**WISCONSIN ASSOCIATION OF CRIMINAL DEFENSE LAWYERS**

PRESENTS

**SEMINAR EXCLUSIVELY FOR CRIMINAL DEFENSE ATTORNEYS**

**We Here Highly Resolve... Creative Resolutions for Criminal Cases**

**Friday, June 7, 2013**

**Hilton Garden Inn**

**1355 W. 20th Avenue, Oshkosh, WI**

No matter what we tell each other at cocktail parties, most of our cases do *not* go to trial. And, great war story or not, many of the best results we achieve for our clients keep them out of jail, off of the headlines, and even out of court and CCAP. This program will help you help the bulk of your clients to minimize the damage that unwanted attention from the government can cause.

Learn just what exactly lies out there for your client after conviction and use that information to create a better, fairer and more informed result. As the collateral consequences of conviction have become more severe and harder to mitigate, criminal practitioners must, and courts do, consider them as part of the criminal case in the wake of the U.S. Supreme Court’s decision in Padilla v. Kentucky. At this seminar, we’ll discuss arrest and conviction record discrimination, and the effects of expunged convictions. You will enhance your knowledge of presenting a self-defense case, either to the prosecutor or a jury, with insights into eliciting favorable evidence and law enforcement’s own definitions of self-defense situations. Learn more about the *Reid Technique’s* fundamentals of field interrogation, which are used by America's intelligence community and law enforcement agencies in order to better examine case agents and other witnesses. We’ll discuss resolving cases with an eye on limiting the potential ramifications in federal court, and we’ll talk about the best practices to keep your client from ever being charged.

For lunch, we’ll listen to Dean Strang discuss his new book, *Worse Than the Devil,* whichis timely though it’s subject matter took place nearly one century ago. In 1917 a bomb exploded in a Milwaukee police station, killing nine officers and a civilian. Those responsible never were apprehended, but police, press, and public all assumed that the perpetrators were Italian. Days later, eleven alleged Italian anarchists went to trial on unrelated charges involving a fracas that had occurred two months before. Against the backdrop of World War I, and amidst a prevailing hatred and fear of radical immigrants, the Italians had an unfair trial. The specter of the larger, uncharged crime of the bombing haunted the proceedings and assured convictions of all eleven. Although Clarence Darrow led an appeal that gained freedom for most of the convicted, the celebrated lawyer's methods themselves were deeply suspect. The entire case left a dark, if hidden, stain on American justice.

**PROGRAM**

8:30 – 9:00 Registration

9:00 – 9:50 **An Overview of Arrest and Conviction Record Discrimination in Wisconsin** – Attorney Thomas Lenz , Milwaukee

9:50 – 10:40 **The Reid Technique of Interrogation, and how to Cross Examine the Interrogator** – Attorney Joseph Buckley,

10:40 – 11:00 Break

11:00 – 11:50 **Collateral Consequences of Criminal Convictions** – Professor Cecelia Klingele, University of Wisconsin Law School

11:50 – 1:00 Lunch: **Attorney Dean Strang**, Madison, – on his book “Worse Than the Devil: Anarchists, Clarence Darrow, and Justice in a Time of Terror.”

1:00 – 1:50 **Self Defense Issues: Developing Admissible Evidence to Advance Your Theory and Sell Your Case** – Attorney Craig Albee, Federal Defender Service, Milwaukee

1:50 – 2:40 **Stopping the Train Before it Leaves the Station: Convincing Prosecutors Not to Charge Your Client** – Attorney Jon May, Ft. Lauderdale, FL.

2:40 – 3:00 Break

3:00 – 3:50 **Federal Ramifications for State Court Practice** - Attorney Juval Scott, Federal Defender Service, Milwaukee

3:50 – 4:40 **Panel Discussion** . Pre-charging representation: Dealing with parallel civil litigation; and Finding the “Seams” in the Government’s case. Attorneys Michael Fitzgerald, Patrick Cafferty and Jon May.

**FACULTY**

**Craig Albee*,***. Craig Albee is an Associate Federal Defender with Federal Defender Services

of Wisconsin, Inc. From 2000 to 2011, he was a partner in the criminal defense firm of Glynn, Fitzgerald & Albee. He also practiced with Shellow, Shellow & Glynn and served as law clerk for Wisconsin Supreme Court Justice William A. Bablitch. He is listed in Best Lawyers of America and before leaving private practice was named a Top 50 Wisconsin SuperLawyer.

**Joseph Buckley, CRT**, is a graduate of Loyola University with a Bachelor of Arts degree in English, has a Master of Science degree in the detection of deception, and is certified in The Reid Technique(R). He has been employed by John E. Reid and Associates since 1971 and has been president of the company since 1982. Joe has conducted in excess of 10,000 interviews and interrogations and has been a speaker in the seminars for over 35 years. Joe is a frequent guest on many radio talk shows, TV's McNeil-Lehrer, 60 Minutes and a much sought-after guest speaker for police and security organizations throughout the country, discussing the art of interrogation and interviewing. He has authored numerous articles on the topic, and is also co-author of the books, Criminal Interrogation and Confessions, (5th edition, 2011), The Investigator Anthology (2001), and Essentials of The Reid Technique: Criminal Interrogation and Confessions (2004). Joe's vast knowledge of interviewing and interrogation procedures has made him one of the foremost authorities on investigative tactics and techniques in the law enforcement and security field today.

[Summary of presentation] The techniques taught within the Lawyers' Institute of Forensic Interviewing are fundamentals of field interrogation which are used by America's intelligence community and law enforcement agencies. Those principles have now been integrated with rules of evidence, discovery, and trial practice for their forensic application by attorneys in the search for truth and justice.

**Patrick Cafferty**, of Cafferty Law Office, S.C., Racine, WI, practices in the state and federal courts throughout Wisconsin. He is a 1994 graduate of the Marquette University Law School. He is a member of the Wisconsin Association Criminal Defense Lawyers, was named in *Super Lawyers Magazine* 2008 — 2012, earned the Distinguished Martindale-Hubbell AV Peer Review Rating, and was named in Best Lawyers in America 2013 Edition for Criminal Defense. He has represented citizens of all walks of life including the former Racine Mayor.

**Michael Fitzgerald** is a sole practitioner with Fitzgerald Law Firm in Milwaukee and Madison. He specializes in criminal trial and appellate practice in all federal and state courts in Wisconsin. Mr. Fitzgerald is a Fellow in the American College of Trial Lawyers, and he is a former member of the Seventh Circuit Criminal Jury Instruction Committee. He is listed in Best Lawyers in America for both white collar criminal defense and non-white collar criminal defense, and the firm is recognized by Best Lawyers in America as a Tier 1 law firm in all three criminal defense categories: non-white collar criminal defense; white collar criminal defense litigation, and white collar government investigations.

**Cecelia Klingele**, Assistant Professor at the University of Wisconsin Law School

After receiving her J.D. from the University of Wisconsin Law School in 2005, Cecelia Klingele served as a law clerk to Chief Judge Barbara B. Crabb of the United States District Court for the Western District of Wisconsin, Judge Susan H. Black of the United States Court of Appeals for the Eleventh Circuit, and Associate Justice John Paul Stevens of the United States Supreme Court.  Previously, she was a supervising attorney at the law school's Frank J. Remington Center and an adjunct faculty member. She teaches courses in criminal law, Constitutional criminal procedure, criminal justice administration, and sentencing and corrections.

Professor Klingele's academic research focuses on criminal justice administration, with an emphasis on community supervision of offenders on conditional release. She is Associate Reporter for the Model Penal Code: Sentencing Revision, Chair of the Academic Committee of the American Bar Association's Criminal Justice Section, and a member of the ABA's Committee on Corrections.

**Thomas C. Lenz** is a partner at the law firm of First, Albrecht & Blondis, S.C. in Milwaukee, Wisconsin. He focuses his practice on personal injury, employment and civil rights law. Mr. Lenz is admitted to practice in the State of Wisconsin and the U.S. District Court for the Eastern District of Wisconsin. He has litigated cases in federal and state court and before the Wisconsin Department of Workforce Development, Equal Rights Division. He is a member of the State Bar of Wisconsin, the Wisconsin Association for Justice, and the Wisconsin Employment Lawyers Association. He received his Bachelor of Arts from Purdue University in 2002, graduating with distinction and honors. He is a member of Phi Beta Kappa.  He received his J.D. from Marquette University Law School in 2005. In 2001 Mr. Lenz interned in British Parliament in the office of the Right Honorable Ann Keen.

**Jon May**, now with Roetzel and Andress, Ft. Lauderdale as of 2013, has spent more than 30 years practicing as a trial and appellate lawyer in south Florida and across the country, and most recently was in private practice at his own firm of May & Cohen P.A. He defends individuals and institutions accused of serious violations of federal law, including allegations of health care fraud, money laundering, mail and telemarketing fraud, mortgage fraud, and racketeering. He has conducted internal investigations in cases involving violations of the Foreign Corrupt Practices Act, the Securities and Exchange Act, and telemarketing fraud. He has acted as counsel in high profile cases, including former Panamanian dictator Manuel Noriega, that have been covered by the national and international media. He also has been amicus counsel for both the American Bar Association and the National Association of Criminal Defense Lawyers in cases before the Supreme Court of the United States. A frequent published author and speaker at national and international seminars, Mr. May was previously Chair of the White Collar Crime Section of the National Association of Criminal Defense Lawyers and is a past Co-Chair of the Defense Function Services Committee of the Criminal Justice Section of the American Bar Association. He began his career as a Public Defender and then was an Assistant U.S. Attorney. He earned his J.D. from University of Florida Levin College of Law, and his B.A. degree from Emory University.

**Juval Scott** joined the Milwaukee office of the Federal Defender Services of Wisconsin, Inc. In November 2012, before joining the office in Wisconsin, she was an Assistant Federal Defender in the Southern District of Indiana for seven years. Prior to becoming an AFD, Ms. Scott worked as an associate in a small firm primarily handling criminal, personal injury, and family law matters; a deputy prosecutor for the Tippecanoe County Prosecutor’s Office in Lafayette, Indiana; and as Associate General Counsel for a private investigation firm focusing on trademark litigation. She has also served as Judge Pro Tempore in the Marion County Criminal Courts. In 2002, Ms. Scott received her law degree from the Indiana University Robert H.

McKinney School of Law, and she obtained her Bachelor of Science in Biology and Chemistry, from Xavier University of Louisiana in 1997. Ms. Scott teaches regularly at local panel trainings as well as programs sponsored by the Office of Defender Services and the National Bar Association.

**Dean Strang** defends people accused of crimes in state and federal courts. His federal practice covers Wisconsin and extends elsewhere. He also has a broad appellate practice.
Before joining the firm, Dean was the first Federal Defender in Wisconsin. He established and supervised offices in Milwaukee, Green Bay, and Madison. Prior to that experience as a public defender in federal court, Dean practiced for 15 years in Milwaukee. For most of that time, he defended men and women in criminal cases across the state and in federal courts in several states. In addition to his state and federal criminal trial work, Dean has offered oral argument in more than 20 appeals, including in the United States Supreme Court, the Wisconsin Supreme Court, the United States Court of Appeals for the Seventh Circuit and three other federal circuits. He has briefed many more cases on appeal in both state and federal courts. In his second appearance in the United States Supreme Court, Dean was co-counsel and co-author of the respondent’s brief in United States v. Booker, 543 U.S. 220 (2005), the landmark decision that declared unconstitutional mandatory federal sentencing guidelines.

Dean also has served as an Adjunct Professor of Law at Marquette University Law School since 2002 and as an Adjunct Professor of Law at the University of Wisconsin Law School. He teaches Evidence, a seminar on the Fourth, Fifth and Sixth Amendments, and a course on Law, Social Sciences and Humanities. Dean has served over 13 years on the faculty of the National Criminal Defense College in Macon, Georgia. He has authored four law review articles and several shorter published articles. His first book, *Worse Than the Devil: Anarchists, Clarence Darrow, and Justice in a Time of Terror*, was published in 2013. Dean was one of the founders of the Wisconsin Coalition Against the Death Penalty in 1994, and for well over a decade actively has opposed reinstatement of capital punishment in Wisconsin. In 2004, he was elected to the American Law Institute.

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**June 7, 2013 – Hilton Garden Inn - Oshkosh**

7 CLE credits to be applied for

To register for this seminar, complete the form and mail to the address shown.

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Not a WACDL member? Full Seminar and membership for $200.00, a savings of $60.00: \_\_\_\_\_\_\_\_\_\_\_

New Lawyers (less than 3 years): Seminar and membership for $150.00, a savings of $20.00: \_\_\_\_\_\_\_\_\_

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Street: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ City\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State: \_\_\_\_ Zip \_\_\_\_\_\_\_\_\_

Tuition enclosed: $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Complete registration form and return to WACDL, PO Box 6706, Monona, WI 53716, with tuition, or fax to 608-223-1275 and bring tuition payment to seminar. Sorry, we cannot yet accept credit cards or on-line payments. But we expect to soon!

Note: A small block of rooms has been reserved at the Hilton Garden Inn in Oshkosh. 1-920-966-1300