

2013 Robert O. Dawson Conference on Criminal Appeals
May 8-10, 2013 • Sheraton Austin Hotel at the Capitol • Austin, TX

Wednesday Afternoon, May 8, 2013

Presiding Officer:

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

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| 2:45 pm | Registration Opens Your questions are answered at the Thursday afternoon Q&A with the Appellate Experts. Submit your questions in advance to service@utcle.org , or conference registration desk. |
| 3:45 pm | Welcoming Remarks |
| 4:00 pm 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 pm 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 pm | Break |
| 6:15 pm 0.50 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 pm 0.50 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 pm | Adjourn |

Thursday Morning, May 9, 2013

Presiding Officer:

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

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| 8:00 am | Conference Room Opens Includes continental breakfast. Submit your questions for Q&A with the Appellate Experts to service@utcle.org , or at the conference registration desk. |
| 9:00 am 1.00 hr | <i>Daubert</i>: The Scientific Method and Expert Testimony in Criminal Cases Samuel E. Bassett, Minton, Burton, Bassett & Collins - Austin, TX |
| 10:00 am 0.50 hr | Innocence as a Gateway to Post-Conviction Writs Marjorie I. Bachman, Law Office of E.G. Morris - Austin, TX |
| 10:30 am | Break |
| 10:45 am 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 pm | Networking Lunch Included in conference registration. |

Thursday Afternoon, May 9, 2013

Presiding Officer:

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

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| 1:15 pm 0.50 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. Panelists: 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 |
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| 1:45 pm 0.50 hr | <p>Pattern Jury Charges</p> <p>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.</p> <p>George Dix, The University of Texas School of Law - Austin, TX</p> |
| 2:15 pm 0.50 hr | <p>Juvenile Appeals</p> <p>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.</p> <p>Andrea Westerfeld, Collin County Criminal District Attorney's Office - McKinney, TX</p> |
| 2:45 pm | <p>Break</p> |
| 3:00 pm 0.50 hr | <p>Pre-Trial Appeals: A Limited Bag of Tools</p> <p>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.</p> <p>Josh Barrett Schaffer, The Schaffer Firm - Houston, TX</p> |
| 3:30 pm 0.50 hr 0.25 hr ethics | <p>Court of Appeals Judicial Panel</p> <p>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.</p> <p>Moderator: Hon. Kerry P. FitzGerald, Fifth Court of Appeals - Dallas, TX</p> <p>Panelists: Hon. Thomas W. Gray, Tenth Court of Appeals - Waco, TX Hon. John F. Onion Jr., Texas Court of Criminal Appeals, Ret. - Austin, TX</p> <p>Materials By: Hon. Dori Contreras Garza, Thirteenth Court of Appeals - Edinburg, TX</p> |
| 4:00 pm 0.50 hr 0.25 hr ethics | <p>A Guide to Article 11.07 Writs of <i>Habeas Corpus</i> and Other State Writs</p> <p>General overview of the law and procedures regarding Texas state writs including issues of actual innocence and ineffective assistance of counsel.</p> <p>Michael F. Stauffacher, Texas Court of Criminal Appeals - Austin, TX</p> |
| 4:30 pm 0.75 hr 0.25 hr ethics | <p>Trial Objections and Preservation of Error</p> <p>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.</p> <p>Brian W. Wice, Attorney at Law - Houston, TX</p> |
| 5:15 pm | <p>Adjourn</p> |

Friday Morning, May 10, 2013

Presiding Officer:

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

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| 8:00 am | Conference Room Opens Includes continental breakfast. |
| 8:30 am 0.50 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 am 0.50 hr 0.25 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. Alcala, Texas Court of Criminal Appeals - Austin, TX Panelists: Hon. Michael Keasler, Texas Court of Criminal Appeals - Austin, TX Panelists: Hon. Paul Womack, Texas Court of Criminal Appeals - Austin, TX |
| 9:30 am | Break |
| 9:45 am 0.50 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 State Prosecuting Attorney - Austin, TX |
| 10:15 am 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 am | Adjourn |