

2020 ROBERT O. DAWSON
CONFERENCE ON CRIMINAL APPEALS



May 6–8, 2020
AT&T Conference Center ■ Austin, Texas

RECEPTION SPONSOR

State Bar of Texas Appellate Section

Earn up to 13.25 Hours of Credit, Including 2.25 Hours of Ethics Credit

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WEDNESDAY AFTERNOON, MAY 6, 2020

Presiding Officer:

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

12:30 p.m. Registration Opens

Includes light refreshments.

1:20 p.m. Welcoming Remarks

1:30 p.m. 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.

Hon. David C. Newell, Texas Court of Criminal Appeals, Austin, TX

2:30 p.m. 1.00 hr

11.07 Writs

Discuss the law of 11.07 habeas corpus with tips for writ practice at the Court of Criminal Appeals.

Michael Staats Falkenberg, Texas Court of Criminal Appeals, Austin, TX

3:30 p.m. Break

3:45 p.m. .75 hr

Emerging Issues in PDRs

Gain insight on significant and emerging issues pending in the Court of Criminal Appeals.

Kathleen Mary Schneider, Texas Court of Criminal Appeals, Austin, TX
Stacey M. Soule, Office of the State Prosecuting Attorney, Austin, TX

4:30 p.m. 1.00 hr

Legal Writing, part 1: How to Write Plainly

Do criminal-law appellate briefs need to be written in plain English? And what does "plain English," mean? This presentation defines plain-English legal writing and offers guidance on plain-English-principles related to words, sentences, and organization.

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

5:30 p.m. Adjourn to Reception

THANK YOU TO OUR RECEPTION SPONSOR

State Bar of Texas Appellate Section

5:30 p.m. – 6:30 p.m.

Enjoy refreshments and a networking opportunity with colleagues and conference faculty.

THURSDAY MORNING, MAY 7, 2020

Presiding Officer:

Hon. David C. Newell, Texas Court of Criminal Appeals, Austin, TX

8:00 a.m. Conference Room Opens

Includes continental breakfast.

9:00 a.m. .75 hr

Supreme Court Update

Hear an update on criminal law and criminal procedure cases relevant to Texas criminal appellate practice that were heard and decided by the United States Supreme Court in the 2019 term, and get a preview of hot cases in the pipeline for the 2020 term.

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

9:45 a.m. .50 hr

Chapter 64 Motions and Hearings

A brief overview of motions for forensic testing, collaborative and contested, and common missteps on the road to 11.073.

Matthew Bryant Howard, Bexar County Criminal District Attorney's Office, San Antonio, TX

10:15 a.m. Break

10:30 a.m. .75 hr

Practical Tips from Litigators

Explore real world tips, suggestions and insights for litigating writ claims at every step in the process — from preliminary investigation, to trial court, to the Texas Court of Criminal Appeals. Gain practical suggestions from both sides of the criminal bar.

Catherine G. Burnett, South Texas College of Law Houston, Houston, TX
Baldwin D. Chin, Fort Bend County District Attorney's Office, Richmond, TX

11:15 a.m. .50 hr

The Jury Charge

It's tedious to draft, dreadful to listen to, and probably ignored by jurors. Learn why the least exciting part of trial is the most important.

David M. Gonzalez, Sumpter & Gonzalez L.L.P., Austin, TX

11:45 a.m. .50 hr

Every Fool is Quick to Quarrel: Tips to Avoid Argument at Argument

Make oral argument more productive by helping the court solve a problem...in your favor.

John Robertson Messinger, Office of the State Prosecuting Attorney, Austin, TX

12:15 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

Hon. David C. Newell, Texas Court of Criminal Appeals, Austin, TX

LUNCHEON PRESENTATION

12:35 p.m. .50 hr

Appellate Practice in the Digital Age

Explore how the digital revolution and the consequent move from paper to electronic filing of legal documents has changed the way that legal texts are written and read, and learn effective strategies for appellate lawyers to communicate within this new digital reality.

Rosa Theofanis, Travis County District Attorney's Office, Austin, TX

1:05 p.m. Break

1:20 p.m. .75 hr | .25 hr ethics

Conviction Integrity Units - Practical and Ethical Considerations

Discuss the concept of conviction integrity as an extension of the prosecutor's duty to see that justice is done. Hear practical issues in evaluating, investigating, and responding to actual innocence claims and considerations for offices that do not have a dedicated CIU.

Alison Fox Dahlberg, Bexar County District Attorney's Office, San Antonio, TX

John Lopez, Travis County District Attorney's Office, Austin, TX

2:05 p.m. .50 hr

Improve Your Legal Writing

Learn techniques for improving your legal writing in the short, medium, and long run.

Kamela Bridges, The University of Texas School of Law, Austin, TX

2:35 p.m. Break

2:45 p.m. .75 hr ethics

Ineffective Assistance of Counsel and Prosecutorial Misconduct

Explore the ethical dimensions of ineffective assistance of counsel and prosecutorial misconduct claims, as well as best practices on how to handle these claims.

Cynthia Rodriguez Garza, Dallas County District Attorney's Office, Dallas, TX

Gary Alan Udashen, Udashen Anton, Dallas, TX

3:30 p.m. 1.00 hr | .25 hr ethics

Judicial Panel

Practical advice from the people whose opinions matter about what they like to see in briefs and appeals and what they do not. Appellate judges will give tips and take your questions.

Moderator:

Jay R. Brandon, Bexar County District Attorney's Office, Appeals Section, San Antonio, TX

Panelists:

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

Hon. Lana Myers, Fifth District Court of Appeals, Dallas, TX

Hon. Beth Watkins, Fourth Court of Appeals, San Antonio, TX

4:30 p.m. Adjourn

FRIDAY MORNING, MAY 8, 2020

Presiding Officer:

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

8:30 a.m. Conference Room Opens

Includes continental breakfast.

9:00 a.m. 1.00 hr

Appellate Tips from the Experts

Practical tips for effective and persuasive appellate advocacy from the prosecution and defense perspectives.

Aimee Bolletino, The Law Office of Aimee Bolletino, Houston, TX

Melissa Stryker, Harris County District Attorney's Office, Houston, TX

10:00 a.m. .50 hr

Statutory Construction

Persuasively interpreting legal texts on appeal. Examine the theories and their applications.

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

10:30 a.m. Break

10:45 a.m. .50 hr

Standards of Review

Identifying the appropriate standard and utilizing it as a roadmap to a persuasive legal argument on appeal.

Lisa Dotin Stewart, Travis County District Attorney's Office, Austin, TX

11:15 a.m. 1.00 hr ethics

Ethics for Post-Conviction Lawyers

Examine the ethical considerations facing attorneys in post-conviction representation.

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

12:15 p.m. Adjourn

EARN YOUR FULL TEXAS MCLE REQUIREMENTS

UT Law CLE is committed to helping attorneys meet their annual MCLE requirements. Attendees of this conference will receive a promotional code for a free eSupplement following the event that will bring their total available MCLE hours to 15.00, including 3.00 hours of ethics.

ECONFERENCES

Missed a live conference? Experience the full conference online and earn CLE credits – on your time. eConferences are accredited in Texas and California.

www.utcle.org/econferences

RESEARCH AND SELF-STUDY

Did you know that the quality presentations and papers attendees receive at our conferences are available for self-study as part of our eLibrary? Purchase individual pieces a la cart or subscribe annually for just \$295. See the Registration Form or email service@utcle.org for more details.

UPCOMING CONFERENCES

30TH ANNUAL CONFERENCE ON STATE AND FEDERAL APPEALS

June 4–5, 2020

AT&T Conference Center
Austin, TX

A PRACTICAL GUIDE TO IMMIGRATION REMOVAL PROCEEDINGS

June 4–5, 2020

Drury Plaza Hotel San Antonio
North Stone Oak
San Antonio, TX

CONFERENCE FACULTY

AIMEE BOLLETINO

The Law Office of Aimee Bolletino
Houston, TX

HON. BARBARA P. HERVEY

Texas Court of Criminal Appeals
Austin, TX

KATHLEEN MARY SCHNEIDER

Texas Court of Criminal Appeals
Austin, TX

JAY R. BRANDON

Bexar County District Attorney's Office,
Appeals Section
San Antonio, TX

MATTHEW BRYANT HOWARD

Bexar County Criminal District Attorney's Office
San Antonio, TX

STACEY M. SOULE

Office of the State Prosecuting Attorney
Austin, TX

KAMELA BRIDGES

The University of Texas School of Law
Austin, TX

HON. MICHAEL KEASLER

Texas Court of Criminal Appeals
Austin, TX

LISA DOTIN STEWART

Travis County District Attorney's Office
Austin, TX

CATHERINE G. BURNETT

South Texas College of Law Houston
Houston, TX

JENNIFER E. LAURIN

The University of Texas School of Law
Austin, TX

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Houston, TX

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Richmond, TX

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Travis County District Attorney's Office
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Bexar County District Attorney's Office
San Antonio, TX

JOHN ROBERTSON MESSINGER

Office of the State Prosecuting Attorney
Austin, TX

GARY ALAN UDASHEN

Udashen Anton
Dallas, TX

MICHAEL STAATS FALKENBERG

Texas Court of Criminal Appeals
Austin, TX

HON. LANA MYERS

Fifth District Court of Appeals
Dallas, TX

HON. BETH WATKINS

Fourth Court of Appeals
San Antonio, TX

CYNTHIA RODRIGUEZ GARZA

Dallas County District Attorney's Office
Dallas, TX

HON. DAVID C. NEWELL

Texas Court of Criminal Appeals
Austin, TX

DAVID M. GONZALEZ

Sumpter & Gonzalez L.L.P.
Austin, TX

WAYNE SCHIESS

The University of Texas School of Law
Austin, TX

PLANNING COMMITTEE

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Austin, TX

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Bexar County District Attorney's Office
San Antonio, TX

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Houston, TX

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Texas Court of Criminal Appeals
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The University of Texas School of Law
Austin, TX

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Texas Court of Criminal Appeals
Austin, TX

JAY R. BRANDON

Bexar County District Attorney's Office,
Appeals Section
San Antonio, TX

HON. MICHAEL KEASLER

Texas Court of Criminal Appeals
Austin, TX

HOW TO REGISTER

Online:

www.utcle.org/conferences/CR20/signup

Mail:

The University of Texas
School of Law
ATTN: CLE
PO Box 7759
Austin, TX 78713-7759

Fax:

512.475.6876

Questions? 512.475.6700

If you have dietary requirements or would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or service@utcle.org at least 10 days prior to the conference.

REGISTRATION BENEFITS

Full Service Experience: Registration for the live event includes continental breakfasts, Wednesday Reception, Thursday luncheon presentation, and countless networking opportunities throughout the event.

Comprehensive Course Materials: Access course materials in "Your Briefcase" approximately 48 hours before the live event, and enjoy unlimited access to the final, complete course materials – downloadable PDFs of papers and slides.

Accredited eConference: Complimentary access to the eConference – with papers, slides, and video – accredited for one year in both TX and CA are available in "Your Briefcase" 4–6 weeks after the live event.

TX MCLE Credit Reporting: UT Law CLE can report credit on your behalf directly to the State Bar of Texas. Track the Texas MCLE credit reported on your behalf at "Your Account" after you've logged in at www.utcle.org.

TROUBLE LOGGING IN?

A UT Law CLE account is created for conference attendees and product customers with information provided on the order form. An email address will serve as the User Name.

Forget Your Password or Need it Reset? Just select "Forgot Password" under "Sign In or Join" at www.utcle.org.

Still Need Assistance? Contact customer service at 512.475.6700 or service@utcle.org during business hours.

REGISTRATION FORM

PLEASE PRINT CLEARLY

CR20

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

Name [Mr. / Ms.] _____

Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations, and receipts are emailed to these addresses.

LIVE EVENT REGISTRATION—Includes Electronic Course Materials, Continental Breakfasts, Wednesday Reception, and Thursday Luncheon presentation. eConference access is also included and available 4-6 weeks after the Conference.

Special group registration rates may be available. Call 512.475.6700.

Select Registration Type

Individual

- Registration by Wednesday, April 29 \$525
 Registration after Wednesday, April 29 \$575

State Employee

- Registration by Wednesday, April 29 \$375
 Registration after Wednesday, April 29 \$375

Full-Time Judicial Employee – Court of Criminal Appeals Only

- Registration (MUST be accompanied by a letter from a sponsoring judge) \$175

Printed Course Binder – Available for order through Wednesday, April 29

Note: Conference registration includes Electronic Course Binder Download (PDF) in "Your Briefcase".

- Printed Course Binder \$37.89 (\$35*)

TOTAL EVENT REGISTRATION \$ _____

FIRST AND SECOND YEAR ATTORNEYS MAY ATTEND FOR JUST \$150! CALL 512.475.6700 TO REGISTER.

POST-CONFERENCE PRODUCTS

eConference – For Texas and California MCLE Credit

Includes Electronic Course Binder Download (PDF) and program video/audio. Available 4-6 weeks after live event. Hours may vary depending on actual event runtime.

- Individual eConference \$475

Post-Course Binder – For Research and Self-Study

Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

- Electronic Post-Course Download (PDF) \$243.56 (\$225*)
 Printed Post-Course Binder \$297.69 (\$275*)

Annual eLibrary Subscription – For Research and Self-Study

Extensive resources including audio, video, papers, and slides from UT Law CLE programs.

- eLibrary 12-Month Subscription \$319.34 (\$295*)

TOTAL POST-CONFERENCE PRODUCTS \$ _____

METHOD OF PAYMENT

- Check (make check payable to The University of Texas at Austin)
 VISA MasterCard American Express P.O. (include a copy of the purchase order upon submission)

Card / P.O. # _____ Exp. Date _____ / _____
(mm/yy)

Authorized Signature _____

* Tax-exempt rate for, e.g., government employees and nonprofits. Include a Texas Sales and Use Tax Exemption Certificate with order.

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AUSTIN

May 6–8, 2020

CONFERENCE LOCATION



AT&T Conference Center
The University of Texas at Austin
1900 University Avenue
Austin, Texas
877.744.8822 (reservations)

Special Room Rate: \$189
good through April 9, 2020
(subject to availability)

Parking:

Daily self-parking will be validated for the AT&T Conference Center garage or surrounding UT garages. Please note Dobie is not a UT garage and parking cannot be validated. Separate fees apply for valet and overnight parking.

KEY DATES

April 29, 2020

Last day to order a printed binder

April 29, 2020

Last day for early registration
Add \$50 for registrations received after this time

May 1, 2020

Last day for full refund cancellation

May 4, 2020

Last day for partial refund cancellation
\$50 processing fee applied

May 6, 2020, 1:20 p.m.

Conference begins

REASONS TO ATTEND

UT Law CLE's **2020 Robert O. Dawson Conference on Criminal Appeals** features members of the Court of Criminal Appeals and judges from the intermediate courts around Texas joining prosecutors and defense attorneys for balanced discussions and insights into current issues facing the criminal justice system. 2020 highlights include:

- In-depth reviews of significant decisions from both the Texas Court of Criminal Appeals and the U.S. Supreme Court from the past year.
- Explore real world tips, suggestions and insights for litigating writ claims at every step in the process, from preliminary investigation, to trial court, to the Texas Court of Criminal Appeals, with *Practical Tips from Litigators*.
- Insight into the digital revolution with *Appellate Practice in the Digital Age*.
- Legal writing tips and tricks with *How to Write Plainly*, with Professor Wayne Schiess and *Improve Your Legal Writing*, with Professor Kamela Bridges.
- Earn up to 13.25 hours of MCLE credit (including 2.25 hours of ethics) while networking with your fellow practitioners and members of the judiciary.

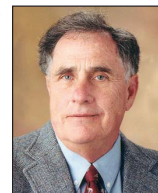
ROBERT O. DAWSON

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*.



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UT Law CLE is committed to helping attorneys meet their annual Texas MCLE requirements. Following the event, live conference attendees and live webcast customers will receive a free, on-demand eSupplement that will bring their total available hours to 15.00, including 3.00 hours of ethics.