

If applying for the Advanced Writing Group or the Advanced Advocacy Track, please provide the following:

\_\_\_\_\_ I have previously attended an appellate training program (s) (provide the name of program and year attended below):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Registration Fees:

NLADA Program and Chief Members:  \$675

NLADA Individual Members:  \$725

Non Members:  \$775

Lunch:  \$25 (optional box lunch for Ethics Sessions)

## Membership Fee:

Join Now and Receive the Member Rate for the Appellate Defender Training. Become a member and save on registration!

Individual Attorney \$100  Individual Non-attorney \$60

Student/Fellow Member \$35

**Please note, there is a \$50 late fee for registrations received after December 21st.**

Program identification number \_\_\_\_\_

If you need to verify this number, please call the NLADA Member Services Division at 202-452-0620 extension 215.

\*Annual program dues are \$200 to \$3,925 per year, based on budget. For more information, call (202)452-0620 ext.215.

## Payment:

(\*REGISTRATIONS WILL NOT BE PROCESSED WITHOUT SOME FORM OF PAYMENT.)

Check enclosed, made payable to NLADA

MasterCard  Visa  AMEX

Credit Card # \_\_\_\_\_

Expiration Date \_\_\_\_ / \_\_\_\_

Signature \_\_\_\_\_

Name on Card \_\_\_\_\_

PURCHASE ORDERS MUST INCLUDE THE CONTACT INFORMATION OF THE PERSON THAT WILL PROCESS THE PAYMENT (Purchase Orders will not be accepted after December 21, 2009).

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Purchase Order #: \_\_\_\_\_

**Fee Total:** \_\_\_\_\_

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## *Appellate Defender Training 2010*

### Why Should You Attend?

- Learn new techniques and strategies from indigent criminal defense experts.
- Receive supportive, constructive and personalized feedback in small groups.
- Gain confidence through immediate improvement of your written and oral advocacy skills.
- Meet others who will become resources for you in the future.

*Enrollment is limited --- Register Now!*

[www.nlada.org/Training](http://www.nlada.org/Training)

Washington, DC 20036  
Suite 900  
1140 Connecticut Avenue NW

WWW.NLADA.ORG

