

2005 Conference on Criminal Appeals
May 11-13, 2005 • Doubletree Hotel • Austin, TX

Wednesday Afternoon, May 11, 2005

Presiding Officer:

Hon. Barbara P. Hervey, Texas Court Of Criminal Appeals - Austin, TX

1:30 pm 0.75 hr	<p>Effective Brief Writing</p> <p>Practical advice on writing briefs, emphasizing suggestions and pet peeves from the people who grade our papers: appellate judges.</p> <p>Jay R. Brandon, San Antonio, TX</p>
2:15 pm 0.50 hr	<p>Oral Argument—Talk, Breathe, Think</p> <p>What to do—and what not to do—during oral arguments, from the perspective of the people who have to listen to you, the judges on our appellate courts.</p> <p>Betty Marshall, State Prosecuting Attorney - Austin, TX</p>
3:00 pm 0.75 hr	<p>How to Get to the Starting Line—The ABCs of Criminal Appeals</p> <p>This presentation will demonstrate why perfecting and prosecuting a criminal appeal is uncomplicated and fun. It will also make you a better trial lawyer.</p> <p>Warren L. Clark, Amarillo, TX</p>
3:45 pm 0.50 hr	<p>Procedures—Recent and Future</p> <p>What’s recent, or under consideration for the future, in procedures for new trials, appeals, and habeas corpus after conviction.</p> <p>Paul Womack, Court Of Criminal Appeals - Austin, TX</p>
4:30 pm 1.00 hr	<p>Looking into the Black Box: Process, Practice and Decision-Making in the Intermediate Courts</p> <p>Practical and important insights into the operation of the intermediate courts in criminal cases throughout the state.</p> <p>Hon. John T. Boyd, 7th Court Of Appeals, Retired - Amarillo, TX Molly Francis, 5th Court Of Appeals - Dallas, TX Hon. Ken Law, 3rd Court Of Appeals - Austin, TX Brian Quinn, Seventh Court Of Appeals - Amarillo, TX Tim Taft, 1st Court Of Appeals - Houston, TX</p>

Thursday Morning, May 12, 2005

Presiding Officer:

Hon. John T. Boyd, 7th Court Of Appeals, Retired - Amarillo, TX

9:00 am 0.50 hr	US Supreme Court Update An update of all recent United States Supreme Court cases dealing with criminal law. Gary A. Udashen, Sorrels & Udashen - Dallas, TX
9:30 am 0.50 hr	Frivolous Appeals, Meritless Appeals, and Anders v. California in the 21st Century A review of the history of “Anders” briefs and of the procedures utilized in Texas where counsel considers an appeal to be frivolous. David A. Schulman, Law Office Of David Schulman - Austin, TX
10:00 am 0.75 hr	What’s Happening at the CCA A look back at key developments at the Court of Criminal Appeals over the past year, and a look ahead to what’s likely in store over the next year. Matthew W. Paul, Austin, TX
11:00 am 0.75 hr	Motion for a New Trial Lydia Clay-Jackson, Conroe, TX
11:45 am 0.50 hr	Motions for Rehearing and Abatement This presentation will cover issues related to the topics of motions for rehearing and abatement. Douglas Arnold, Assistant District Attorney - Georgetown, TX

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12:15 pm 0.75 hr	When the State Appeals This topic examines the legal authority and practical considerations involved in a decision to pursue a State’s appeal. Enrico Valdez, Bexar County District Attorney's Office - San Antonio, TX
12:15 pm 0.75 hr	How to Start a Criminal Defense Practice Getting started, how to get going, be profitable and stay afloat in a criminal law practice. Richard J. Segura Jr., Austin, TX
1:30 pm 1.00 hr	Writs New developments and a review of “old” law regarding the use of writs to put matters before appellate courts, with a particular emphasis on writs as a means of pretrial “appeal.” George Dix, University Of Texas School Of Law - Campus Mail, D1800

2:45 pm
0.00 hr
1.00 hr ethics

Ethical Issues for Prosecutors and Defense Counsel

A discussion of key ethical issues confronting criminal law bar, including client confidentiality, fees, prosecution obligations, candor with the court, presentation of false evidence, Brady issues, and a discussion of common ethical pitfalls and traps for prosecution and defense bars.

Ronald L. Goranson, Dallas, TX

Friday Morning, May 13, 2005

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8:30 am
0.75 hr

The Error Thief: Preserving Error and Getting the Judge to Rule

A leading defense attorney discusses pitfalls, strategies and best approaches to preserving error, making the record, and getting the Judge to rule.

Randolph Lee Schaffer Jr., Houston, TX

9:15 am
0.00 hr
0.50 hr ethics

Are You Ready for Your Close-up? Dealing with the Media, the Court and the Other Side

A media savvy panel—with substantial experience trying and covering high-profile cases—discuss strategies for effective client representation, professional responsibility and ethical issues in balancing duties to court and client.

Russell Hardin Jr., Rusty Hardin & Assoc, P.C. - Houston, TX
Kelly J. Siegler, Houston, TX
Clara Tuma, KVUE - Austin, TX
Brian W. Wice, Houston, TX

10:15 am
0.00 hr
0.25 hr ethics

Post Conviction Relief: The Actual Innocence Remedies Including the Clemency Option

This session covers actual innocence remedies including pending legislation and training options; the clemency alternative and process; and related ethical issues.

William P. Allison, University Of Texas School Of Law - Campus Mail
Hon. Barbara P. Hervey, Texas Court Of Criminal Appeals - Austin, TX

11:30 am
1.00 hr

DNA Testing: Lessons from the Last Three Years

How to screen the case from precedent and draft the DNA motion that will get the test.

Steven Conder, Tarrant County Crim Das Ofc - Fort Worth, TX
E. G. (Gerry) Morris, Austin, TX