

2018

Summer Training Program
Tuesdays and Thursdays in July

Opening Statements

Opening Statements

Cross-Examination

Cross-Examination

Gun and Drug Cases

Gun and Drug Cases

Immigration

Immigration

Ethics

Ethics

Sentencing Mitigation

Sentencing Mitigation

Fourth Amendment

Fourth Amendment

Deborah T. Creek
Criminal Practice Institute

601 Pennsylvania Avenue, N.W.
Moot Courtroom
Washington, D.C. 20004
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Register at www.PDSDC.org
or www.CJADC.org

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Course Descriptions

Tuesday, July 10, 2018

5:30 to 7:30 p.m.

FIRST IMPRESSIONS: COMPELLING OPENING STATEMENTS

Presenter:

**David Knight, Chief,
Trial Division, PDS**

A compelling and clear opening statement provides the jury with means by which to critique the government's case throughout the trial. How can we maximize our opportunity to make a convincing first impression on the jury? This session will cover techniques for making your opening and defense theory as cohesive and clear as possible. By focusing on themes, content, and organization, this session will help you craft openings that will keep the jury interested, engaged, and focused on your theory of defense. It will also help you to develop a defense theory even when there appears to be no defense to the government's case. The session will address what evidence you must challenge, and what evidence you may leave alone. By beginning with a discussion of the tools you can use to win over your jury with your opening and then talking about effective defense theories, this session will help provide you with a framework for the best possible defense for your client.

Thursday, July 12, 2018

5:30 to 7:30 p.m.

CROSS EXAMINATION IN GUN AND DRUG CASES: EFFECTIVE STRATEGIES FOR WINNING YOUR CASE

Presenter:

**James King, Staff Attorney,
Trial Division, PDS**

In this session, the presenter will discuss and develop defense themes and theories for litigating gun and drug cases. Discussion will include tips for developing cross-examinations specifically for drug and gun cases, and other themes, including voir dire of drug experts, general police investigation, inadequate police work and misconduct using the MPD orders as standards of compliance.

Thursday, July 19, 2018

5:30 to 8:30 p.m.

IMMIGRATION CONSEQUENCES OF CRIMINAL CONVICTIONS IN D.C.: WHAT YOU NEED TO KNOW FOR BOTH YOUR CLIENT AND WITNESSES

Presenter:

**Katie D'Adamo Guevara,
Immigration Staff Attorney, Civil
Legal Services Division, PDS**

This will be a special session on recent developments in immigration law and policy that are critical to advising your client and meeting your obligations under *Padilla*. This course will first discuss how recent policy changes have impacted ICE involvement with individuals facing charges in the D.C. criminal justice system, and its impact on your representation of non-citizen clients. The course will also provide an overview of D.C. convictions that are problematic for immigration purposes, and explore how recent developments in the law impact your immigrant client's eligibility for immigration relief, such as the recent Supreme Court decision of *Dimaya v. Sessions*. Discussion will also be given to the non-citizen witness and possible impeachment motivations arising from immigration status (e.g., U Visa or prior crimes like unlawful entry or smuggling). Due to the amount of material to be covered, this session provides 3.0 hours of CLE credit for D.C. Superior Court.

Tuesday, July 24, 2018

5:30 to 7:30 p.m.

BEST PRACTICES AND POTENTIAL ETHICAL ISSUES: KEEPING AN EYE ON YOUR ETHICAL OBLIGATIONS

Presenters:

**Laura Hankins,
General Counsel, PDS**

**Claire Roth,
Special Counsel, PDS**

Did you know that the D.C. Bar issued a recent opinion regarding a lawyer's ethical obligations to prospective clients? Do you know what should be the scope of an attorney's communication when required to provide information about a case in which a former client files a claim for ineffective assistance of counsel? Have you read the recent D.C. Ethics Committee opinion relating to clients with diminished capacity? In this session, we will address a number of recent rules and opinions impacting our practice and we will present some concrete strategies in reducing the most common bar complaints against criminal defense attorneys.

Thursday, July 26, 2018

5:30 to 7:30 p.m.

SENTENCING MITIGATION: WHAT EVERY LAWYER NEEDS TO KNOW

Presenter:

**Ronald Resetarits, Staff Attorney,
Trial Division, PDS**

In this session you will learn from an experienced litigator everything you need to know about ensuring the best possible outcome for your client at sentencing. The creation of comprehensive and detailed sentencing memos will be covered, as will proper investigation of the case in anticipation of sentencing, including how to identify and request appropriate letters of support and other records supporting your sentencing position. Sentencing options will be discussed, including how to identify which treatment options might be most appropriate for your client. Attention will also be paid to the circumstances in which expert and psychological evaluations should be obtained for the client. Discussion will focus on sentencing strategies that have proven to be successful in different types of cases and the investigation and preparation required for effective sentencing advocacy. Time will be made available for participants to ask questions concerning strategies, resources, and available alternatives for some of their specific cases.

Tuesday, July 31, 2018

5:30 to 7:30 p.m.

NEW DEVELOPMENTS IN FOURTH AMENDMENT LITIGATION: STRATEGIES FOR SUPPRESSING GPS DATA AND OTHER FRUITS OF THE POISONOUS TREES

Presenter:

**Blase Kearney, Supervising Staff
Attorney, Trial Division, PDS**

This session will cover innovative litigation strategies, new developments in Fourth Amendment law, and updates on recent Supreme Court and DCCA cases published during the past year. The training will also cover the intersection of location information and the Fourth Amendment, an area ripe for litigation. Also, special attention will be given to the variety of ways to make use of discovery documents in suppression hearings. Finally, practice tips will be provided on how to identify potential Fourth Amendment issues and to conduct a step-by-step analysis to find potential arguments.

To REGISTER and learn more about this training program, please visit www.PSDC.org or www.CJADC.org. Registration closes July 6, 2018.

All sessions are free. Evening sessions will begin promptly at 5:30 p.m.

The doors to the building will close at 6:00 p.m. Participants arriving after that time will not be granted entrance.

All sessions will run for two (2) hours. D.C. CLE credit will be authorized accordingly.

Claire T. Roth, Program Chair
Marlene Morris, Program Manager

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