

## Preliminary Course 4.5 hours including 1.5 hours ethics

- 1:00 Registration
- 2:00 **1** ACT ONE: The Rights of the Police to Investigate Crime and Apprehend Criminals 1.5 hrs (.5 hr ethics)
- 3:20 Break and Snack
- 3:30 **2** ACT TWO: Behind the Scenes: Prosecutors, Criminal Defense Lawyers & Their Clients 1.5 hrs (.5 hr ethics)
- 5:05 Break
- 5:15 **3** ACT THREE: A Texas Criminal Trial: From Subpoenas to Notice of Appeal 1.5 hrs (.5 hr ethics)
- 6:45 Adjourn

## Faculty

### Course Director

Patricia J. Cummings, *Round Rock*  
Attorney & Counselor at Law

Corby Holcomb, *Austin*  
County Attorney's Office

Todd A. Nickle, *Austin*  
Law Office of Todd A. Nickle

Vincent W. Perini, *Dallas*  
Law Offices of Vincent W. Perini

Jack V. Strickland, *Fort Worth*  
Law Offices of Jack V. Strickland

### VIDEO Dallas

September 21, 2010  
Doubletree Campbell Center

### VIDEO Houston

October 5, 2010  
Crowne Plaza Houston River Oaks

### MCLE COURSE NO. 901200426

4.5 HOURS (1.5 HOURS ETHICS)

# Advanced Criminal Law Course 2010



**Day 1** 9 hours including .75 hour ethics

## VOLUME I

- 7:30 Registration
- 8:30 **1** Supreme Court Update .75 hr
- 9:15 **2** 5th Circuit Update .75 hr
- 10:00 Break
- 10:10 **3** Indictments/Charging Instruments .5 hr
- 10:55 **4** Court of Criminal Appeals Update .75 hr
- 11:35 Lunch on your own
- 12:35 **5** Law and Literature .5 hr
- 1:00 **6** Voir Dire (Law) .5 hr
- 1:35 **7** Voir Dire (How-To) .75 hr
- 2:20 **8** Punishment/Evidence .5 hr
- 2:45 Break

- 2:55 **9** Enhancements .5 hr
- 3:25 **10** Defenses .5 hr
- 3:55 **11** Guilty Pleas .5 hr (.25 hr ethics)
- 4:25 **12** Hot Issues Pending in the PDRs in the CCA .5 hr
- 4:50 **13** Grievance Process .5 hr ethics
- 5:15 Break

## VOLUME 1

- 5:25 **33** Hearsay/Crawford .5 hr
- 5:55 **34** Expunctions .5 hr
- 6:20 **35** Punishment/Sentencing/Alternative Sentencing .5 hr

**6:50-8:15** Taking the Legal Specialization Exam  
(Not MCLE Accredited) 1:23:00

**Day 2** 3.5 hours including .5 hour ethics

## VOLUME 1

- 8:30 **36** Immigration Issues .5 hr
- 9:00 **37** Technology in the Courtroom .75 hr
- 9:40 **38** Closing Arguments .5 hr
- 10:15 Break

- 10:25 **39** Ultimate Trial Checklist (from both sides) .75 hr
- 11:15 **40** Conflicts of Interest .5 hr ethics
- 11:45 **41** Court's Charge .5 hr
- 12:15 Lunch on your own. Return to Afternoon Workshops see attached BRING VOLUME 2

**Day 3** 6.5 hours including 2 hours ethics

## VOLUME 1

- 8:00 **22** Confessions .5 hr
- 8:30 **23** Extraneous Offenses .5 hr
- 9:00 **24** Unforeseen Consequences of Criminal Convictions .5 hr (.25 hr ethics)
- 9:30 Break
- 9:40 **25** Cross Examination/Impeachment .75 hr
- 10:25 **26** The Lost Art of Public Speaking .5 hr
- 10:55 **27** Preservation of Error .5 hr

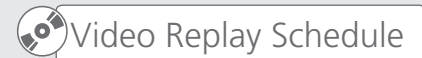
- 11:25 Lunch on your own
- 12:25 **28** Search and Seizure .75 hr
- 1:05 **29** Practicing Law and Wellness: Modern Strategies for Lawyers Dealing With Anxiety, Addiction, and Depression .75 hr ethics
- 1:50 Break
- 2:00 **30** Privileges .5 hr
- 2:30 **31** Brady/Exculpatory Evidence .75 hr ethics
- 3:05 **32** How To Avoid Claims of Ineffective Assistance of Counsel .5 hr (.25 ethics)
- 3:40 Adjourn

**VIDEO Dallas**  
September 22-24, 2010  
Doubletree Campbell Center

**VIDEO Houston**  
October 6-8, 2010  
Crowne Plaza Houston River Oaks

**MCLE COURSE NO. 901200424**  
Up to 25 HOURS (Up to 5.25 HOURS ETHICS)

# Advanced Criminal Law Course 2010



## Afternoon Workshops Day 2 continued VOLUME 2

### Half Track Workshop Options

Choose One - Opening Remarks for all morning workshops

#### Track 1 14 DWI Workshop 3.5 hrs

- 1:15 **Voir Dire Defense Perspective** .75 hr
- 2:00 **Voir Dire Prosecution Perspective** .75 hr
- 2:45 **Break**
- 3:00 **"Blood Will Tell"** .75 hr
- 3:50 **The "1903" Cross – A New Paradigm for 2010 Trial by DVD** .75 hr
- 4:30 **Driver's License and ALR Issues** .5 hr
- 4:55 **Break**

#### Track 2 15 Juvenile Workshop 3 hrs

- 1:15 **Search and Seizure** .75 hr
- 2:05 **Plea Bargaining Sex Offender Registration Issues** .75 hr
- 2:50 **Break**
- 3:05 **Chapter 55** .75 hr
- 3:45 **Sealing Juvenile Records** .75 hr
- 4:20 **Break**

### Half Track Workshop Options

#### Ethics Workshop 19 2 hrs ethics

- 5:05 **Some Disciplinary Rules Changes for Criminal Lawyers** .5 hr ethics
- 5:35 **Ethical Interactions With the Media** .5 hr ethics
- 6:05 **Break**
- 6:15 **Anticipating and Avoiding Ethical Pitfalls** .5 hr ethics
- 6:50 **Ethics Jeopardy** .5 hr ethics
- 7:15 **Adjourn**

#### Child Abuse Workshop 20 2.25 hrs (.75 ethics)

- 4:30 **Update on Child Physical Abuse Cases** .75 hr ethics
- 5:15 **Break**
- 5:25 **Prosecuting and Defending Child Abuse Cases** 1.5 hr
- 7:10 **Adjourn**

### Full Track Workshop Options

#### Track 3 16 Appeals, Writs, and Extraordinary Remedies Workshop 6 hrs

*This track will not be videotaped but an MP3 audio recording will become available in the Online Classroom at TexasBarCLE.com.*

#### Track 4 17 Federal Breakout 5.75 hrs

- 1:15 **Federal Practice Tips** .75 hr
- 2:00 **Federal Jury Selection in 15 Minutes or Less** .75 hr
- 2:45 **Break**
- 3:00 **Sentencing Guidelines Update** 1 hr
- 3:55 **Sentencing Memorandum** .75 hr
- 4:35 **Break**
- 4:45 **Prosecution Trends and Perspectives** .5 hr
- 5:10 **Cross Exam of Government Informant** .75 hr
- 5:45 **Break**
- 5:55 **Federal Defenses** .5 hr
- 6:30 **Child Porn and the Adam Walsh Act** .75 hr
- 7:10 **Adjourn**

#### Track 5 18 Death Penalty Workshop 6 hrs

- 1:15 **Overview of the Law** .75 hr
- 1:55 **Voir Dire** 1.5 hr
- 3:15 **Break**
- 3:30 **Capital Evidentiary Issues** .75 hr
- 4:10 **Break**
- 4:20 **Mitigation and Future Dangerousness** 1.5 hrs Prosecutor
- 5:45 **Break**
- 5:55 **Mental Retardation** .75 hr
- 6:40 **Challenges to the Death Penalty Scheme** .75 hr
- 7:25 **Adjourn**

**VIDEO Dallas**  
September 22-24, 2010  
Doubletree Campbell Center

**VIDEO Houston**  
October 6-8, 2010  
Crowne Plaza Houston River Oaks

**MCLE COURSE NO. 901200424**  
Up to 25 HOURS (Up to 5.25 HOURS ETHICS)

**TexasBarCLE**

36th Annual

# Advanced Criminal Law Course and Criminal Law 101



**LIVE**

San Antonio  
July 26-29, 2010

**VIDEO**

Dallas  
September 22-24, 2010

**VIDEO**

Houston  
October 6-8, 2010

**Excellent CLE — with plenty of choices!**

**A full day of breakouts!**

Choose the sessions you want to attend:

DWI - Ethics - Juvenile - Child Abuse -  
Appeals, Writs, and Extraordinary  
Remedies - Death Penalty - Federal

Arrive a day early for  
**Criminal Law 101!**

- NEW! All Day FEDERAL WORKSHOP included with the Advanced Course - OR - register for it separately.
- A broad selection of prosecutors, defense attorneys, judges and experts will provide you with important updates and information from many perspectives.
- Up to 25 hours of MCLE credit and up to 5.25 hours of ethics.
- Registering 5 or more people? See the registration form for group discount info.

**JW** Marriott San Antonio  
Hill Country Resort & Spa



Course materials available  
on a USB flash drive



# Advanced Criminal Law Course and Criminal Law 101

**LIVE**  
**San Antonio**

J.W. Marriott Resort and Spa  
Criminal Law 101: Sun., July 25  
Adv. Course: Mon.–Thurs., July 26-29

**VIDEO**  
**Dallas**

Doubletree Campbell Centre  
Criminal Law 101: Tues., Sept. 21  
Adv. Course: Wed.–Fri., Sept. 22-24

**VIDEO**  
**Houston**

Crowne Plaza River Oaks  
Criminal Law 101: Tues., Oct. 5  
Adv. Course: Wed.–Fri., October 6-8

**Arriving early?**

Pick up your course materials 3:00-6:00 pm  
on Sunday during Criminal Law 101.

**CONDENSED VIDEOS:** The four days of the live Advanced Course will be condensed into three days of video replay by deletion of non-substantive parts of the program (i.e., introductions). For a revised video schedule, visit [TexasBarCLE.com](http://TexasBarCLE.com) after August 30th.

## Criminal Law 101 4.5 hrs including 1.5 hrs ethics

**E**xperienced Texas criminal law practitioners will present a Texas criminal case in three “acts”: from investigation and arrest, through trial, punishment, motion for new trial, and notice of appeal.

1:00 **Registration**

1:50 **Welcoming Remarks**

2:00 **ACT ONE: The Rights of the Police to Investigate Crime and Apprehend Criminals** 1.5 hrs (.5 hr ethics)  
The right to arrest with and without warrants, traffic stops, “pretext” arrest, “reasonable suspicion,” crime scene search, scientific evidence, autopsies, searches with and without warrants, probable cause, “Terry stops” interrogations, Miranda warnings, C.C.P. Art. 38.22, oral and written confessions, “The Exclusionary Rule,” “fruit of the poisonous tree,” and “good faith.”

3:30 **Break and Snack**

3:40 **ACT TWO: Behind the Scenes: Prosecutors, Criminal Defense Lawyers & Their Clients** 1.5 hrs (.5 hr ethics)  
Meeting the client and entourage for the first time, getting client out of jail, reduction of bail, examining trials, grand juries, fees & contracts, communicating with the client, investigating the case, analyzing the case, discovery & other pretrial motions, pretrial hearing, punishment, Texas sentencing scenarios, probation, “3g” offenses, plea bargaining, guilty pleas, tampering with witnesses, collateral consequences of conviction, victims and their rights.

5:10 **Break**

5:20 **ACT THREE: A Texas Criminal Trial: From Subpoenas to Notice of Appeal** 1.5 hrs (.5 hr ethics)  
Eve of trial, subpoenas, continuances, amending the indictment, notice of enhancements, motions in limine, voir dire, opening statement, witnesses, the “Rule,” cross-examination and impeachment, offering evidence, objecting and preserving error, extraneous offenses, “opening the door,” doctrine of curative admissibility, the DeGarmo doctrine, court’s charge, jury summation, guilty verdict and punishment trial, motion for new trial, and notice of appeal.

6:50 **Adjourn**

### Faculty

**Course Director**

Patricia J. Cummings, *Round Rock*  
Attorney & Counselor at Law

Corby Holcomb, *Austin*  
County Attorney’s Office

Todd A. Nickle, *Austin*  
Law Office of Todd A. Nickle

Vincent W. Perini, *Dallas*  
Law Offices of Vincent W. Perini

Jack V. Strickland, *Fort Worth*  
Law Offices of Jack V. Strickland

**MCLE CREDIT | 4.5 HOURS (1.5 ETHICS)**

**MCLE COURSE NO: 901200426**

Applies to the College of the State Bar of Texas and to the Texas Board of Legal Specialization in Criminal Law and Juvenile Law



# Advanced Criminal Law Course

Cosponsored by the State Bar of Texas Criminal Justice Section

TexasBarCLE Advanced Courses are sponsored by LexisNexis, a division of Reed Elsevier Inc.

## Day 1

7.5 hours including .75 hours ethics

- 7:45 **Registration**
- 8:30 **Welcoming Remarks and Program Introductions**  
**Course Director**  
Edward L. 'Chip' Wilkinson,  
*Fort Worth*  
Tarrant County District Attorney's Office
- 8:45 **Supreme Court Update** .75 hr  
Gerald H. Goldstein, *San Antonio*  
Goldstein Goldstein & Hilley
- 9:30 **5th Circuit Update** .75 hr  
F.R. 'Buck' Files, Jr., *Tyler*  
Bain Files Jarrett Bain & Harrison
- 10:15 **Break**
- 10:30 **Indictments/Charging Instruments** .5 hr  
Doug Arnold, *Georgetown*  
Williamson County District Attorney's Office
- 11:00 **Court of Criminal Appeals Update** .75 hr  
Enrico B. Valdez, *San Antonio*  
Bexar County Justice Center
- 11:45 **Lunch on your own**
- 1:00 **Law and Literature** .5 hr  
Jay R. Brandon, *San Antonio*  
Attorney at Law
- 1:30 **Voir Dire (Law)** .5 hr  
Elizabeth Christina Jack, *Fort Worth*  
Tarrant County District Attorney's Office
- 2:00 **Voir Dire (How-To)** .75 hr  
Robert B. Hirschhorn, *Lewisville*  
Cathy E. Bennett & Associates
- 2:45 **Punishment/Evidence** .5 hr  
Randy Wilson, *Abilene*  
Law Offices of Randy Wilson

- 3:15 **Break**
- 3:30 **Enhancements** .5 hr  
Hon. Molly M. Francis, *Dallas*  
Justice, Fifth Court of Appeals
- 4:00 **Defenses** .5 hr  
Russell Wilson, II, *Dallas*  
Burluson Pate & Gibson
- 4:30 **Guilty Pleas** .5 hr (.25 hr ethics)  
John M. Bradley, *Georgetown*  
District Attorney  
Williamson County District Attorney's Office
- 5:00 **Hot Issues Pending in the PDRs in the CCA** .5 hr  
Gregory Burke Westfall, *Fort Worth*  
Westfall Platt & Cutrer
- 5:30 **Grievance Process** .5 hr ethics  
Robert C. Hinton, Jr., *Dallas*  
Robert Hinton & Associates
- 6:00 **Adjourn to Welcoming Social (live site only)**
- 7:00 **Social Concludes**



### Course Director

Edward L. "Chip" Wilkinson ..... Fort Worth

### Planning Committee

David L. Botsford ..... Austin  
Patricia J. Cummings ..... Round Rock  
Mark G. Daniel ..... Fort Worth  
Scott A. Durfee ..... Houston  
F.R. "Buck" Files, Jr. .... Tyler  
Hon. Robert K. Gill ..... Fort Worth  
H.F. "Rick" Hagen ..... Denton  
Michael P. Heiskell ..... Fort Worth  
J. Craig Jett ..... Dallas  
Randy T. Leavitt ..... Austin  
Jana K. McCown ..... Georgetown  
Lisa C. McMinn ..... Austin  
Hon. Lawrence E. Meyers ..... Austin  
Toby L. Shook ..... Dallas  
Lisa M. Tanner ..... Austin  
Brian W. Wice ..... Houston

### Criminal Justice Section of the State Bar of Texas

J. Craig Jett ..... Chair  
Hon. Rose Guerra Reyna ..... Vice Chair  
Bill R. Turner ..... Chair-Elect  
Jack V. Strickland, Jr ..... Secretary/Treasurer  
Hon. L.J. Gist ..... Immediate Past Chair

### State Bar of Texas

Roland Johnson ..... President  
David Fisher ..... Chair of the Board  
Terry Tottenham ..... President-Elect  
Harper Estes ..... Immediate Past President  
Cori Harbour ..... TYLA President  
F. R. "Buck" Files, Jr. .... Chair, CLE Committee  
John Sloan ..... Chair, Board PDP Committee  
Michelle E. Hunter ..... Executive Director  
Patrick A. Nester ..... Director, TexasBarCLE

### TexasBarCLE Planning Team

Adriana Resendez ..... Sr. Program Attorney  
Michelle Townley ..... Sr. Program Coordinator

### MCLE CREDIT

**Up to 25 HOURS  
(Up to 5.25 ETHICS)  
MCLE COURSE NO: 901200424**

Applies to the College of the State Bar of Texas and the Texas Board of Legal Specialization in Criminal Law and Juvenile Law.

## Day 2 Morning Workshops

Choose One - 8:15 Opening Remarks for all morning workshops

### Track 1 **DWI Workshop** 3.5 hrs

#### **Course Director**

Randy T. Leavitt, *Austin*  
Law Offices of Randy T. Leavitt

8:30 **Voir Dire Defense Perspective** .75 hr  
J. Gary Trichter, *Houston*  
Trichter & Murphy

9:15 **Voir Dire Prosecution Perspective** .75 hr  
Ryan Charles Calvert, *Fort Worth*  
Denton County District Attorney's Office

10:00 **Break**

10:15 **"Blood Will Tell"** .75 hr  
Richard Brad Alpert, *Fort Worth*  
Tarrant County Criminal District  
Attorney's Office

11:00 **The "1903" Cross – A New  
Paradigm for 2010 Trial by DVD**  
.75 hr  
David Burrows, *Dallas*  
Attorney at Law

11:45 **Driver's License and ALR Issues** .5 hr  
Billy McNabb, *San Marcos*  
Attorney at Law

12:15 **Lunch on your own**

### Track 2 **Juvenile Workshop** 3 hrs

#### **Course Director**

Patricia J. Cummings, *Round Rock*  
Attorney and Counselor at Law

8:30 **Search and Seizure** .75 hr  
Hon. Patrick J. Garza, *San Antonio*  
Associate Judge, 386th District Court

9:15 **Plea Bargaining Sex Offender  
Registration Issues** .75 hr  
Patricia J. Cummings, *Round Rock*  
Attorney and Counselor at Law

10:00 **Break**

10:15 **Chapter 55** .75 hr  
Kevin Lloyd Collins, *San Antonio*  
Kevin Collins Attorney

11:00 **Sealing Juvenile Records** .75 hr  
Stacy L. Brownlee, *Longview*  
Hill & Brownlee

11:45 **Lunch on your own**

## Day 2 Full Day Workshop

### Track 3 (All day) **Appeals, Writs, and Extraordinary Remedies Workshop** 6 hrs

*This track will not be videotaped but an MP3  
audio recording will become available in the  
Online Classroom at TexasBarCLE.com.*

#### **Course Directors**

Lisa C. McMinn, *Austin*  
State Prosecuting Attorney

Brian W. Wice, *Houston*  
Law Offices of Brian W. Wice

8:30 **State Writs** .5 hr  
Michael F. Stauffacher, *Austin*  
Supervising Attorney, Post-Conviction  
Writs Section  
Texas Court of Criminal Appeals

9:00 **Federal Writs** .5 hr  
Richard E. Wetzel, *Austin*  
Law Office of Richard Wetzel

9:30 **Capital Writs** .5 hr  
Roe Meredith Wilson, *Houston*  
Harris County District Attorney's Office

10:00 **Break**

10:15 **Getting Your PDR Granted** .5 hr  
Lisa C. McMinn, *Austin*  
First Assistant State Prosecuting Attorney

10:45 **Original Actions and Remedies** .5 hr  
Sian R. Schilhab, *Austin*  
General Counsel, Court of  
Criminal Appeals

11:15 **Actual Innocence** .5 hr  
Gary Alan Udashen, *Dallas*  
Sorrels Udashen & Anton

11:45 **Judge's Perspective on Appellate  
Advocacy** .5 hr  
Hon. Edward C. Prado, *San Antonio*  
Judge, Fifth Circuit Court of Appeals

12:15 **Lunch on your own**

1:15 **Brief Writing** .5 hr  
James C. Ho, *Austin*  
Solicitor General of Texas  
Office of the Attorney General

1:45 **Oral Argument** .5 hr  
Josh Barrett Schaffer, *Houston*  
The Schaffer Firm

2:15 **State Appeals/Traps** .5 hr  
Hon. Terry Jennings, *Houston*  
Justice, First Court of Appeals

2:45 **Break**

3:00 **Federal Appeals/FRAP** .5 hr  
Sidney Powell, *Asheville, NC*  
Sidney Powell P.C.

3:30 **Oral Argument Goes to Hollywood:  
Movie Clips From "Reversal of  
Fortune", "Separate But Equal",  
"Gideon's Trumpet" and "Roe v.  
Wade"** .5 hr

4:00 **Adjourn**

## Day 2 Afternoon Workshops - Choose One

### **Ethics Workshop** 2 hrs ethics

#### **Course Director**

Scott A. Durfee, *Houston*  
Harris County District Attorney's Office

1:15 **Some Disciplinary Rules Changes  
for Criminal Lawyers** .5 hr ethics  
Ralph H. Brock, *Lubbock*  
Attorney at Law

1:45 **Ethical Interactions With the  
Media** .5 hr ethics  
Scott A. Durfee, *Houston*  
Assistant General Counsel  
Harris County District Attorney's  
Office

2:15 **Break**

2:30 **Anticipating and Avoiding  
Ethical Pitfalls** .5 hr ethics  
Betty Blackwell, *Austin*  
Attorney at Law

3:00 **Ethics Jeopardy** .5 hr ethics  
Denise L. Bradley, *Houston*  
Assistant District Attorney  
Harris County District Attorney's  
Office

3:30 **Adjourn**

### **Child Abuse Workshop** 2.25 hrs (.75 ethics)

#### **Course Directors**

J. Craig Jett, *Dallas*  
Burlison Pate & Gibson

Lisa M. Tanner, *Austin*  
Office of the Attorney General

1:15 **Update on Child Physical Abuse  
Cases** .75 hr ethics  
John J. Lapham, *Fort Worth*  
Associate Executive Director/Staff  
Attorney  
The Shaken Baby Alliance

2:00 **Break**

2:15 **Prosecuting and Defending Child  
Abuse Cases** 1.5 hr  
J. Craig Jett, *Dallas*  
Burlison Pate & Gibson

Lisa M. Tanner, *Austin*  
Office of the Attorney General

3:45 **Adjourn**

## Day 2 4:30 - 5:30 Taking the Legal Specialization Exam (No MCLE Credit)

#### **Moderator:**

D. Mark Elliston, *Dallas*  
Attorney at Law

Hon. Lawrence E. Meyer, *Austin*  
Judge, Texas Court of Criminal Appeals

Terrance W. Kirk, *Austin*  
Law Offices of Terry Kirk

Gary McNeil, *Austin*

Exec. Director - Texas Board of Legal Specialization

Track 4 **Federal Breakout** 5.75 hrs

*If you do not wish to register for the Advanced Course, you may register for this workshop separately. See registration form on pg. 7 for details.*

**Course Directors**

Michael P. Heiskell, *Fort Worth*  
Johnson Vaughn & Heiskell

David L. Botsford, *Austin*  
Botsford & Roark

8:30 **Federal Practice Tips** .75 hr  
Christopher A. Curtis, *Fort Worth*  
Federal Public Defender's Office

Laura Sue Harper, *Dallas*  
Federal Public Defender's Office

9:15 **Federal Jury Selection in 15 Minutes or Less** .75 hr  
David Michael Guinn, Jr., *Idalou*  
Hurley & Guinn

10:00 **Break**

10:15 **Sentencing Guidelines Update** 1 hr  
Molly L. Roth, *San Antonio*  
Assistant Federal Public Defender  
Western District of Texas

11:15 **Sentencing Memorandum** .75 hr  
Jason D. Hawkins, *Frisco*  
Federal Public Defender's Office

12:00 **Lunch on your own**

1:15 **Prosecution Trends and Perspectives** .5 hr  
Mark P. Lane, *Austin*  
U.S. Attorney's Office  
Western District of Texas

1:45 **Cross Exam of Government Informant** .75 hr  
Kent A. Schaffer, *Houston*  
Bires & Schaffer

2:30 **Break**

2:45 **Federal Defenses** .5 hr  
Henry J. Bemporad, *San Antonio*  
Federal Public Defender  
Western District of Texas

3:15 **Child Porn and the Adam Walsh Act** .75 hr  
Stanley G. Schneider, *Houston*  
Schneider & McKinney

4:00 **Adjourn**

Track 5 **Death Penalty Workshop** 6 hrs

**Course Director**

Toby L. Shook, *Dallas*  
Fitzpatrick Hagood Smith & Uhl

Hon. Robert K. Gill, *Fort Worth*  
Tarrant County District Attorney's Office

8:30 **Overview of the Law** .75 hr  
Patrick S. Metzge, *Lubbock*  
Assoc. Professor of Law, Texas Tech  
University School of Law  
Director, Criminal Defense Clinic

9:15 **Voir Dire** 1.5 hr  
**Prosecutor**  
Richard K. Rousseau, *Fort Worth*  
Tarrant County District Attorney's  
Office

**Defense**  
Kathryn M. Kase, *Houston*  
Senior Staff Attorney,  
Texas Defender Service

10:45 **Break**

11:00 **Capital Evidentiary Issues** .75 hr  
Hon. Robert K. Gill, *Fort Worth*  
Tarrant County District Attorney's  
Office

11:45 **Lunch on your own**

1:15 **Mitigation and Future Dangerousness** 1.5 hrs  
**Prosecutor**  
Tiffany Burks, *Fort Worth*  
Tarrant County District Attorney's  
Office

**Defense**  
Philip A. Wischkaemper, *Lubbock*  
Texas Criminal Defense Lawyers' As-  
sociation

2:45 **Break**

3:00 **Mental Retardation** .75 hr  
Michael B. Charlton,  
*Las Vegas, NV*  
Assistant Federal Public Defender  
District of Nevada  
Capital Habeas Unit

3:45 **Challenges to the Death Penalty Scheme** .75 hr  
John P. Niland, *Austin*  
Director, Capital Trial Project  
Texas Defender Service

4:30 **Adjourn**

6.5 hours including 2 hours ethics

8:30 **Confessions** .5 hr  
H.F. Hagen, *Denton*  
Jackson & Hagen

9:00 **Extraneous Offenses** .5 hr  
Catherine Greene Burnett, *Houston*  
Associate Dean & Professor of Law  
South Texas College of Law

9:30 **Unforeseen Consequences of Criminal Convictions** .5 hr (.25 hr ethics)  
Randy T. Leavitt, *Austin*  
Law Offices of Randy T. Leavitt

10:00 **Break**

10:15 **Cross Examination/Impeachment** .75 hr  
Mark G. Daniel, *Fort Worth*  
Evans Daniel Moore and Evans

11:00 **The Lost Art of Public Speaking** .5 hr  
Jana K. McCown, *Georgetown*  
Williamson County District  
Attorney's Office

11:30 **Preservation of Error** .5 hr  
Brian W. Wice, *Houston*  
Law Offices of Brian W. Wice

12:00 **Lunch on your own**

1:15 **Search and Seizure** .75 hr  
R. Kelly Pace, *Tyler*  
Law Office of R. Kelly Pace

2:00 **Practicing Law and Wellness: Modern Strategies for Lawyers Dealing With Anxiety, Addiction, and Depression** .75 hr ethics  
Allan K. DuBois, *San Antonio*  
Law Office of Allan K. Dubois

Thomas G. Keyser, *San Antonio*  
Attorney at Law

2:45 **Break**

3:00 **Privileges** .5 hr  
Hon. Cathy Cochran, *Austin*  
Judge, Texas Court of Criminal  
Appeals

3:30 **Brady/Exculpatory Evidence** .75 hr ethics  
Lindsey Charles Roberts,  
*Georgetown*  
Williamson County District  
Attorney's Office

4:15 **How To Avoid Claims of Ineffective Assistance of Counsel** .5 hr (.25 ethics)  
Randy Schaffer, *Houston*  
The Schaffer Firm

4:45 **Adjourn**



## Day 4

5 hours including .5 hours ethics

8:30 **Hearsay/Crawford** .5 hr

Hon. Dibrell W. Waldrip, *New Braunfels*  
Judge, 433rd Judicial District Court

9:00 **Expunctions** .5 hr

William P. Allison, *Austin*  
Professor, University of Texas School of Law

9:30 **Punishment/Sentencing/Alternative Sentencing** .5 hr

Hon. Larry J. Gist, *Beaumont*  
Judge, Drug Impact Court

10:00 **Break**

10:15 **Immigration Issues** .5 hr

Douglas M. O'Brien, *Houston*  
Moen Cain & O'Brien

Jodilyn M. Goodwin, *Harlingen*  
Law Office of Jodi Goodwin

10:45 **Technology in the Courtroom** .75 hr

Matt D. Powell, *Lubbock*  
Criminal District Attorney  
Lubbock County

11:30 **Closing Arguments** .5 hr

Tyrone C. Moncriffe, *Houston*  
Moncriffe Knowles Muharib Associates

12:00 **Lunch on your own**

1:15 **Ultimate Trial Checklist (from both sides)** .75 hr

E.G. "Gerry" Morris, *Austin*  
The Law Office of E.G. Morris

2:00 **Conflicts of Interest** .5 hr ethics

Edward L. 'Chip' Wilkinson, *Fort Worth*  
Tarrant County District Attorney's Office

2:30 **Court's Charge** .5 hr

Christopher J. Downey, *Houston*  
The Downey Law Firm

3:00 **Adjourn**

fyi

I N F O R M A T I O N

### Ways to Save on This Course!

#### Meet the "Register by" Date and Save \$50

because early registrations help us ensure that sufficient course books, seating, and refreshments are available. No confirmation will be sent. Course materials and seating will be reserved for pre-registrants until the start of the first topic.

#### Criminal Law Section Members Can Save \$75

by registering no later than the "Register by" date for that course (thereafter, save \$25); see the registration form. Not a member? To join, email [sections@texasbar.com](mailto:sections@texasbar.com) or phone 800-204-2222, x1425. Please do not send Section membership payment with your registration fee.

#### Earn Discounts by Registering Five or More

from your firm or agency. Contact Firm & Group Sales Manager Laura Angle of TexasBarSolutions at 512-250-5575 or [laura.angle@texasbar.com](mailto:laura.angle@texasbar.com).

#### State Bar Policy Manual §7.03.06 Allows Some Judges to Attend Free

provided (1) the course is directly related to their tribunal's jurisdiction, (2) they are full-time judges or judges retired under the Texas Judicial Retirement System and (3) space is available for all paying registrants. This privilege does not extend to receivers, trustees, court staff, or persons serving part-time in any judicial capacity. NOTE: Judges must actually attend to receive course materials.

#### Parking Information

is subject to change without notice and is not a guarantee of available space. Complimentary parking is available at all three seminar locations.

#### If You Need Special Accommodations to Attend,

please contact us as soon as possible at 800-204-2222, x1797.

#### Registered But Can't Attend? Still Earn Participatory Credit.

You'll automatically be sent the course materials and can also take the course online later; see "FREE TO OUR REGISTRANTS!" below. However, if you wish a refund instead, mail or fax (512-427-4111) your request so that we receive it at least one business day before the program.

#### FREE TO OUR REGISTRANTS!

#### Online Videos and MP3s of Presentations, as well as PDFs of Course Materials,

will be available to registrants 6-8 weeks after the course. Provide us your email address when registering and we'll alert you when these benefits are available and how to access them. (Note: Presentation lengths may vary from that which was advertised.) There's no extra charge; as a registrant, you're already entitled!

#### Policy of Impartiality

The State Bar of Texas does not endorse political candidates. When a candidate for public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.

**Online**

TexasBarCLE.com  
credit card only

**Phone**

800-204-2222, x1574  
during business hours  
credit card only

**Fax**

512-427-4111  
credit card only

**Mail**

State Bar of Texas - CLE  
LB #972298  
P. O. Box 972298  
Dallas, TX 75397-2298  
check or credit card

**Registering**

**five or more?**  
Email Laura Angle at  
laura.angle@texasbar.com  
for group discount  
information.

Save up to **\$75!**

**Advanced Criminal Law Course & Criminal Law 101**

**1 Here are my choices:**

**Advanced Criminal Law Course** [5015]

San Antonio LIVE, July 26-29 ..... \$695

**Take \$50 off:** Register by **July 12**  
**WELCOMING SOCIAL AT THIS SITE ONLY**

Dallas VIDEO, September 22-24 ..... \$545

**Take \$50 off:** Register by **September 8**

Houston VIDEO, October 6-8 ..... \$545

**Take \$50 off:** Register by **September 22**

**Criminal Law 101** [5016]

(No discounts under #3 apply)

San Antonio LIVE, July 25 ..... \$125

Dallas VIDEO, September 21 ..... \$95

Houston VIDEO, October 5 ..... \$95

**Federal Workshop ONLY**

Registration for the Advanced Course includes this workshop.

No discounts apply to workshop registration.

San Antonio LIVE, July 27 ..... \$125

Dallas VIDEO, September 23 ..... \$125

Houston VIDEO, October 7 ..... \$125

**2 I want my Advanced Course materials to be:**

Electronic (PDFs on a USB drive)

Hard-copy (2 notebooks)

BOTH so I'll add \$140

**3 I am entitled to 1 or 2 discounts on the Advanced Course:**

**\$50 OFF** because I'm registering by the *Early Registration Deadline*. (If by mail, date of postmark will be determinative.)

**\$25 OFF** because I'm a member of the Criminal Justice Section, State Bar College, State Bar Legal Administrators, Legal Assistants Division -OR- licensed 2 years or less.

**\$ \_\_\_\_\_ is my total for the course and materials.**

**As a judge, I AFFIRM I qualify under §7.03.06 (State Bar Policy Manual) for complimentary admission (see pg 6.)**

**4 I can't attend. Just send course materials.\* FREE Shipping & Handling**

Advanced Course book . . . . \$280 per set<sup>†</sup>

Advanced Course USB Drive \$280 each<sup>†</sup>

Criminal Law 101 book . . . . \$45 each<sup>†</sup>

For information on audio CDs of the course topics, contact our DVD CLE service at 800-204-2222, x1575. MP3 files of the course topics will be downloadable from the Online Classroom at TexasBarCLE.com 6-8 weeks after the course.

**5 I am paying by:**

Check (enclosed) payable to the State Bar of Texas for \$ \_\_\_\_\_

Visa     MasterCard     AMEX     Discover

Account No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Name on card (Please print) \_\_\_\_\_

Signature \_\_\_\_\_

**State Bar Membership No.** \_\_\_\_\_

Name \_\_\_\_\_ Badge Name \_\_\_\_\_

Firm Name/Court \_\_\_\_\_

Address for Bar-Related Mail \_\_\_\_\_

City/State \_\_\_\_\_ Zip \_\_\_\_\_

Phone (    ) \_\_\_\_\_ Fax (    ) \_\_\_\_\_

E-Mail: \_\_\_\_\_

*\*PDFs of course materials will be available for purchase 6-8 weeks after the course in the Online Library at TexasBarCLE.com. Registrants receive access to the PDFs at no additional charge (see "Free to Our Registrants" in this brochure).*

*†Plus 8.25% sales tax on total. Please include sales tax or attach an exemption certificate. Book and USB orders are shipped separately and filled 4-6 weeks after the live program. A bill will be sent unless a credit card charge is authorized on this form.*

**QUESTIONS?**  
800-204-2222, x1574 • 512-427-1574

State Bar of Texas  
P. O. Box 12487  
Austin, TX 78711-2487

### 36th Annual Advanced Criminal Law Course

LIVE July 26-29, 2010 San Antonio  
VIDEO September 22-24, 2010 Dallas  
VIDEO October 6-8, 2010 Houston

NON PROFIT ORGANIZATION  
U.S. POSTAGE  
**PAID**  
PERMIT NO. 1804  
AUSTIN, TEXAS

## Reserve Your Hotel Room Early

Hotel rooms have been blocked at special rates on a space-available basis. To make a reservation, contact the hotel and indicate that you will be attending this State Bar of Texas course.



### **San Antonio LIVE**

#### **J.W. Marriott Resort & Spa**

23808 Resort Parkway  
San Antonio, TX 78261  
Phone: (800) 266-9432  
\$185 for a single or double room  
Deadline: June 25th\*



### **Dallas VIDEO**

#### **Doubletree Campbell Centre**

8250 N. Central Expwy.  
Dallas, TX 75206  
Phone: (214) 691-8700  
\$117 for a single room  
Ask for the State Bar Corporate  
Rate - Corporate Code: STB



### **Houston VIDEO**

#### **Crowne Plaza Hotel – Houston River Oaks**

2712 Southwest Freeway  
Houston, TX 77098  
Phone: (713) 523-8448  
\$99 for a single or double room  
Deadline: September 21st\*

\*The reserved block of rooms may fill up before the deadline. **Act now!**