

CAPITAL DEFENSE TRAINING PROGRAM ANNOUNCEMENT

Phoenix School of Law, Phoenix, AZ

March 15-17, 2012



The National Association of Criminal Defense Lawyers (NACDL), with the National Consortium for Capital Defense Training, announce a "Bring-Your-Own-Case" CAPITAL DEFENSE TRAINING for capital defense practitioners in Arizona and California, on March 15-17, 2012, at Phoenix School of Law in Phoenix, AZ.

The costs of registration, materials, travel, and lodging accommodations are covered by the grant, making the training **FREE of charge to approved participants.**

PROGRAM DETAILS:

Attendance is limited to defense practitioners with a pending state capital trial case. At least two members of the trial case team (attorney and mitigation specialist; attorney and investigator; co-counsel, etc.) must attend together. (Additional members of the team can also attend). Without exception, all participants are expected to attend all sessions and to fill out post-training evaluation forms.

The training will include approximately 35 participants who will work closely with faculty in large group plenary sessions and small group workshops utilizing a client-centered approach. Using the ABA Guidelines for Appointment and Performance of Defense Counsel in Death Penalty Cases and the Supplementary Guidelines for the Mitigation Function of Defense Teams in Death Penalty Cases, the primary focus will be on developing a theory for life.

Topics to be addressed in the training will include brainstorming the case, effective teamwork, investigation and presentation of mitigation evidence, integrating the guilt-innocence and penalty phases, mental health issues, race and culture on the team and in the case, plea negotiation and settlement, and obtaining adequate time and resources for effective representation. Because of time constraints, the curriculum will not include coverage of capital jury selection or extensive guilt-innocence phase issues. A preliminary agenda is attached.

Confirmed Faculty Includes: Chris Adams, Scharlette Holdman, John Holdridge, Denny LeBoeuf, Jennifer Friedman, Linda Mroz, Odalys Rojas, Natman Schaye, Raoul Schonemann, Craig Washington, Kathy Wayland, and a mental health professional, among others.

This training is funded by a grant from the United States Bureau of Justice Assistance, an agency of the United States Department of Justice. We hope you are able to take advantage of this unique, intensive opportunity. **Apply soon as space is limited.**

To submit an application / register, please complete the attached documents and email to:

John Holdridge, Capital Defense Training Counsel

National Consortium for Capital Defense Training

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Feel free to forward this announcement to individual attorneys who might be interested in attending the program.

PROGRAM AGENDA

THURSDAY, MARCH 15, 2012

- 8:00 – 8:30 AM Registration
- 8:30 – 9:00 AM **WELCOME & INTRODUCTORY REMARKS**
John Holdridge, National Consortium for Capital Defense Training
- 9:00 – 10:30 AM **EXACTLY HOW DEATH IS DIFFERENT – IT’S MORE THAN A MURDER CASE ON STEROIDS (USING THE ABA GUIDELINES TO MEET THE STANDARD OF CARE IN DEATH PENALTY CASES *and* SOCIAL HISTORY INVESTIGATION – THE TEAM APPROACH)**
- 10:30 AM BREAK
- 10:45 – 12:45 PM SMALL GROUPS SESSION I - **BRAINSTORMING THE FACTS OF YOUR CASE**
- 12:45 – 2:00 PM Lunch
- 2:00 – 3:00 PM **UNDERSTANDING TRAUMA ISSUES IN CAPITAL CASES**
- 3:00 – 4:00 PM **IDENTIFYING SIGNS AND SYMPTOMS OF MENTAL HEALTH PROBLEMS AND THINKING ABOUT PSYCHOLOGICAL EVALUATIONS IN CAPITAL CASES - TBA *Mental Health Professional***
- 4:00 PM Break
- 4:45 – 6:45 PM SMALL GROUPS SESSION II - **BRAINSTORMING TRAUMA & MENTAL HEALTH ISSUES IN YOUR CASE**

FRIDAY, MARCH 16, 2012

- 9:00 - 10:00 AM **RACE AND CULTURE ON THE TEAM AND IN THE CASE – TBA *Mental Health Professional***
- 10:00 – 11:00 AM **LIFE AFTER A PLEA --THE ETHICS OF THINKING ABOUT A PLEA: IT’S NEVER TOO EARLY**
- 11:00 AM Break
- 11:45 – 12:45 PM SMALL GROUPS SESSION III - **BRAINSTORMING RACE AND CULTURE ISSUES IN YOUR CASE AND OBTAINING A PLEA**
- 12:45 – 2:00 PM Lunch
- 2:00 – 3:00 PM SMALL GROUPS SESSION III (continued) - **BRAINSTORMING RACE AND CULTURE ISSUES IN YOUR CASE AND OBTAINING A PLEA**
- 3:00 – 4:00 PM **PRESERVING ERROR IN CAPITAL CASES**
- 4:00 – 5:30 PM **DEALING WITH SUBSTANCE ABUSE, VICTIM IMPACT EVIDENCE, AN ANTI-SOCIAL PERSONALITY DISORDER DIAGNOSIS, AND OTHER THORNS IN THE SIDE**
- 5:30 PM **MITIGATION SPECIALIST AND INVESTIGATOR STRATEGY SESSION**

SATURDAY, MARCH 17, 2012

9:00 – 10:30 AM **DEVELOPING YOUR THEORY FOR LIFE**

10:30 - 12:30 PM **SMALL GROUPS SESSION I V - BRAINSTORMING THEMES AND THEORY OF THE CASE**

12:30 PM **CLOSING REMARKS**

Application & Case Summary Below

CAPITAL DEFENSE TRAINING

Phoenix, Arizona
March 15-17, 2012

APPLICATION / REGISTRATION FORM*

Email completed application to: holdridgejohn@gmail.com

1)Name _____

2)Title/Position _____

3)Check one: Attorney Mitigation Specialist/Investigator Fact Investigator
 Other; describe role in case _____

4)Are you in a solo practice? _____ private group practice? _____ public defender? _____

5)Office _____

6)Address _____

7)Phone _____ Fax _____ email _____

CONFIDENTIALITY OATH

Any and all discussions of ideas and strategy amongst attorneys and other defense professionals during this training are protected under the work product doctrine.

All disclosures made during the course of the training, including my own, are made by counsel and other defense team members as reasonably necessary for the effective representation of the capital client, in furtherance of the representation of the client, and done with the client's authorization. These disclosures are intended to be confidential and are protected under the attorney-client privilege. Any unauthorized disclosure of this information constitutes a breach of the duty of counsel and other defense team members to maintain the confidentiality of the client.

I understand the circumstances under which these discussions and disclosures are made and will maintain their confidentiality.

I swear I am not affiliated with any prosecution office or entity.

Signed _____

Date _____

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CONFIDENTIAL CASE INFORMATION FORM*

PRIVILEGED AND CONFIDENTIAL

Please complete and e-mail to: holdridgejohn@gmail.com

Please provide information about the pending state capital case on which you intend to work during the training. **Each team member attending must complete a separate form.**

1) Your name _____ Years in capital defense practice _____

2) Check one: ___ Attorney ___ Mitigation Specialist/Investigator ___ Fact Investigator
___ Other; describe role in case _____

3) County of prosecution _____ urban or rural? (circle one) Year of occurrence _____

4) Charged crime(s) _____ anticipated trial date _____

5) Race/gender of defendant(s) _____ (if codefendants, circle your client)

6) Race/gender of victim(s) _____

7) Please check the members you have on your defense team (initial yourself):

___ attorney ___ attorney ___ mitigation specialist ___ investigator

___ if other, list _____

8) Has a plea been offered? ___ If yes, what is it & client response? _____

9) Facts of crime and aggravation _____

10) Theory of mitigation (so far) _____

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11) Describe what you expect 2 or 3 mitigation witnesses you have identified so far to provide

12) List the three most important mitigation documents you have obtained so far _____

13) What kinds of mental health issues are there in the case? _____

14) Have there been any state or prior mental health assessments of your client? _____

If yes, describe _____

15) Describe 3 issues or concerns in your case that you would like addressed during the training

16) Aside from a specific legal outcome, what do you think is most important to your client? _____

17) Has the defense team made any contact with **victim's** family? _____ Describe _____
