

2020 FEDERAL CRIMINAL DEFENSE PRACTICE SPRING SEMINAR
EASTERN DISTRICT OF NORTH CAROLINA
Via Live Stream from the McKimmon Center

AGENDA

Friday, August 21, 2020

- 9:00-10:00 EFFECTIVE USE OF COURTROOM TECHNOLOGY IN THE EDNC**
Kelly Dagger, Attorney, Ellis & Winters, LLP, Raleigh North Carolina
My presentation will cover the use of courtroom technology in the EDNC, focusing on the electronic evidence presentation system. We will cover the following topics: (1) what technology is available in our courtrooms; (2) advantages of using the electronic evidence presentation system; (3) examples of how to use the system for documentary exhibits, audio, and video recordings; (4) how to plan for using the system, including training and preparation of evidence; and (5) best practices. This presentation is geared toward encouraging lawyers to embrace technology in the courtroom, invest the time necessary to use the technology, and become self-reliant. Effective use of courtroom technology enables lawyers to present evidence more persuasively and reduces the burden and expense of organizing, printing, and transporting numerous hard copies of exhibits.
(1.0 Technology Credit Hour)
- 10:00-10:10 BREAK**
- 10:10-11:10 FIGHTING ILLEGAL RE-ENTRY PROSECUTIONS WITH MOTIONS TO SUPPRESS**
James “Jay” Todd, Assistant Federal Public Defender, Eastern District of North Carolina
In this session, you will learn how to exclude identity evidence and immigration records in an illegal re-entry prosecution. Different scenarios will be reviewed and the speaker will share his lessons learned from challenging these arrests and prosecutions.
(1.0 General Credit Hour)
- 11:15-12:15 FOURTH CIRCUIT UPDATES**
Jenny Leisten, Assistant Federal Public Defender, Eastern District of North Carolina
Eric Brignac, Chief Appellate Attorney, Eastern District of North Carolina
The Fourth Circuit and Supreme Court update highlights relevant appellate criminal law decisions published between September 2019 and June 2020, with guidance to practitioners as to how these decisions may be used to benefit clients. We will also preview cases of note coming before the Supreme Court in the October term.
(1.0 General Credit Hour)
- 12:15-1:30 LUNCH BREAK**

- 1:30-2:30 **RELEASE ME: STATUTORY AND FACT-BASED STRATEGIES FOR PRETRIAL RELEASE**
Jaclyn Tarlton, Assistant Federal Public Defender, FPD, Raleigh, NC
Joseph L. Ross, II, Assistant Federal Public Defender, FPD, Raleigh, NC
Our district is steeped in a culture of detention. But the Bail Reform Act contemplates a presumption of pretrial release in most cases. In this presentation, we will explore statutory arguments that are getting traction nationwide as well as fact-based arguments that may encourage the court to release your client on his own recognizance or on conditions. This presentation has been updated to include arguments and strategies related to the COVID-19 pandemic.
(1.0 General Credit Hour)
- 2:30-2:45 **BREAK**
- 2:45-3:45 **COMPETENCY ISSUES IN FEDERAL CRIMINAL CASES**
Diana Pereira, Assistant Federal Public Defender, Eastern District of North Carolina
Dr. Katayoun Tabrizi, Clinical Associate, Duke Psychiatry & Behavioral Sciences, Durham, North Carolina
This session will help you learn how to assist properly in your client's defense when your client does not understand the nature and consequences of the proceedings against him. You will also learn how competency evaluations are conducted and what is available to your client to have competency restored.
(1.0 General Credit Hour)

****CLE 4.0 General CLE and 1.0 Technology CLE hours****