

2011 Conference on Criminal Appeals
May 18-20, 2011 • Radisson Hotel and Suites on Town Lake • Austin, TX

Wednesday Afternoon, May 18, 2011

Presiding Officer:

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

12:30 pm	Registration Opens Includes complimentary refreshments.
1:20 pm	Welcoming Remarks
1:30 pm 1.00 hr	Court of Criminal Appeals Update An update on the latest Texas Court of Criminal Appeals decisions in criminal cases or that are relevant to a criminal practice. Janet Burnett, El Paso County Public Defender - El Paso, TX
2:30 pm 1.00 hr	New and Pending Legislation An overview of legislation pending and under consideration by the Texas Legislature relating to criminal appeals and post-continuation matters. Gary Alan Udashen, Sorrels, Udashen & Anton - Dallas, TX
3:30 pm	Break
3:45 pm 1.00 hr 0.25 hr ethics	A Guide to Article 1107 Writs of Habeas Corpus and Other State Writs Michael F. Stauffacher, Court of Criminal Appeals - Austin, TX
4:45 pm 0.50 hr	New Appellate Rules A look at new Rules of Appellate Procedure that have been adopted, and a look ahead to newer issues that are arising. Hon. Paul Womack, Court of Criminal Appeals - Austin, TX
5:15 pm	Adjourn

Thursday Morning, May 19, 2011

Presiding Officer:

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

8:30 am	Conference Room Opens Includes continental breakfast.
9:00 am 1.00 hr	Motions for A New Trial When should counsel request a "do-over" via motion for new trial? When must counsel do so? When and how is this best accomplished, and what traps exist for the unwary? Catherine G. Burnett, South Texas College of Law - Houston, TX
10:00 am 0.50 hr 0.25 hr ethics	PDRs: Procedures and Pitfalls A focus on filing petitions for discretionary review in compliance with the Texas Rules of Appellate Procedure as applied by the Court of Criminal Appeals. Kathleen Mary Schneider, Court of Criminal Appeals - Austin, TX
10:30 am	Break
10:45 am 1.00 hr	Oral Arguments A focus on the responsibilities of the appellate court and counsel, the appellate rules of engagement, and the eight-step legal analysis common to all appellate cases. Hon. Kerry P. FitzGerald, Fifth Court of Appeals - Dallas, TX
11:45 am	Networking Lunch Lunch included in conference registration fee.

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1:00 pm 0.75 hr	Fourth Amendment: The Basics A look at how the Fourth Amendment might be changed in light of proposals before Congress. Tim Evans, Evans, Daniel, Moore, Evans & Lazarus - Fort Worth, TX
1:45 pm 1.25 hrs	Fourth Amendment: Digital An overview of Fourth Amendment application to digital evidence and computer forensics. Session to include 15 minutes of Q&A. Thomas A. Sadaka, NeJame Lafay Jancha Ahmend Barker Joshi, PA - Orlando, FL
3:00 pm	Break

3:15 pm 1.25 hrs	Writing Persuasiveness Learn what makes a brief persuasive or not, according to judges. And how not to get a PDR granted.
4:30 pm 0.50 hr	Preservation of Error A brief review of preservation requirements, exceptions and alternatives. John Robertson Messinger, Office of the State Prosecuting Attorney - Austin, TX
5:00 pm	Adjourn

Friday Morning, May 20, 2011

Presiding Officer:

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

8:00 am	Conference Room Opens Includes continental breakfast.
8:30 am 1.25 hrs	The Nightmares of Sex Cases: Point/Counterpoint Sex crimes against children are tough cases, with a number of evidentiary, procedural and constitutional issues all their own. This session highlights some of the specialized laws particular to these kinds of cases and how strategic choices of both parties can sometimes open the door to other evidence and new issues. Co-Authors: Jeffrey S. Garon, Brazos County District Attorney's Office - Bryan, TX Leon J. Grizzard, Criminal District Courts - Austin, TX Curtis T. Howard, Collin County Criminal District Attorney's Office - McKinney, TX Co-Authors: Emily Johnson-Liu, Collin County Criminal District Attorney's Office - McKinney, TX
9:45 am 1.00 hr ethics	Ethics for Appellate Practitioners Most professional ethical principals are based on common sense. This session explores some of the ethical obligations of appellate advocates and discusses some of the obvious—and not so obvious—attendant pitfalls. Hon. Michael Keasler, Court of Criminal Appeals - Austin, TX
10:45 am 1.00 hr	Supreme Court Update A review of recent and forthcoming Supreme Court decisions concerning criminal law and procedure. Erwin Chemerinsky, University of California, Irvine School of Law - Irvine, CA
11:45 am	Adjourn