

MONTANA PUBLIC DEFENDER STATEWIDE CONFERENCE
Best Western Yellowstone Inn, Livingston, Montana

Wednesday, October 10:

Sign-In, Lunch, Welcome (Noon – 1:00)

1st PM Session (1:00 – 2:00): *Overview of the Montana Forensic Division*

(***Julie Long*** is Quality Manager for the Montana Crime Lab.)

2nd PM Session (2:00 – 3:00): *2006-2007 Supreme Court Criminal Case Law Update*

(Former district judge ***Jim Wheelis*** is the Chief Appellate Defender for Montana.)

BREAK (3:00 – 3:15)

2nd PM Session (3:15 – 4:15)

Breakout A: Post Conviction & Sentence Review (***Eric Olson & Ed Sheehy***)

Breakout B: DN Update (***Valerie Cairns & Lee McKenna***)

Breakout C: Mental Health Law Update (***Kelly Sather & Laura Wendlandt***)

Evening Session (7:00 – 9:00)

Movie – “*Murder on a Sunday Morning*”

This film about a juvenile charged with capital murder in Florida won the Academy Award for Best Documentary in 2001.

Thursday, October 11:

1st AM Session (8:00 – 9:15): *Direct Examination of the Forensic Expert Witness*

BREAK (9:15 – 9:30)

2nd AM Session (9:30 – 10:45) *Cross Examination of the Forensic Expert Witness*

(***Tom Bennett, M.D.*** is a forensic pathologist who lives in Billings. He regularly lectures and testifies regarding in forensic related matters in Montana and nationwide.)

BREAK (10:30 – 11:00)

2nd AM Session (11:00– 12:15) *The Current State of Disarray in Forensics*

(**Michael N. Burt** is a certified criminal specialist in private practice in San Francisco, California and an attorney with the Mexican Capital Case Legal Assistance Program. Prior to entering private practice in January 2003, he was head trial attorney with the San Francisco Public Defender's Office where he practiced for over 24 years. He has specialized in the defense of capital cases for the past 18 years, with an emphasis on forensic science issues. In 1998, he litigated a multi-defendant DNA challenge which resulted in the first successful challenge to STR DNA testing in the country. Although his main focus has been at the trial level, he has also represented capital defendants in post-conviction proceedings and served as a *Strickland* expert in many state and federal courts. He is the editor-in-chief of the California Death Penalty Defense Manual and he lectures throughout the country on all aspects of capital case defense and forensic science issues.)

AFTERNOON OPEN FOR SOCIAL ACTIVITIES

Evening Session: 6:30 (Social Hour / Dinner / Program)

Friday, October 12:

1st AM Session (8:15 – 9:15)

Conducting a Professionally Responsible Criminal Defense Practice

Jim Taylor is a member of the international Association of Professional Responsibility Lawyers. He is also Chairman of the Montana Public Defender Commission.

2nd AM Session (9:30– Noon)

False Confessions

Pat McGuinness and **Ann Finnell** are criminal defense lawyers working for the Duval County (Jacksonville), Florida, Office of the Public Defender. Their work in defense of 15-year old Brenton Butler is the subject of the documentary film “*Murder on a Sunday Morning*.” In a recent phone conversation Pat advised that his office is currently handling 15 capital cases. Their office (“around 70 attorneys”) serves a resident population of nearly 1.2 million. Pat and Ann have spent their entire adult professional careers working as public defenders.

LUNCH (12:00 – 1:00)

1ST PM Session (1:00 – 2:00)

- Breakout D: Lower court practice & procedure (**Dan Minnis & J.P. Yunck**)
- Breakout E: Trial practice (Making a record) (**Joslyn Hunt & Randi Hood**)
- Breakout F: Jury Instruction workshop (I) (**Olson, Spencer & Avery**)
- Breakout G: Investigators (I)

2nd PM Session (2:05 – 3:05)

- Breakout H: Defending marijuana cases / medical marijuana update (*Tom Daubert*)
- Breakout I: Juvenile Law Update (*Betty Carlson*)
- Breakout J: Jury Instruction workshop (II) (*Olson, Spencer & Avery*)
- Breakout K: Investigators (II)