

2013 ROBERT O. DAWSON

CONFERENCE ON CRIMINAL APPEALS



May 8–10, 2013
Sheraton Austin Hotel at the Capitol
Austin, Texas

Earn up to 12.00 Hours of Credit Including 2.00 Hours of Ethics Credit
Specialization Credit Approved for Criminal Law and Criminal Appellate Law

TEXAS COURT OF CRIMINAL APPEALS
TEXAS CRIMINAL DEFENSE LAWYERS ASSOCIATION (TCDLA)
TEXAS DISTRICT AND COUNTY ATTORNEYS ASSOCIATION (TDCAA)*

**TDCAA does not reimburse for this program*

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WEDNESDAY AFTERNOON, MAY 8, 2013

Presiding Officer:

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

2:45 p.m. Registration Opens

3:45 p.m. Welcoming Remarks

4:00 p.m. 1.00 hr ethics

Reel Legal Ethics

A discussion of the ethical rules that apply to legal dilemmas using clips from various movies.

Ivan Martinez, 34th Judicial District Attorney's Office, El Paso, TX

5:00 p.m. 1.00 hr

Significant Decisions of the Texas Court of Criminal Appeals

An analysis of significant decisions in the last year, and what they mean for criminal law practitioners on both sides of the bar.

E. G. "Gerry" Morris, Law Office of E.G. Morris, Austin, TX

6:00 p.m. Break

6:15 p.m. .50 hr

Legal Writing for the Screen Reader

More and more legal documents are filed electronically and read on a computer. Screen reading changes the way we perceive and process information. Learn ways to craft legal documents to be more useful for screen reading.

Wayne Schiess, The University of Texas School of Law, Austin, TX

6:45 p.m. .50 hr

Electronic Filing Exposed

Electronic filing (eFiling) is taking the civil side by storm, but has yet to catch on fully on the criminal side. Learn some of the known barriers to criminal eFiling and find out how TexFile, Texas' new eFiling system, resolves some of these issues and is enabling greater adoption.

Casey Kennedy, Office of Court Administration, Austin, TX

7:15 p.m. Adjourn

THURSDAY MORNING, MAY 9, 2013

Presiding Officer:

Hon. Cheryl Johnson, Texas Court of Criminal Appeals, Austin, TX

8:00 a.m. Conference Room Opens
Includes continental breakfast.

9:00 a.m. 1.00 hr

Daubert: The Scientific Method and Expert Testimony in Criminal Cases

Samuel E. Bassett, Minton, Burton, Bassett & Collins, Austin, TX

10:00am .50 hr

Innocence as a Gateway to Post-Conviction Writs

Marjorie I. Bachman, Law Office of E.G. Morris, Austin, TX

10:30 a.m. Break

10:45 a.m. 1.25 hrs

Appellate Tips from the Experts

A view from the bench and both sides of the criminal bar with practical tips on how appellate advocates and appellate courts can make their briefs and opinions interesting, easier to understand, and less likely to inflame the opposing side or losing party.

David L. Botsford, Botsford & Roark, Austin, TX
Edward L. Wilkinson, Tarrant County District Attorney's Office, Fort Worth, TX
Hon. Cathy Cochran, Texas Court of Criminal Appeals, Austin, TX

12:00 p.m. Networking Lunch

Included in conference registration.

THURSDAY AFTERNOON

Presiding Officer:

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

1:15 p.m. .50 hr

Q&A with the Appellate Experts

Your questions are answered at this moderated Q&A. Please submit your questions in advance to service@utcle.org or at the conference registration desk.

Panelists:
David L. Botsford, Austin, TX
Edward L. Wilkinson, Fort Worth, TX
Hon. Cathy Cochran, Austin, TX

1:45 p.m. .50 hr

Pattern Jury Charges

A discussion of the new—and hopefully improved—approach to jury charges reflected in the "model" charges produced by the State Bar's Committee on Pattern Jury Charges-Criminal.

George Dix, The University of Texas School of Law, Austin, TX

2:15 p.m. .50 hr

Juvenile Appeals

Juvenile law is a mix of Criminal, Civil and Family Code rules. Explore the important differences in juvenile appeal cases that result from the amalgamation that is juvenile law.

Andrea Westerfeld, Collin County Criminal District Attorney's Office, McKinney, TX

2:45 p.m. Break

3:00 p.m. .50 hr

Pre-Trial Appeals: A Limited Bag of Tools

Coverage of the limited scenarios in which defendants may appeal pre-trial, including constitutional writs regarding bond, jeopardy, limitations and statutory challenges. Also addressed are matters that the state may appeal pre-trial.

Josh Barrett Schaffer, The Schaffer Firm, Houston, TX

3:30 p.m. .50 hr including .25 hr ethics

Court of Appeals Judicial Panel

A panel of Courts of Appeals judges discuss what they do, the Courts' dockets, and better ways for practitioners to represent parties before the Court.

Moderator:
Hon. Kerry P. FitzGerald, Fifth Court of Appeals, Dallas, TX

Panelists:
Hon. Dori Contreras Garza, Thirteenth Court of Appeals, Edinburg, TX
Hon. Thomas W. Gray, Tenth Court of Appeals, Waco, TX
Hon. John F. Onion Jr. (Retired), Texas Court of Criminal Appeals, Austin, TX

4:00 p.m. .50 hr including .25 hr ethics

A Guide to Article 11.07 Writs of Habeas Corpus and Other State Writs

General overview of the law and procedures regarding Texas state writs including issues of actual innocence and ineffective assistance of counsel.

Michael F. Stauffacher, Texas Court of Criminal Appeals, Austin, TX

4:30 p.m. .75 hr including .25 hr ethics

Trial Objections and Preservation of Error

This session encompasses trial counsel's ethical duty to preserve potential reversible error for appellate review and covers myriad areas where the need to preserve potential reversible error is paramount.

Brian W. Wice, Attorney at Law, Houston, TX

5:15 p.m. Adjourn

FRIDAY MORNING, MAY 10, 2013

Presiding Officer:

Hon. Cheryl Johnson, Texas Court of Criminal Appeals, Austin, TX

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. .50 hr

Rehearings in the Appellate Courts

The when and how of pursuing rehearings under Texas Rules of Appellate Procedures 49 and 79.

John A. Stride, Texas District & County Attorneys Association, Austin, TX

9:00 a.m. .50 hr including .25 hr ethics

Court of Criminal Appeals Judicial Panel

A candid discussion of what's new at the Court, the state of the docket, and ways practitioners can improve their chances of obtaining favorable relief for their clients.

Moderator:

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

Panelists:

Hon. Elsa R. Alcalá, Texas Court of Criminal Appeals, Austin, TX

Hon. Michael Keasler, Texas Court of Criminal Appeals, Austin, TX

Hon. Paul Womack, Texas Court of Criminal Appeals, Austin, TX

9:30 a.m. Break

9:45 a.m. .50 hr

Petitions for Discretionary Review (PDR) Basics: Form, Substance and Trends

A review of recent rule amendments, recommendations for constructing a successful PDR, and a look at current PDR trends.

Stacey Meredith Goldstein, Office of the State Prosecuting Attorney, Austin, TX

10:15 a.m. 1.00 hr

United States Supreme Court Update

An update on relevant criminal procedure and criminal law cases decided by the United States Supreme Court in the 2012 Term, a review of decisions yet to be handed down, and a preview of cases in the pipeline for the 2013 Term.

Jennifer E. Laurin, The University of Texas School of Law, Austin, TX

11:15 a.m. Adjourn

REGISTRATION FORM

CR13

Mail this registration form to:

The University of Texas School of Law, Attn. Registration
PO Box 7759, Austin, TX 78713-7759 or fax a copy to: 512.475.6876

PLEASE PRINT CLEARLY

Bar Card# _____ TX Other State: _____ N/A

Name [Mr. / Ms.] _____

Affiliation _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

REGISTRATION

Includes Printed Course Binder and Thursday Networking Lunch

Standard Registration

- Registration by Wednesday, May 1, 2013\$425
- Registration after Wednesday, May 1, 2013\$475

State Employee Registration

- Registration by Wednesday, May 1, 2013\$350
- Registration after Wednesday, May 1, 2013\$400

Full-Time Judicial Employee Registration—Appellate Courts Only\$200

Registration must be accompanied by a letter from a sponsoring judge.

CONFERENCE PUBLICATIONS AND MEDIA

Allow 3–5 weeks from the conference date for delivery.

- Course Binder WITHOUT Conference Registration\$225
Note: Conference Registration includes Course Binder
- Audio MP3 Speeches on CD\$130
- Audio CD Set\$210
- eBinder on CD (PDF format)\$225/\$50
(\$225 purchased alone, \$50 with Registration or purchase of Course Binder or Audio MP3 Speeches on CD or Audio CD Set)

IN-HOUSE CLE: Bring the conference in-house and learn at your convenience.

Allow 3–5 weeks from the conference date for delivery. Approved for Texas MCLE credit.

- In-House CLE for 2—Includes Audio CD Set and Course Materials\$825
- _____ Add participants (includes Course Binder) for \$225 each\$ _____

TOTAL ENCLOSED\$ _____

METHOD OF PAYMENT

Check (make checks payable to The University of Texas at Austin)

VISA MasterCard (sorry, no AMEX or Discover) Purchase Order

PO or Card number - - -

X _____

/

Authorized Signature

Exp. Date (mm/yy)

Visit
www.utcle.org
Email
service@utcle.org
Call
512.475.6700
for more information

AUSTIN

May 8–10, 2013

CONFERENCE LOCATION



Sheraton Austin Hotel at the Capitol
701 E. 11th Street
Austin, TX 78701
512.478.1111

Special Room Rate: \$169
good through April 15, 2013
(subject to availability)

Government Rate: \$108
good through April 15, 2013
Valid Government ID must be provided at check-in
(subject to availability)

Self-Parking:
\$10 daily; \$10 overnight

KEY DATES

May 1, 2013
last day for early registration
add \$50 for registrations received after this time

May 3, 2013
last day for full refund

May 6, 2013
last day for partial refund
\$50 processing fee applied

May 8, 2013, 3:45 p.m.
conference begins

CONFERENCE FACULTY AND PLANNING COMMITTEE

HON. BARBARA P. HERVEY—
CO-CHAIR*
Texas Court of Criminal Appeals
Austin, TX

HON. CHERYL JOHNSON—
CO-CHAIR*
Texas Court of Criminal Appeals
Austin, TX

HON. ELSA R. ALCALA
Texas Court of Criminal Appeals
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Austin, TX

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The University of Texas School of Law
Austin, TX

HON. KERRY P. FITZGERALD*
Fifth Court of Appeals
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Brazos County District Attorney's Office
Bryan, TX

HON. DORI CONTRERAS GARZA
Thirteenth Court of Appeals
Edinburg, TX

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Office of the State Prosecuting Attorney
Austin, TX

HON. THOMAS W. GRAY
Tenth Court of Appeals
Waco, TX

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El Paso County Public Defender
El Paso, TX

HON. MICHAEL KEASLER*
Texas Court of Criminal Appeals
Austin, TX

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Office of Court Administration
Austin, TX

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Law Office of E.G. Morris
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BRIAN W. WICE
Attorney at Law
Houston, TX

EDWARD L. WILKINSON
Tarrant County District Attorney's Office
Fort Worth, TX

HON. PAUL WOMACK
Texas Court of Criminal Appeals
Austin, TX

*Planning Committee Member

**M
C
L
E**

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 12.00 hours, of which 2.00 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#169).

ROBERT O. DAWSON

The Conference on Criminal Appeals is named in honor of Robert O. Dawson, a beloved UT Law professor for 37 years, who passed away in 2005.

From 1974 through 1998, he served as the director of the Criminal Defense Clinic, where he and his co-supervisors worked with students on over 7,200 criminal defendants' cases. He also served as co-director of UT Law's Actual Innocence Clinic, a clinic teaching students how to screen and investigate claims from prison inmates that they are actually innocent of their convicted offense.

As a reformer and scholar, Professor Dawson wrote extensively on criminal and juvenile law and drafted much of the juvenile legislation enacted by the Texas legislature over the past 35 years.

He authored and co-authored many books, including *Texas Criminal Practice and Procedure*, *Texas Juvenile Law*, *Criminal Justice Administration*, and *The Juvenile Justice Process*.

