



NYSACDL

NEW YORK STATE ASSOCIATION
OF CRIMINAL DEFENSE LAWYERS

NEW YORK ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

Presents

SYRACUSE CRIMINAL PRACTICE SEMINAR 2011

5 CLE CREDIT HOURS IN SKILLS | 1 CLE CREDIT HOUR IN ETHICS

Saturday October 29, 2011 9:00 a.m. – 4:00 p.m.

Registration Begins at 8:30 a.m.

Syracuse University School of Law, Syracuse, New York

PROGRAM DESCRIPTION

This Seminar will focus on trial preparation and tactics including litigating suppression issues pre-trial. A panel discussion will explore the need to provide effective assistance of counsel and the level of representation needed to meet the legal standards of effectiveness and provide quality representation.

AGENDA

8:30 a.m. REGISTRATION

9:00 – 9:50 a.m. Evidence Suppression in Motions and Hearing, or “They Granted a Hearing. Now What?”
Michael Baker, Esq.

10:00 – 10:50 a.m. Trial Notebook: Sun Tzu - “The General Who Wins A Battle Makes Many Calculations in his Temple Ere the Battle is Fought, Ray Kelly, Esq., and George R. Goltzer, Esq.

10:50 -11:00 BREAK

11:00 – 11:50 Overview & Introduction to Electronic Evidence Presentation & Trial Preparation: Geek Law & Tech Talk, Jerry Grant and Robert Wells, Esq.

11:50 -1:00 LUNCH.

1: 00–1:50 Ethics Panel - Recent Experiences Before the Grievance Committee Panel Discussion

2:00-2:50 Confessions & Statements: Suppression - How to Accomplish it and What to do if you Don’t, Edward Klein, Esq.

2:50 -3:10 BREAK

3:10 – 4:00 Search Warrants: Examination, Challenge Checklist, Hearings, Donald Rehkopf, Jr., 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: _____

Check Enclosed _____ | Charge my credit card \$ _____

I will pay at the door _____

NAME _____

CARD NUMBER _____

EXPIRATION _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____ | E-MAIL _____

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.



NYSACDL
NEW YORK STATE ASSOCIATION
OF CRIMINAL DEFENSE LAWYERS

PROGRAM FACULTY

Michael Baker, Esq. Mike Baker is a Senior 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 Assistant Public Defender with the Broome 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. 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.

George R. Goltzer, Esq. George Goltzer specializes in criminal defense. The immediate Past President of the New York State Association of Criminal Defense Lawyers, he lectures at Continuing Legal Education seminars on assorted criminal defense topics. Mr. Goltzer has extensive trial experience in high profile matters. He secured acquittals after three month trials in both the Detective Vendetti murder and first Columbo War cases, tried the Jonathan Levin murder case and won acquittal of the first degree murder charge, secured dismissal of all charges for Louis Montero in the Brian Watkins Utah tourist murder case, and tried the Arohn Kee serial murders involving both nuclear and mitochondrial DNA issues. Earlier this year, Mr. Goltzer obtained a life verdict in *United States v. Vincent Basciano*, a capital prosecution in the United States District Court for the Eastern District of New York. Mr. Goltzer resides in New York City with his wife and two children.

Jerry R. Grant, A professional computer forensic expert and systems analyst with over 25 years of experience involving forensics, computer automation and programming, Mr. Grant is a Certified AccessData Forensic Examiner. He is an Investigator primarily working on computer and cell phone forensic cases for the Western District of New York Federal Public Defender's Office. He was previously the Computer Systems Administrator for the NYW Offices, as well as the Acting Chief, National IT LAN Application and Policy Support Team for the Administrative Office of the United States Courts - Office of Defender Services. He performs forensic investigations on all electronic evidence involved in Federal Criminal Cases. He oversees the NYW automation program and is involved with litigation support and eDiscovery local and nationally. He is based out of the Western District of New York, Federal Public Defender's Office but travels around the country. He is involved with many committees related to forensics, litigation support and automation. Mr. Grant is also a successful computer consultant specializing in computer forensics, cell phone forensics, cell tower/site analysis, system installation and training. He lectured and conducted training programs for many large groups at various companies. He is a graduate of Bryant and Stratton Business Institute with an AS Degree in computer programming. He is also the recipient of many certificates in forensics, specialized computer training and programming. He has extensive knowledge of PCs, cell phones and cell towers/sites. He has been involved in forensic computer examinations, cell phone forensics, cell site analysis and litigation support for many federal cases and has lectured at a number of national and



NYSACDL
NEW YORK STATE ASSOCIATION
OF CRIMINAL DEFENSE LAWYERS

local conferences on the subject of computer forensic examinations, cell phone forensics, cell site analysis, computer investigations, computer automation and litigation support.

Ray Kelly, Esq. , an attorney in private practice in Albany New York, has been defending fellow human beings for almost his entire professional career. As a result of his involvement in over 60 murder trials, Ray keeps current in forensics as a member of the Forensic Science Society and the American Academy Forensic Sciences. Ray has been awarded the New York State Bar Association's Denison Ray Indigent Defender of the Year Award for 1998, the Criminal Justice Section of the New York State Bar Association's Charles F. Crimi Outstanding Practitioner Award for the Year 2000 and the Hon. Thurgood Marshall Distinguished Practitioner Award for the Year 2002 by NYSACDL. In 2005, Ray was awarded the New York State Bar Association's Distinguished Service Award in Law-Related Education for his work with high school students and the state-wide high school moot court camp and in 2007 he received the Wilfred R. O'Connor Lifetime Client-Centered Representation Award by the NYS Defenders Association. Ray's criminal trial notebook *Preparation, Persuasion and Self: Defending Fellow Human Beings* has been published by NYSACDL. Ray is a past President of NYSACDL and a Life Member of both the National Association of Criminal Defense Lawyers and NYSACDL.

Edward W. Klein, Esq. graduated from Northwestern University in 1976 and the University of Maine School of Law in 1979. He was admitted in Maine in 1979, in Pennsylvania in 1986 and in New York in 1990. After a year in New York City with the Criminal Appeals Bureau of the Legal Aid Society, he moved to Syracuse, first practicing with the Hiscock Legal Aid Society and since 1995 in private practice. His practice is exclusively criminal defense, primarily in state court. He has handled homicide cases in each jurisdiction he has practiced, as defense counsel (Maine and New York) and as a prosecutor (Pennsylvania), and has litigated – and lost – statement suppression hearings consistently over the 30 years of his career (except, of course, for his years as a prosecutor).

Donald Rehkopf, Jr., Esq. Mr. Rehkopf is associated with Brenna, Brenna & Boyce, PLLC in Rochester, NY where he concentrates on criminal defense and military law. From 1981-85, Mr. Rehkopf was in private practice in Frankfurt am Main, Germany, where his practice was limited to defending U.S. military personnel before courts-martial and administrative proceedings. From 1985-96, he was a staff attorney in the Violent Felony Offender section of the Monroe County Public Defenders Office in Rochester concentrating in complex forensic science and medical issues affecting those accused of serious crimes. Mr. Rehkopf is a frequent lecturer on military justice, criminal law, criminal trial techniques, and professional ethics. He is admitted to practice before the U.S. Supreme Court, the U.S. Court of Appeals for the Armed Forces, and in New York State. He has tried over 225 cases to a verdict and argued countless appeals. He is Co-Chair of the Military Law Committee of the NACDL and a former Vice-President and current Director of NYSACDL. He was an *amicus curiae* party as one of the “Experts of the Law of War” at the Supreme Court in *Hamdi v. Rumsfeld*, 124 S.Ct. 2633 (2004), while simultaneously representing another *amicus curiae*, People to Enforce the Geneva Conventions, in that case.



NYSACDL

NEW YORK STATE ASSOCIATION
OF CRIMINAL DEFENSE LAWYERS

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.