

OFFICE OF THE DEFENDER GENERAL  
2008 GREEN MOUNTAIN JUVENILE AND  
CRIMINAL DEFENSE INSTITUTE  
JUNE 11, 12 and 13, 2008

Co-Sponsored by the Office of the Federal Defender, the Vermont Bar Association, and  
the Vermont Association of Criminal Defense Lawyers  
THE INN AT ESSEX, 70 ESSEX WAY, ESSEX JCT., VT 05452

**Directions**

- **From the North:** I-89 south to Exit 17. Turn left off of the exit ramp, then right at the lights onto Rt. 7 south. 3 miles to Rt. 2-A. Rt. 2-A South to VT-289 east. Two miles on VT-289 east to Exit 10, then right onto Essex Way.
- **From the South:** North on I-89 to Exit 11. At stop sign, turn hard right onto Rt. 117. Rt. 117 5.8 miles to VT-289 West. Two miles on VT-289 to Exit 10, turn left onto Essex Way.

WEDNESDAY, JUNE 11, 2008

MINI-TRIAL SCHOOL-All Day (by invitation only)

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JUVENILE LAW SEMINAR-All Day (mandatory for all public defenders, public defender contractors and assigned counsel contractors practicing juvenile law - open to all others)

9:00-10:30 *Chapter 55 – What’s New? And How It Affects Your Practice.* 1.5 CLE  
Bob Sheil, Judge Davenport, Kate Piper and Pam Marsh will explain the changes to the new law.

10:30-10:45 Break

10:45-12:00 *Chapter 55 continued.* 1.25 CLE

12:00-1:15 Lunch

1:15-2:45 *The YASI – A New Youth Assessment Tool in Juvenile Court: Pros and Cons.* Kate Lucier, Juvenile Justice Specialist 1.5 CLE

2:45-3:00 Break

3:00-4:30 *When Cross-Cultural Issues are at the Center of a Case – Overcoming Barriers When Working with Children and Parents.* 1.5 CLE  
May Shogan, of the International Institute of Buffalo, will discuss effective ways to work with a language interpreter and provide guidance on building trust with a client. Discussion of different cultural norms relating to marriage, child rearing, domestic violence, drinking, and attitudes towards the criminal justice system that can adversely affect your client will also be reviewed, with a particular focus on clients from Bosnia, Vietnam, and East Africa.

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THURSDAY, JUNE 12, 2008

8:30-9:00 Registration and coffee  
9:00-9:15 Welcome and Remarks - Matt Valerio

9:15-10:15 TWO TRACKS

**TRACK A:** *Creative Challenges to the Exploitation of Routine Traffic Stops.* 1.0 CLE

David Silver, Frank Twarog and Matt Harnett present several creative strategies to attack the “fishing for crime” exploitation of a routine traffic stop.

**TRACK B:** *Fighting Substantiation of Juveniles as Sex Offenders.* 1.0 CLE

Bob Sheil and Pam Marsh will discuss how to win these important cases.

10:15-10:30 Break

10:30-12:15 TWO TRACKS

**TRACK A:** *Witnesses: Vision and Memory - Seeing What They Expect to See and Missing What They Don't.* 1.75 CLE

Dr. Tse, Professor, Department of Psychological and Brain Sciences, Dartmouth College, will show us the science of vision and memory - and how witnesses' testimony can be unreliable.

**TRACK B:** *Mental Disabilities in Family Court: A Two-Edged Sword.* 1.75 CLE

Barb Prine from the Developmental Disabilities Law Project and A.J. Ruben from Protection and Advocacy will discuss the pros and cons of raising disability issues in Family Court and what laws apply.

12:15-1:15 Lunch

1:15-3:15 THREE TRACKS

**TRACK A:** *Beware the Consequences of a State Court Plea: Federal Charges May Await.* 2.0 CLE

Michael L. Desautels, Federal Public Defender and Elizabeth D. Mann, Assistant Federal Defender

**TRACK B:** *Talking About Risk: How to Protect Your Client from Bad Risk Assessments in Sentencing.* 2.0 CLE

Dr. Tom Powell, former Director of Clinical Programs for DOC, will show us the science of the risk assessment tools DOC uses and how to protect our clients in sentencing.

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**TRACK C: Representing Kids with Serious Charges, Winning Transfer Motions and Sentencing.** Dr. Marty Beyer, a nationally known expert in Juvenile law and psychology and Kerry DeWolfe will present strategies for winning transfer motions and effective sentencing of juveniles in adult court. **2.00 CLE**

**3:15-3:30 Break**

**3:30-5:00 FOUR TRACKS**

**TRACK A: Should I Say More Than “No Comment?” - Managing the Media to Help Your Client Without Violating Any Ethical Rules.** Traci Griffith, Notre Dame Law School graduate and journalism professor will advise us on how to deal with the media. **1.5 CLE**

**TRACK B: Ask the Expert: Bring Your Cases.** Dr. Thomas Powell answers your questions about the risk assessments in your cases. **1.5 CLE**

**TRACK C: Effective Cross-Cultural Communications with Clients and Witnesses.** May Shogan, of the International Institute of Buffalo, Hussein Liban, of the Burlington Housing Authority, and Patrick Giantonio, of the Vermont Refugee Assistance & the Vermont Immigration Project will present cross-cultural considerations when communicating with clients from another country, with a particular focus on clients from Bosnia, Vietnam, Sudan, Somalia, Democratic Republic of the Congo, and Burundi. **1.5 CLE**

**TRACK D: Disposition Reports and Hearings: Effective Advocacy.** Experienced lawyers present strategies for winning at disposition. **1.5 CLE**

**5:00 VTACDL MEETING**

**6:00 Cocktail hour and BBQ**

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FRIDAY, JUNE 13, 2008

9:00-10:30 *United States and Vermont Supreme Courts in Review.* Bill Nelson, Anna Saxman, Rebecca Turner, Allison Fulcher 1.5 CLE

9:00-10:30 *Investigator Seminar.* TBA.

10:30-10:45 Break

10:45-12:00 TWO TRACKS

TRACK A: *Competency to Fire Your Lawyer – How Many Times?* 1.25 CLE

Judge Karen Carroll and Matt Valerio discuss the legal and practical implications of these difficult issues.

TRACK B: *Fighting the Use of Police “Expert” Testimony in Domestic Violence Cases.* Dan Albert and others will present ideas on how to stop this trend. 1.25 CLE

10:45-12:00 *Investigator Seminar continued.*

12:00-1:00 Lunch

1:00-3:30 *Ethics* –Michael Kennedy, Counsel to the Professional Responsibility Board, Bud Allen III and Bob Sheil return to provide guidance in the ethical representation of our clients. 2.5 ETHICS CLE

1:00-3:30 *Investigator Roundtable.* TBA.