

Below is the agenda for the
JUNE 2008
PARALEGAL & INVESTIGATOR SKILLS WORKSHOP

To view written materials produced in conjunction with a particular session at the seminar, click on the [blue link](#) to that agenda item.

Please note that the absence of a link for a specific session indicates that the presenter did not provide any written materials for that session.

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**ADMINISTRATIVE OFFICE OF THE U.S. COURTS
OFFICE OF DEFENDER SERVICES TRAINING BRANCH**

**PARALEGAL AND INVESTIGATOR SKILLS WORKSHOP:
A TEAM APPROACH TO CRIMINAL DEFENSE**

BOSTON, MASSACHUSETTS

Hyatt Regency Hotel

June 26-28, 2008

Final Agenda

Thursday, June 26

7:30-8:30 a.m. **Registration & Continental Breakfast** *Atrium Foyer*

8:30-8:40 a.m. **Welcome and Introduction to Workshop** *Marquis Ballroom*
Miriam Conrad, Federal Public Defender, D. MA
Victoria Bonilla-Argudo, CJA Panel Attorney Representative, D. MA
Lisa Porcari, Attorney-Advisor, Office of Defender Services, Administrative
Office of U.S. Courts, Washington, DC

8:40-9:40 a.m. **Defense Team Roles & Developing an Investigative/Organizational Plan**
Marquis Ballroom
Sean Broderick, National Litigation Support Administrator, Office of Defender
Services, Administrative Office of U.S. Courts (Oakland, CA)
Madeline Larsen, Investigator, Office of the Federal Public Defender, N.D. CA
(Oakland)
Ronald Tyler, Assistant Federal Public Defender, N.D. CA (San Francisco)

This session will address a team approach to defending a case; the different roles paralegals and investigators can play; and the importance of developing investigative and organizational plans at the outset of each case. More specifically, we will discuss how to define success as a defense team; the different responsibilities a paralegal and investigator may have in ensuring success; how paralegals, investigators and attorneys work together effectively; and identifying key issues that must be addressed in order for the defense team to proceed with any case from both the trial and sentencing perspectives.

9:40-10:40 a.m.

Locating Witnesses, Records and Relevant Documents

Marquis Ballroom

Kevin Tate, Assistant Federal Defender, Federal Defenders of North Carolina, Charlotte, NC

This session will address the most effective methods for locating witnesses and documents that are key to the defense case or relevant to mitigation, as well as how to compile the criminal record of a witness or client. The session will cover traditional methods of finding witnesses and documents, and will also address effective uses of popular internet locator tools.

10:40-10:50 a.m.

Break

**10:50 a.m.-
12:50 p.m.**

Small Group Sessions: Creating an Investigative/Organizational Plan and Locating Documents, Records and Witnesses

Small Group Facilitators (listed at end of agenda) and Room Locations will be posted at the Office of Defender Services Training Branch registration Desk

Participants meet with their small group facilitators to brainstorm methods for identifying and locating key documents, witnesses and records in the model case and to create an investigative/organizational plan.

12:50-2:15 p.m.

Lunch (on your own)

2:15-3:15 p.m.

Analyzing Documents

Marquis Ballroom

Rebecca Estep, Paralegal Specialist, Office of the Federal Public Defender, N.D. CA (Oakland)

Pamela Bishop, Paralegal Investigator, Office of the Federal Public Defender, E.D. VA (Richmond)

In this session we will discuss approaches to analyzing documents that are typically found in many federal cases. We will address analysis in the context of both the defense case and sentencing mitigation.

3:15-3:30 p.m.

Break

- 3:30-5:30 p.m.** **Small Group Sessions: Analyzing Documents**
Small Group Facilitators (listed at end of agenda) and Room Locations will be posted at the Office of Defender Services Training Branch registration Desk
- Participants meet with their small group facilitators to analyze a set of documents selected from the model case and discuss the results of their analysis, such as the development of new investigative leads, and any potential impact on the theory of defense or mitigation.
- 5:30 p.m.** **Adjourn for the day**
- Friday, June 27**
- 8:00-9:00 a.m.** **Continental Breakfast** *Atrium Foyer*
- 9:00-10:00 a.m.** **Interviewing Witnesses**
Marquis Ballroom
Nancy Pemberton, Esq., Private Investigator, Pemberton & Associates, San Francisco, CA
- This session will cover strategies for interviewing different types of witnesses, including friendly, neutral and hostile fact witnesses. It will also address interviewing mitigation witnesses. The presentation will touch on consideration of cultural differences, use of interpreters, and note-taking.
- 10:00-10:15 a.m.** **Break**
- 10:15 a.m.-
12:15 p.m.** **Small Group Sessions: Interviewing Skills**
Small Group Facilitators (listed at end of agenda) and Room Locations will be posted at the Office of Defender Services Training Branch registration Desk
- Participants meet with their small group facilitators to practice their interviewing skills using several witnesses identified in the model case.
- 12:15-1:45 p.m.** **Lunch (on your own)**

1:45-4:15 p.m.

Using Technology to Understand, Manage & Develop Information

Concurrent Breakouts: Participants must attend the session for which they signed up in advance of the program.

(1) Techniques in Electronic Case Management

Berkshire

Sean Broderick, National Litigation Support Administrator, Office of Defender Services, Administrative Office of U.S. Courts (Oakland, CA)

Ronald Tyler, Assistant Federal Public Defender, N.D. CA (San Francisco)

This session will focus on the primary uses of Adobe, ISYS, TimeMap, and CaseMap, in emphasizing how electronic case management can aid the defense. Through a combination of demonstration and hands-on use participants will learn how these programs can create searchable data and chronologies.

(2) Use of Diagramming & Timelines for Case Analysis & Development

Quincy

Nora Steele, Paralegal Specialist, Office of the Federal Public Defender, D. AZ (Phoenix)

Jan Kullberg, Paralegal, Office of the Federal Public Defender, D. AZ (Phoenix)

In this session, participants will discover how to use diagrams as a means to quickly and efficiently organize and summarize key facts and players for use throughout their case. Such uses include: thoroughly preparing for initial client meetings; developing compelling defense and mitigation theories; assisting the attorney in quickly gaining knowledge of the case; and developing leads for the defense team. In addition to showing examples of diagrams created in Word, PowerPoint, Analyst's Notebook and Visio, the presenters will demonstrate how Visio 2007 operates, using the facts from the model case. Participants will also have an opportunity for hands-on use of Visio 2007.

(3) Uses of PowerPoint in Defense Work

Rockport

Pamela VanderMeer, Paralegal Specialist, Office of the Federal Public Defender, W.D. MI (Grand Rapids)

This session will focus on the many ways PowerPoint can aid in an understanding of facts and concepts in a given case. The session will include a brief presentation on the effectiveness of using PowerPoint in court and out of court, followed by hands-on use of PowerPoint in creating a presentation, using the facts of the model case, for a defense team meeting with the client in preparation for trial. A combination of basic and advanced PowerPoint functions will be covered.

(4) Techniques in Online Investigation

Marquis Ballroom

Jonathan Lyon, Investigator

Through a combination of lecture and interactive discussion, based in part on the model case, this session will teach participants techniques for using the internet as an investigative aid. The participants will learn a better way of using search engines to get results that are more relevant, and less daunting in number. The introduction of a metasearch engine and the new technology of clustering will be discussed. The session will also touch on issues related to the use of social networking sites.

4:15-4:30 p.m.

Break

4:30-5:30 p.m.

Writing Skills

Concurrent Breakouts: Participants must attend the session for which they signed up in advance of the program.

(1) Drafting Declarations and Reports

Marquis Ballroom

Alicia Hutton, Investigator, Office of the Federal Public Defender, D. MA (Boston)

This presentation will discuss how to ensure that your reports are clear and concise, and review the essentials in constructing declarations. It will also address discovery rules and how they impact decisions regarding when/how to memorialize information obtained during investigations.

(2) Persuasive Writing

Rockport

Ronald Tyler, Assistant Federal Public Defender, N.D. CA (San Francisco)

This presentation will discuss the principles of persuasive writing, preparing participants to apply these principles to writing briefs, motions, sentencing memos and other similar documents. Particular emphasis will be on sentencing memos.

5:30 p.m.

Adjourn for the Day

Saturday, June 28

8:00-8:30 a.m. **Continental Breakfast** *Atrium Foyer*

8:30-10:30 a.m. **Small Group Sessions: Writing Skills**
Small Group Facilitators (listed at end of agenda) and Room Locations will be posted at the Office of Defender Services Training Branch registration Desk

Participants meet with their small group facilitators to write part of a declaration, report, or sentencing memo, based on the facts of the model case.

10:30-10:45 a.m. **Break**

10:45-11:45 a.m. **Ethical Dilemmas for the Criminal Defense Team: Panel Presentation**

Marquis Ballroom

Daniel Stiller, Executive Director, Federal Defender Services of Wisconsin, Inc.
Jan Kullberg, Paralegal, Office of the Federal Public Defender, D. AZ (Phoenix)
Martin Richey, Assistant Federal Public Defender, D. MA (Boston)
Fredrick Anderson, Chief Investigator, Office of the Federal Public Defender, N.D. CA (San Francisco)

Based in part on examples of ethical issues that have arisen during the course of this workshop, we will discuss approaches to resolving the common ethical dilemmas that defense teams are likely to confront.

11:45-11:55 a.m. **Closing Remarks**
Marquis Ballroom

11:55 a.m. **Adjourn**