

2018 ROBERT O. DAWSON
CONFERENCE ON CRIMINAL APPEALS



May 2–4, 2018
AT&T Conference Center ■ Austin, Texas

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

Approved in TX, CA, and OK

TX Legal Specialization Approved for Criminal Appellate Law, Criminal Law, Juvenile Law

Earn up to 15.80 Hours of TX Accounting CPE Credit

TEXAS COURT OF CRIMINAL APPEALS
TEXAS CRIMINAL DEFENSE LAWYERS ASSOCIATION (TCDLA)
TEXAS DISTRICT AND COUNTY ATTORNEYS ASSOCIATION (TDCAA)*
THE APPELLATE LAW SECTION OF THE STATE BAR OF TEXAS

**TDCAA does not reimburse for this program*

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WEDNESDAY AFTERNOON, MAY 2, 2018

Presiding Officer:

Carson R. Guy, 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. .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 2017 term, and get a preview of hot cases in the pipeline for the 2018 term.

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

3:15 p.m. Break

3:30 p.m. .75 hr | .25 hr ethics

A Guide To Art. 11.07 Writs of Habeas Corpus and Other State Writs

Examine procedures, issues, and do's and don'ts pertaining to Article 11.07 and other State writs.

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

4:15 p.m. .50 hr | .25 hr ethics

How to Improve Your Brief Writing

Explore techniques for sharpening your persuasive focus while complying with your ethical obligations when writing briefs.

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

4:45 p.m. .50 hr

Preservation of Error and Standards of Review

Understanding how the Court evaluates the preservation of error on appeal is essential for any practitioner. Explore how the Court approaches different rights, and how this approach impacts your appeal.

Patrick F. McCann, Law Offices of Patrick McCann, Houston, TX

5:15 p.m. Adjourn

THURSDAY MORNING, MAY 3, 2018

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

Emerging Issues in PDRs

Discuss significant and emerging issues pending in the Court of Criminal Appeals.

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

9:45 a.m. .75 hr

Avoiding the Dreaded Non-Compliant "White Card"

A step-by-step walk through of TRAP Rule 73 and 11.07 habeas application compliance.

Alison Fox Dahlberg, Texas Court of Criminal Appeals, Austin, TX

10:30 a.m. Break

10:45 a.m. 1.00 hr | .25 hr ethics

Actual Innocence Claims and 11.073 Writs

Analyze legal issues in actual innocence claims, with particular focus on false evidence leading to wrongful convictions and wrongful convictions based on invalid scientific testimony.

Gary Alan Udashen, Sorrels, Udashen & Anton, Dallas, TX

11:45 a.m. .75 hr

Jury Charges

Explore *sua sponte* instructions and appellate hot topics, and gain practical tips for crafting jury instructions.

Angie Creasy, Travis County District Attorney's Office, Austin, TX
Sarah Beth Landau, Harris County Public Defender's Office, Houston, TX

12:30 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

12:50 p.m. .50 hr ethics

Maintaining Your Credibility in Court

Discuss creativity versus credibility and how to zealously advocate for your client without falling on your face.

Mandy Goldman Miller, Attorney at Law, Katy, TX

1:20 p.m. Break

1:35 p.m. .75 hr

Prosecuting and Defending Motions for New Trial

Review the various uses for a motion for new trial including the procedures for filing a motion after trial and on appeal with perspectives from both a prosecutor and a defense attorney.

Jay R. Brandon, Bexar County District Attorney's Office, Appeals Section, San Antonio, TX
Carmen Roe, Carmen Roe Law Firm, PLLC, Houston, TX

2:20 p.m. .50 hr

Procedures for Bail—Appeals and Writs of Habeas Corpus

Discuss the procedures for seeking an appellate or writ bond during post-conviction litigation, with insight from the defense and prosecutorial perspectives.

Jennifer Rossmeier Brown, Bexar County District Attorney's Office, San Antonio, TX

2:50 p.m. .50 hr

Six (or More) Techniques for Readable, Persuasive Sentences

Address sentence-level techniques that can help legal writers create readable, persuasive sentences. Learn to recognize, describe, and appropriately use or avoid techniques including length, subordination, dangling elements, nominalizations, correlative conjunctions, compound prepositions, and more.

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

3:20 p.m. Break

3:30 p.m. .50 hr

Morton Case Law Update

Analyze significant decisions handed down since the Michael Morton Act was enacted and discuss what they mean for the prosecution and defense.

Patricia J. Cummings, Law Office of Patricia J. Cummings, Round Rock, TX

4:00 p.m. 1.00 hr | .50 hr ethics

Brady Case Law Update

Explore the practical application of *Brady v. Maryland*, Article 39.14, and Disciplinary Rule 3.09(d), recent case law, and emerging issues under those ethical provisions.

Inger H. Chandler, Criminal Defense Attorney, Conroe, TX
Lisa Dotin Stewart, Travis County District Attorney's Office, Austin, TX

5:00 p.m. Adjourn

FRIDAY MORNING, MAY 4, 2018

Presiding Officer:

Carson R. Guy, Texas Court of Criminal Appeals, Austin, TX

8:30 a.m. Conference Room Opens

Includes continental breakfast.

9:00 a.m. .75 hr

Recent Legislative and Rule Changes for Criminal Appellate Practitioners

The Legislature focused on wrongful convictions last session and passed significant legislation impacting criminal appellate practitioners. Examine some of the most important legislative changes and notable rule changes.

Holly E. Taylor, Texas Court of Criminal Appeals, Austin, TX

9:45 a.m. .75 hr

Federal Writs and SCOTUS Certs

Review the deadlines and requirements for federal writs and SCOTUS certs, and discuss strategy decisions for each of these filings.

Michael C. Gross, Gross & Esparza, P.L.L.C., San Antonio, TX

10:30 a.m. Break

10:45 a.m. .75 hr

Appellate Tips from the Experts

Get 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.

Dayna LeAnn Jones, The Law Office of Dayna L. Jones, San Antonio, TX
Enrico Baltazar Valdez, Bexar County District Attorney's Office, San Antonio, TX

11:30 a.m. .50 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

12:00 p.m. Adjourn

**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 13.25 hours, of which 2.25 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 (#179).

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 bonus eCourse following the event that will bring their total available hours to 15.00, including 3.00 hours of ethics.

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If you missed a conference or can't make an upcoming one and don't want to miss out on the experience, UT Law CLE eConferences allow you to earn MCLE credit on your time. View a complete list of available eConferences at

utcle.org/econferences

UPCOMING CONFERENCES

40TH ANNUAL CORPORATE COUNSEL INSTITUTE

May 17-18
Dallas, TX

31ST ANNUAL TECHNOLOGY LAW CONFERENCE

May 24-25
Austin, TX

A PRACTICAL GUIDE TO IMMIGRATION REMOVAL PROCEEDINGS

June 7-8
Houston, TX

28TH ANNUAL CONFERENCE ON STATE AND FEDERAL APPEALS

June 14-15
Austin, TX

CONFERENCE FACULTY

JAY R. BRANDON

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

KAMELA BRIDGES

The University of Texas School of Law
Austin, TX

JENNIFER ROSSMEIER BROWN

Bexar County District Attorney's Office
San Antonio, TX

INGER H. CHANDLER

Criminal Defense Attorney
Conroe, TX

ANGIE CREASY

Travis County District Attorney's Office
Austin, TX

PATRICIA J. CUMMINGS

Law Office of Patricia J. Cummings
Round Rock, TX

ALISON FOX DAHLBERG

Texas Court of Criminal Appeals
Austin, TX

MICHAEL C. GROSS

Gross & Esparza, P.L.L.C.
San Antonio, TX

DAYNA LEANN JONES

The Law Office of Dayna L. Jones
San Antonio, TX

HON. MICHAEL KEASLER

Texas Court of Criminal Appeals
Austin, TX

SARAH BETH LANDAU

Harris County Public Defender's Office
Houston, TX

JENNIFER E. LAURIN

The University of Texas School of Law
Austin, TX

PATRICK F. MCCANN

Law Offices of Patrick McCann
Houston, TX

MANDY GOLDMAN MILLER

Attorney at Law
Katy, TX

HON. DAVID C. NEWELL

Texas Court of Criminal Appeals
Austin, TX

CARMEN ROE

Carmen Roe Law Firm, PLLC
Houston, TX

WAYNE SCHIESS

The University of Texas School of Law
Austin, TX

KATHLEEN MARY SCHNEIDER

Texas Court of Criminal Appeals
Austin, TX

STACEY SOULE

Office of the State Prosecuting Attorney
Austin, TX

MICHAEL F. STAUFFACHER

Texas Court of Criminal Appeals
Austin, TX

LISA DOTIN STEWART

Travis County District Attorney's Office
Austin, TX

HOLLY E. TAYLOR

Texas Court of Criminal Appeals
Austin, TX

GARY ALAN UDASHEN

Sorrels, Udashen & Anton
Dallas, TX

ENRICO BALTAZAR VALDEZ

Bexar County District Attorney's Office
San Antonio, TX

PLANNING COMMITTEE

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Texas Court of Criminal Appeals
Austin, TX

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Austin, TX

DEBORAH SALZBERG—DIRECTOR

The University of Texas School of Law
Austin, TX

JAY R. BRANDON

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

PATRICIA J. CUMMINGS

Law Office of Patricia J. Cummings
Round Rock, TX

ALISON FOX DAHLBERG

Texas Court of Criminal Appeals
Austin, TX

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Austin, TX

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Travis County District Attorney's Office
Austin, TX

RICK WARDROUP

Texas Criminal Defense Lawyers Association (TCDLA)
Austin, TX

HOW TO REGISTER

Online:

www.utcle.org/conferences/CR18

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 business days prior to the conference.

REGISTRATION BENEFITS

Before the Conference: Access course materials—downloadable PDFs of papers and slides—and speaker and attendee roster in "Your Briefcase" 48 hours before the conference.

After the Conference: Unlimited access to final, complete course materials—downloadable PDFs of papers and slides—in "Your Briefcase."

eConference: Complimentary access to the eConference—with papers, slides, and video—for CLE credit (TX and CA) you may have missed at the live conference. Available in "Your Briefcase" 6–8 weeks after the conference.

TX MCLE Credit Reporting: UT Law CLE can report credit on your behalf directly to the State Bar of Texas. Track your Texas MCLE credit claimed and reported through UT Law CLE in "Your Account."

Your Account: Activate "Your Account" online at www.utcle.org. Your UT Law CLE Account is created for you as a first-time conference registrant (mail and fax registrations) with the email address you provide.

CAN'T MAKE THE CONFERENCE? PRE-ORDER THE ACCREDITED ECONFERENCE TODAY

eConference

The online eConference includes papers, slides, and video—and CLE credit (TX and CA)—from this year's live conference. Available in "Your Briefcase" 6–8 weeks after the conference.

Comprehensive Course Binders

Containing papers and slides from the live conference, eBinders are available for download and printed binders can be ordered from our office for delivery 4–6 weeks after the conference date. Shipping included.

REGISTRATION FORM

PLEASE PRINT CLEARLY

CR18

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

Name [Mr. / Ms.] _____

Firm _____

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Telephone _____ Fax _____

Registrant's Email (required) _____

Assistant's Email (optional) _____
Invoices, confirmations, and receipts are emailed to these addresses.

REGISTRATION—Includes Electronic Course Materials and Thursday Luncheon Presentation

Special group registration rates available. Call 512.475.6700.

Select Registration Type

Individual

- Registration by April 25 \$450
- Registration after April 25 \$500

State Employee

- Registration by April 25 \$375
- Registration after April 25 \$425

Full-Time Judicial Employee – Court of Criminal Appeals Only

- Registration (must be accompanied by a letter from a sponsoring judge) \$150

Printed course binder available for an additional fee through April 25

Conference registration includes Electronic Course Binder Download (PDF) in "Your Briefcase" at www.utcle.org.

- Printed Course Binder \$37.99
Price includes 8.25% Sales Tax
- Printed Course Binder for tax exempt registrants \$35
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FIRST AND SECOND YEAR ATTORNEYS MAY ATTEND FOR JUST \$150! CALL 512.475.6700 TO REGISTER.

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Call 512.475.6700 to register additional participants.

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Comprehensive Binder with papers and slides from the live event. Available for delivery 4–6 weeks after conference date. Shipping included.

- eBinder Download (PDF) \$225
 - Printed Materials Binder \$275
- [†]Texas customers—add 8.25% sales tax or include an Exemption Certificate \$ _____
Sales tax will be invoiced separately on taxable orders for which payment does not include tax.

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METHOD OF PAYMENT

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CR18

AUSTIN

May 2–4, 2018

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 1, 2018
reference "2018 UTCLE Criminal Appeals
Conference"
(subject to availability)**Parking:**Free daily self-parking at UT garages. Separate
fees apply for valet and overnight parking.
(subject to change)**KEY DATES****April 25, 2018***last day for early registration*
add \$50 for registrations
received after this time**April 27, 2018***last day for cancellation (full refund)***April 30, 2018***last day for cancellation (partial refund)*
\$50 processing fee applied**May 2, 1:20 p.m.***conference begins***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*.