

REGISTRATION FORM: NYSDA 31st Annual Metropolitan NY Trainer—March 11, 2017

Please complete this form and return it along with your payment (payable to NYSDA) to the New York State Defenders Association, 194 Washington Ave., Suite 500, Albany, NY 12210-2314; Fax 518-465-3249. Your registration form must be received by **Friday, March 3, 2017**. The registration fee is \$95.00 for Public Defenders, Legal Aid, 18-B Attorneys, NYSDA, and National Association for Public Defense Members. For all others, registration is \$105.00. **NOTE:** Due to the popularity of this program, preregistration is required.

NAME: _____ OFFICE: _____

ADDRESS: _____

CITY/STATE/ZIP CODE: _____

TELEPHONE: _____ CELL PHONE: _____ EMAIL: _____

I am not engaged in the prosecution of criminal cases. If you have any special needs, please check box and we will contact you prior to the event.

Please check all that apply: NYSDA Member 18-B Attorney Legal Aid Society Attorney Public Defender NAPD Member

To pay by credit card: VISA MasterCard Discover American Express

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NEW YORK STATE DEFENDERS ASSOCIATION

194 Washington Avenue, Suite 500
Albany, New York 12210-2314

MCLE Credit

NYSDA has been certified by the New York State Continuing Legal Education Board as an Accredited Provider of continuing legal education in the State of New York (2016–2019). This transitional/nontransitional program has been approved in accordance with the requirements of the Continuing Legal Education Board for a maximum of 7.0 credit hours, of which 1 credit hour can be applied toward Ethics and Professionalism. No CLE credit may be earned for repeat attendance at any accredited CLE activity within any one reporting cycle. *Tuition assistance for financial hardship is available.*

NEW YORK STATE DEFENDERS ASSOCIATION



31st Annual Metropolitan New York Trainer

Saturday, March 11, 2017

Tishman Auditorium
NYU Law School
(40 Washington Sq. South)

Presented in cooperation with:

Assigned Counsel Defender Plan
of Suffolk County

Assigned Counsel Plan of
Westchester County

Assigned Counsel Plan for the
City of New York

The Bronx Defenders

Brooklyn Defender Services
Dutchess County Public
Defender Office

The Legal Aid Society,
Criminal Defense Division

Legal Aid Society of Nassau County

Legal Aid Society of Orange County

Legal Aid Society of Suffolk County

Legal Aid Society of Westchester
County

Nassau County Assigned Counsel
Defender Plan

Neighborhood Defender Service
of Harlem

New York County Defender Services
Queens Law Associates

7.0 MCLE Credits (1 Ethics)

PROGRAM

Tishman Auditorium
New York University Law School
40 Washington Square South
(between McDougal and Sullivan)

8:30–9:00 am

Registration (coffee available)

9:00–10:00 am

**Recent Developments in Criminal
Law and Procedure in the Court of
Appeals**

Timothy Murphy

10:00–10:15 am

Break

10:15 am–12:00 pm

Cross of Cell Phone Expert

Jerry Grant and Anne Burger

12:00–1:15 pm

Lunch

1:15–2:30 pm

**Defending False Confessions:
Lessons from Making a Murder
and the Brendan Dassey Case**

Deja Vishny

2:30–3:30 pm

**Burdens of Proof in Suppression
Hearings**

Tom Klein

3:30–3:45 pm

Break

3:45–4:35 pm

**What Public Defenders Don't
(Have to) Tell Their Clients**

Steve Zeidman

SPEAKERS

Anne Burger has been Assistant Federal Public Defender for the Federal Public Defender's Office for the Western District of New York since August 2006. Prior to that she was at the Monroe County Public Defender's Office where she worked primarily as a trial attorney, but also handled a number of criminal appeals. Prior to that, she worked for the Legal Aid Society of New York, first as a trial lawyer and later as appellate counsel.

Thomas Klein has been a Legal Aid trial lawyer for over 30 years. He has trained on trial skills and strategy for The Legal Aid Society, NYSDA, and other defender organizations. He has been a Supervising Attorney, Chief of the Manhattan office, Director of Litigation, and Senior Homicide Attorney. He co-authored the two-volume practice manual, *Expanding the Scope of Cross-Examination*, and was the 2012 recipient of NYSDA's Service of Justice Award.

Jerry Grant is an AccessData Certified Examiner, Cellebrite Certified Logical Operator, Cellebrite Certified Physical Analyst, Cellebrite Certified Mobile Examiner, systems analyst, programmer and trainer with more than 25 years of experience involving digital forensics, cell site analysis, social site investigations, eDiscovery and litigation support. He has been involved in many state and federal cases and has been qualified as an expert. He is currently an Independent Digital Forensics Investigator/Consultant, and also a Digital Forensics Investigator for the Federal Public Defender's Office for the Western District of New York. He was previously the Computer Systems Administrator for the same office, 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 oversees the Western District's automation program, and is involved in national IT/digital forensic support for the Federal Defender Organization.

Timothy Murphy has been practicing law for 22 years, and is presently Chief Attorney of the Appeals and Post-Conviction Unit of the Legal Aid Bureau of Buffalo, Inc., overseeing the state's largest criminal appeals department outside New York City. The office represents indigent appellate clients in Erie, Orleans, Genesee and Cattaraugus Counties. He is the Chair of the Appellate Practice Committee of the Bar Association of Erie County; a board member for the New York Association of Criminal Defense Lawyers; a member of the Committee on Courts of Appellate Jurisdiction for the New York State Bar Association; and a member of the Tri-County Judicial Screening Committee for NYS Court of Appeals candi-

dates. He is admitted to practice before the US Supreme Court and the US Court of Appeals for the Second, Fourth, Sixth and Eleventh Circuits, as well as before the Seneca Nation of Indians Court of Appeals. He is also a former Niagara County prosecutor and former Town Justice in the Town of Pendleton. Tim has been named to Super Lawyers (Upstate NY edition) since 2014.

Deja Vishny is an attorney who had practiced with the Wisconsin State Public Defender Office in Milwaukee Wisconsin for over 36 years. She is the head of the homicide practice group & the Deputy Training Director for the Wisconsin State Public Defender. She has taught on the faculty of the National Criminal Defense College in Macon Georgia since 1998, lectured at criminal defense and public defender seminars throughout the United States and in India, and was to a guest lecturer at a Harvard Law School class, "The American Prosecutor." She served on the Boards of the National Association of Criminal Defense Lawyers and the State Bar of Wisconsin Criminal Law Section and published articles in *The Champion* and *The Wisconsin Defender*. Ms. Vishny is the author of the newly released book, *Suppressing Criminal Evidence*, which is available from James Publishing Company at <http://jamespublishing.com/shop/suppressing-criminal-evidence/>.

Steve Zeidman, Professor and Director of the Criminal Defense Clinic, at the CUNY School of Law, has spent the last 30 years working in the area of criminal defense. A graduate of Duke University School of Law, he is a former staff attorney and supervisor at the Legal Aid Society. He began his teaching career with substantive and clinical courses and has taught at Fordham, Pace, and New York University. Professor Zeidman was awarded the NYU Alumni Association's Great Teacher Award in 1997 and CUNY's Outstanding Professor of the Year honor in 2011. Professor Zeidman is a member of the Appellate Division's Indigent Defense Organization Oversight Committee and the American Bar Association's Criminal Justice Section Council, and serves on the Board of Directors of Prisoners' Legal Services and an Advisory Council created to help implement the remedial order in the *Floyd v. City of New York* stop-and-frisk litigation. He has served on several statewide commissions, including the Commission on the Future of Indigent Defense Services and the Jury Project. Professor Zeidman was a member of the Mayor's Advisory Committee for the Judiciary in the Bloomberg and Giuliani administrations. He has made numerous presentations on a range of issues, including judicial selection, hearsay, and the ethical dimensions of the effective assistance of counsel. His published work has been cited in numerous law reviews and journals, as well as by the New York Court of Appeals.