

Crafting Detailed Time Narratives—EDNC Panel Seminar October 27, 2023

Action	Object	Purpose
<u>Planning</u> • Plan • Outline • Organize • Develop • Prepare for • Strategize	• Defense strategy with respect to _____ • Next steps toward _____ • Action items regarding _____ • Argument for/on _____	• In order to select likely witnesses to call at detention hearing • In connection with potential motion to suppress evidence obtained in violation of the Fourth Amendment • In effort to convince the U.S. Attorney's Office to modify plea offer • Potential motions in limine to exclude evidence on Confrontation Clause grounds
<u>Research</u> • Research • Conduct legal analysis • Perform legal analysis • Investigate	• Legal issues pertaining to _____ • Key legal authorities regarding _____ • Most persuasive precedents supporting _____ • Fourth Circuit case law analyzing _____ • Out-of-circuit cases addressing _____ • Statutes relevant to _____ • Guidelines applicable to _____ • Factual issues that may inform defense strategy, including _____ • Mitigation evidence, including _____	• To identify best argument that Hobbs Act robbery is not a crime of violence • In order to anticipate and be prepared for likely evidentiary objections at trial • In connection with preparation of Guidelines estimate • In furtherance of determining potential defenses to present at trial • As necessary to advise client on likely sentencing outcomes
<u>Writing</u> • Draft • Write • Revise • Edit • Update • Supplement • Summarize	• Motion to/for _____ • Brief in support of _____ • Outline for hearing on _____ • File memorandum summarizing/memorializing _____ • Letter to _____	• Emphasizing _____ • Focusing on _____ • Addressing issues raised in Government's brief, including _____ • Incorporating additional legal authorities to show that _____ • Including statement of facts and portions of legal argument

Action	Object	Purpose
<u>Consultation</u> • Consult with • Confer with • Call to/from/with • Meet with • Discuss with • Interview	• Ms. ____ (client) • [name], potential fact witness • [name], third-party custodian candidate • AUSA _____ • USPO _____ • [name], DNA expert	• To advise on potential trial defenses • To obtain background information about Ms. ____ relevant to sentencing • Regarding objections to draft presentence report • Regarding impressions from review of laboratory reports • To negotiate possible plea terms
<u>Court</u> Appear for, argue, represent [client] in court	• Arraignment, resulting in continuance • Hearing on motion to suppress evidence • Detention hearing • Jury trial, including opening statements and continuation of government's evidence	