

2015 Robert O. Dawson Conference on Criminal Appeals
May 27-29, 2015 • Radisson Hotel and Suites, Austin-Downtown • Austin, TX

Wednesday Afternoon, May 27, 2015

Presiding Officer:

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

12:30 pm	Registration Opens Includes light refreshments.
1:20 pm	Welcoming Remarks
1:30 pm 1.00 hr	Significant Decisions of the Texas Court of Criminal Appeals Analyze significant decisions in the last year and what they mean for criminal law practitioners on both sides of the bar. Hon. David C. Newell, Texas Court of Criminal Appeals - Austin, TX
2:30 pm 1.00 hr	Supreme Court Update An update on relevant criminal procedure and criminal law cases decided by the United States Supreme Court in the 2014 term, a review of decisions yet to be handed down, and a preview of cases in the pipeline for the 2015 term. Jennifer E. Laurin, The University of Texas School of Law - Austin, TX
3:30 pm	Break
3:45 pm 1.50 hrs	Writs: Effective Writing, Process, Management, and Related Issues A general overview of the law and procedures regarding Texas state writs from the perspectives of the practitioner and the court. Topics range from the nuts and bolts of investigating and preparing a writ application to the dos and don'ts from the perspective of the reviewing court. Recent cases and pending issues are also addressed. John G. Jasuta, Law Office of John G. Jasuta - Austin, TX Michael F. Stauffacher, Texas Court of Criminal Appeals - Austin, TX
5:15 pm	Adjourn

Thursday Morning, May 28, 2015

Presiding Officer:

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

8:30 am	Conference Room Opens Includes continental breakfast.
9:00 am 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
9:30 am 1.00 hr	Evolving Brief-Writing Techniques for the 21st Century: Rethinking What You May Have Been Taught in Law School about Effective Written Advocacy Changes in reading habits, workload, and legal sophistication of the appellate judicial audience should change the way we write briefs. Hear tips for more effective written advocacy in today's appellate courts. Kevin Dubose, Alexander Dubose Jefferson & Townsend LLP - Houston, TX
10:30 am	Break
10:45 am 0.50 hr	Clash of Courts: Avenging a Bad Court of Appeals Decision by Petition for Discretionary Review (PDR) Mechanics and practical strategies for convincing the Court of Criminal Appeals to exercise its discretion. Stacey Meredith Goldstein, Office of the State Prosecuting Attorney - Austin, TX
11:15 am 0.75 hr	Effective Oral Argument What do you do when you're being bullied by a judge? When the judges argue among themselves and ignore you? When a judge asks a "dumb" question? An appellate specialist with experience on both sides of the bench answers these and other questions to help you put your best foot forward in oral argument. Hon. J. Brett Busby, Fourteenth Court of Appeals - Houston, TX
12:00 pm	Pick Up Lunch Included in registration.

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LUNCHEON PRESENTATION

12:20 pm 1.00 hr ethics	Reel Legal Ethics, Part Deux A discussion of the ethical rules that offer guidance to legal dilemmas depicted in various movie scenes. V. Ivan Martinez, 34th Judicial District Attorney's Office - El Paso, TX
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1:20 pm	Break
1:35 pm 0.50 hr	Error in Jury Charges Finding arguable errors in jury charges, both objected-to and not, including jury unanimity, lesser included offenses, and defenses. Strategies for defending against such claims are also addressed. Jay R. Brandon, Bexar County District Attorney's Office, Appeals Section - San Antonio, TX
2:05 pm 0.75 hr	Solving the Dilemma of Wrongful Convictions While we have recognized the most common causes of wrongful convictions and have diligently pursued methods to prevent punishing the “actually innocent,” more work must be done. Hon. Barbara P. Hervey, Texas Court of Criminal Appeals - Austin, TX
2:50 pm	Break
3:00 pm 1.00 hr	Appellate Tips from the Experts A view from 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. George McCall “Mac” Secrest Jr., Bennett & Secrest, PLLC - Houston, TX Edward L. “Chip” Wilkinson, Tarrant County District Attorney's Office - Fort Worth, TX
4:00 pm 1.00 hr ethics	Disclosure, Ethics, and the Michael Morton Case: Lessons Learned Examine ethical issues that confront prosecutors and defense counsel with respect to evidentiary disclosure in the context of the prosecution and subsequent exoneration of Michael Morton. Review disclosure-based causes of Morton's wrongful conviction, legislative reforms intended to address those discovery failures, and the adaptation of prosecutors and defense attorneys to those changes—especially in the appellate context. Patricia J. Cummings, General Counsel, Texas Criminal Defense Lawyers Association and Law Office of Patricia J. Cummings - Austin, TX
5:00 pm	Adjourn

Friday Morning, May 29, 2015

Presiding Officer:

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

8:30 am	Conference Room Opens Includes continental breakfast.
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9:00 am 0.50 hr	<p>Juvenile Appeals: What Law Applies?</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>Dal R Ruggles, Law Office of Dal R Ruggles - Austin, TX</p>
9:30 am 0.50 hr	<p>Creative Research Techniques: Digging Deep without Deep Pockets</p> <p>Learn how to find secondary material and other legal sources cost-effectively and present those sources in appellate briefs so as to inspire the court's confidence.</p> <p>Gretchen Sims Sween, Of Counsel, Beck Redden LLP, and Adjunct Faculty, The University of Texas School of Law - Austin, TX</p>
10:00 am	Break
10:15 am 1.00 hr 0.50 hr ethics	<p>Scientific Evidence: When to Open and Close the Door as Gatekeeper</p> <p>How to determine the qualifications of the witness as a scientist or expert and insure the integrity of the criminal process.</p> <p>This session has moved to 11:15 AM.</p> <p>Cynthia Eva Hujar Orr, Goldstein, Goldstein & Hilley - San Antonio, TX</p>
11:15 am 0.75 hr	<p>Court of Appeals Judicial Panel</p> <p>Courts of Appeals judges discuss what they do, the Courts' dockets, and better ways for practitioners to represent parties before the Courts.</p> <p>This session has moved to 10:15 AM.</p> <p>Moderator: Jay R. Brandon, Bexar County District Attorney's Office, Appeals Section - San Antonio, TX</p> <p>Panelists: Hon. Terry Jennings, First Court of Appeals - Houston, TX Hon. Sandee Bryan Marion, Fourth Court of Appeals - San Antonio, TX</p>
12:00 pm	Adjourn