



NYSACDL

NEW YORK STATE ASSOCIATION
OF CRIMINAL DEFENSE LAWYERS

NEW YORK ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

Presents

FUNDAMENTALS AND ESSENTIALS OF CRIMINAL PRACTICE 2011

4 CLE CREDIT HOURS IN SKILLS – 2 CLE CREDIT HOURS IN ETHICS & PROFESSIONALISM

Saturday April 30, 2011 9:00 a.m. – 4:00 p.m. - Registration Begins at 8:30 a.m.

Syracuse University College of Law – Rom 100 MacNaughton Hall

Syracuse, New York

PROGRAM DESCRIPTION

Essential elements of the criminal practice will be examined – how to craft tailored motions, strategies for developing a rapport with the client which includes assessing plea offers, litigating effectively and creatively at sentencing and The View From The Bench: a talk and question and answer session conducted by Judge Vanessa Bogan and moderated by Robert Wells.

AGENDA

8:30 a.m. REGISTRATION

9:00 – 9:50 Motion Practice: Nuts, Bolts, and Beyond – The Well Tailored Motion, Michael Baker, Esq.

10:00 – 11:40 How to Speak to the Person Whom You Represent: From Initial Contact through Final Disposition, Andre Vitale, Esq. (2 Hours Ethics and Professionalism)

11:40 - 1:00 LUNCH

1:00 -1:50 The View From The Bench, Honorable Vanessa Bogan, Judge, Syracuse City Court

2:00 – 2:50 The Presentence Report: Beyond Formality, Craig Schlanger, Esq

3: 00–3:50 Writing and Arguing at Sentencing: The Last and the Lost Art of Justice, Robert Wells, Esq.

THIS TRANSITIONAL PROGRAM IS APPROVED FOR NEW LAWYERS

PROGRAM FEES AND PAYMENT

NYSACDL is going **GREEN**. Program Materials in PDF format will be available to pre-paid registrants for download directly from our website approximately one week before the Program. Save \$15.00 by receiving materials as a PDF instead of printed materials.

Register & Pay Online: NYSACDL.org; fax this form with credit card payment: 888-239-4665; Mail your check payable to NYSACDL: NYSACDL, 2 Wall Street, Third Floor, NY, NY 10005.

Tuition: NYSACDL Members \$125 _____; Non-Members \$175 _____ (Non-members: Join now to register for the Seminar at the Member rate)

Printed Materials: \$15.00 _____

I will download the PDF files: _____

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NYSACDL has been approved by the New York State Continuing Legal Education Board as an approved provider. Tuition assistance will be provided to those attorneys who show need.



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PROGRAM FACULTY

Michael Baker, Esq. Mike Baker is a Senior Assistant Public Defender with the Broome County Public Defender's Office in Binghamton, New York. He graduated from Hamilton College in 1989 and after a brief foray into the business world, graduated cum laude from Albany Law School in 1997. Prior to joining the Public Defender's Office in 2005, Mike was associated with Levene, Gouldin & Thompson in Vestal, New York. In addition to being on the Board of Directors of the New York State Association of Criminal Defense Lawyers (NYSACDL), Mike is currently the President of the Broome County Bar Association. He was the recipient of the NYSACDL's Jack T. Litman Twelve Angry Men Scholarship attending the National Criminal Defense College in Macon, Georgia during the summer of 2007. Previously, he was on the Local Rules Committee (Criminal) for the United States District Court for the Northern District New York, chair of the Broome County Conditional Release Commission and a member of the Board of Trustees of the Make-A-Wish Foundation of Central New York.

Honorable Vanessa Bogan Judge Bogan was appointed to the Syracuse City Court bench by Mayor Driscoll in November 2006. Judge Bogan is a veteran of the United States Air Force. She served as trial and appellant counsel to indigent defendants while working at the Frank H. Hiscock Legal Aid Society. She prosecuted juvenile delinquents and child abuse and neglect cases while with the Onondaga County Law Department. Judge Bogan also worked as Corporate Counsel to

Syracuse Community Health Center and its affiliate corporations. Judge Bogan is originally from Brooklyn, New York. She is married and has two sons. Judge Bogan sits on the Board of Directors of the Downtown YMCA and the Community Folk Art Center.

Craig Schlanger, Esq., Craig P. Schlanger, a 1977 graduate of Syracuse University College of Law, recently accepted an appointment as a Senior Attorney at Mental Hygiene Legal Service, Fourth Judicial Department, in Utica, New York. Prior to that appointment, Craig was a criminal defense lawyer, primarily as a solo practitioner in Syracuse, and as a staff attorney at the Frank H. Hiscock Legal Aid Society in Syracuse for two years in the early 1980's. As a solo practitioner, Craig represented clients in state courts throughout Central and Northern New York, the United States District Court for the Northern District of New York, the Appellate Division, Fourth Department, and the United States Court of Appeals for the Second Circuit. Craig served as a Criminal Justice Act representative for the Northern District of New York for three years and until recently was a member of the Northern District's Criminal Justice Act Oversight Committee. Craig has also served on the Board of Directors of the Onondaga County Assigned Counsel Program, the New York State Bar Association's Committee to Ensure the Quality of Mandated Representation, and the Legal Policy and Action Committee of the Central New York Chapter of the New York Civil Liberties Union. Craig is a long-time member and Past President of the New York State Association of Criminal Defense Lawyers.



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Andre Vitale, Esq. Andre Vitale is a Special Assistant Public Defender at the Monroe County Public Defender's Office, currently supervising the office's Non-Violent Felony Section as well as carrying his own caseload. Andre has served with the PD's office for more than 10 years, handling violent felony and major drug cases. He has significant trial experience having handled more than 50 jury trials including two murders—one of which involved challenging the DNA evidence offered by the Government. A frequent lecturer with the Public Defender's Office as well as programs sponsored by NYSACDL and NYSDA. He is a Board Member with the NYSACDL, and has been awarded the Kevin Andersen Award by NYSDA and the Denison Ray Award by the NYSBA.

Robert Wells, Esq. Robert G. Wells is a federal criminal defense practitioner with thirty-three years of experience in the United States District Courts and Second Circuit Court of Appeals, as well as all levels of state courts. He has acted as an instructor for the United States Courts teaching lawyers in San Francisco, Dallas, Los Angeles, Portland, Chicago and Atlanta. He has taught for the New York State Association of Criminal Defense Lawyers on matters ranging from Sentencing, Direct Examination, Cross Examination, and Electronic Evidence Presentation. He has instructed for the FBI, the Board of Certified Fraud Examiners, and devoted a good deal of time to his Mock Trial Team. His most recent federal acquittal was delivered to the government after a five week jury trial, and was reputedly their first acquittal after trial in an asbestos prosecution in twenty-seven years.

About NYSACDL

The NYSACDL is dedicated to protecting the rights of criminal defendants through a strong, united and well-trained criminal defense bar. Our guiding principle is that vigorous defense against error and injustice in the criminal justice system. In an era when the United States has the highest incarceration rate in the world, we expand on the question most often posed to our members and ask "how can we defend those people most effectively?" Our goals are to:

Promote the rights of criminal defendants through the adoption of policy positions and the submission of amicus briefs on issues of significance to the fair administration of criminal justice.

Advocate for individual and systemic accountability in the criminal justice system, with a particular emphasis on instances of judicial and prosecutorial misconduct.

Serve as a leader and partner in advancing humane criminal justice policy and legislation.

Develop a broad, inclusive and vibrant membership of private criminal defense practitioners and public defenders throughout New York State.

Provide a forum for our members to exchange ideas and information, with a particular emphasis on mentoring those who are new to the profession.

Defend our members in professional emergencies **and honor their achievements** through articles on our website and in *Atticus*, and awards at our annual dinner.

Provide quality continuing legal education to our members through live and recorded programs, a comprehensive and easily-accessible briefs and motions bank, e-alerts and website updates with new developments, and articles in our quarterly publication, *Atticus*.