



THE CENTER FOR AMERICAN  
AND INTERNATIONAL LAW

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These Courses are Funded by a Grant  
from The Texas Court of Criminal Appeals.



# Actual Innocence

## Establishing Innocence or Guilt

August 23 – 25, 2010

### **The Law, The Evidence and Forensics**

**MONDAY AND TUESDAY, AUGUST 23 – 24**

- A virtual tour of a Crime Lab and an ME's office
- The NAS Report - where are we now?
- Daubert & Kelly
- Law Enforcement Best Practices
- What you should know about the scientific method

### **Habeas Petitions**

**WEDNESDAY, AUGUST 25**

- Habeas in a Nutshell
- Habeas and the Texas Court of Criminal Appeals
- Federal Proceedings

PROGRAMS HELD at The Center for American and International Law | Plano, Texas

All these programs are FREE for Texas Judges and their staff, Prosecutors and their staff, Defense Lawyers who regularly represent indigent defendants, Law Enforcement Officials, and qualifying Law Students.

MCLE Credit and TCLEOSE Credit Available.



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**Also join us for a SPECIAL 3-hour  
Actual Innocence "On The Road"  
Program – Forensics in A Nutshell**

**WEDNESDAY, AUGUST 25  
HOUSTON, TEXAS**

**THURSDAY, AUGUST 26  
EDINBURG, TEXAS**

# Actual Innocence

## Establishing Innocence or Guilt

Monday and Tuesday, August 23 – 24, 2010

# The Law, The Evidence and Forensics

Plano, Texas

## Monday, August 23, 2010

- 8:00 Registration
- 8:50 Opening remarks
- 9:00 An Overview of the Scientific Method – *Joe Bono*
- 10:00 Daubert & Kelly – A Refresher on the Law
- 11:00 Break
- 11:15 Law Enforcement Best Practices – A review of the May 2010 program – *Dan Carlson*
- 12:00 Lunch Presentation (includes 30 minute lunch):  
Report from Texas Criminal Justice Integrity Unit  
– *Hon. Barbara Hervey*
- 1:00 Virtual Tour of Fort Worth Crime Lab – *Ron Singer*
- 1:45 Virtual Tour of Fort Worth Medical Examiner's Office  
– *Nizam Peerwani*
- 2:30 Break
- 2:45 Contextual Bias & Error in Forensic Labs
- 3:45 Break
- 4:00 Legal Ethics
- 5:00 Recess

## Tuesday, August 24, 2010

- 9:00 Report from the Timothy Cole Advisory Panel – *Jim Bethke*
- 9:30 Texas Innocence Projects Update – Anatomy of an Innocence Case  
– *Cassandra JEU and Tiffany Dowling*
- 10:30 The Dallas Experience – *Mike Ware*
- 12:00 Lunch Presentation (includes 30 minute lunch):  
The Story of Two Exonerees – In Their Own Words  
*Dallas Exonerees – Claude Simmons, Jr. and Christopher Scott*
- 1:30 The NAS Report – *Anne-Marie Mazza*
- 2:30 Evidence Identification, Collection and Preservation  
– *Anjali R. Swienton*
- 3:45 Break
- 4:00 Roundtable Discussion: Follow-Up Comments From Members  
Of The Faculty, And A General Question And Answer Session
- 5:00 Adjourn

## FACULTY INCLUDES:

### JAMES BETHKE

Director, Task Force on Indigent Defense - *Austin, Texas*

### JOSEPH P. BONO

Forensic and Investigative Sciences Program,  
Indiana University Purdue University Indianapolis  
– *Indianapolis, Indiana*

### DANIEL CARLSON

Vice President, The Center for American and  
International Law - *Plano, Texas*

### TIFFANY DOWLING

Clinical Instructor, Actual Innocence Clinic; Staff Attorney,  
Texas Center for Actual Innocence - *Austin, Texas*

### HON. BARBARA HERVEY

Judge, Texas Court of Criminal Appeals - *Austin, Texas*

### CASSANDRA JEU

Deputy Director, Non-Capital Division, Texas Innocence  
Network - *Houston, Texas*

### ANNE-MARIE MAZZA

Director, Committee on Science, Technology and Law,  
The National Academies - *Washington, DC*

### NIZAM PEERWANI

Chief Medical Examiner, Tarrant County Medical  
Examiner's Office - *Fort Worth, Texas*

### RONALD SINGER

Crime Laboratory Director, Tarrant County Medical  
Examiner's Office - *Fort Worth, Texas*

### ANJALI R. SWIENTON

President & CEO SciLawForensics, Ltd  
Director of Outreach, National Clearinghouse for Science,  
Technology and Law at Stetson University College of Law  
– *Germantown, Maryland*

### MICHAEL LOGAN WARE

Special Fields Bureau Chief, Conviction Integrity Unit,  
Dallas County District Attorney's Office - *Dallas, Texas*

## Join us for a special 3-hour Actual Innocence "On The Road" Program

### Wednesday, August 25 • Houston, Texas

University of Houston Law Center, Krost Hall  
4800 Calhoun, Houston, TX 77004

### Thursday, August 26 • Edinburg, Texas

The University of Texas-Pan American  
2412 South Closser Blvd., AASA 175  
Edinburg, TX 78541-2999

**8:30** Registration • **9:00 - 12:30** Program  
(includes two 15 minute breaks)

### Forensics In A Nutshell:

- DNA 101
- How to Prepare a Forensic Case
- Evidence Identification & Collection

### Featuring Anjali R. Swienton

President & CEO SciLawForensics, Ltd, Director of Outreach,  
National Clearinghouse, for Science, Technology and Law at  
Stetson University College of Law - *Germantown, Maryland*

# Actual Innocence

## Establishing Innocence or Guilt

Wednesday, August 25, 2010

# Habeas Petitions

Plano, Texas

**Wednesday, August 25, 2010**

- 8:55 Opening Remarks**
- 9:00 Habeas in a Nutshell**
- 9:30 Federal District and Appellate Court Proceedings**
- 10:15 BREAK**
- 10:30 Preparation for filing from the Advocate's Perspective**
- 11:30 Actions in the Trial Court from the Judge's and Advocate's Perspective**
- 12:15 LUNCH PROVIDED**
- 1:15 Habeas and The Texas Court of Criminal Appeals**
- 2:15 BREAK**
- 2:30 Break-out Groups: an Actual Innocence claim, an Ineffective Assistance claim, and a Brady claim**
- 3:15 Report from Groups**
- 3:45 Faculty Round Table - Questions from the Audience**
- 4:30 Adjourn**

### FACULTY INCLUDES:

**Catherine Green Burnett**, Associate Dean and Professor of Law, South Texas College of Law, Houston, TX

**Jay W. Burnett**, Adjunct Professor, South Texas College of Law, Former District Criminal Court Judge for Harris County, TX

**Baldwin D. Chin**, Assistant D.A., Harris County, Houston, TX

**Christi T. Dean**, Assistant District Attorney, Dallas County District Attorney's Office, Dallas, Texas

**Jani Maselli**, Adjunct Professor, University of Houston Law Center, Houston, TX

**Christina O'Neil**, Sr. Staff Attorney, Criminal District Courts, Dallas County, Dallas, Texas

**Sian Schilhab**, General Counsel, Texas Court of Criminal Appeals, Austin, Texas

**Michael Stauffacher**, Supervising Attorney for the Non-Capital Post Conviction Writ Section, Texas Court of Criminal Appeals, Austin, Texas

**Gary A. Udashen**, Sorrels, Udashen & Anton, Dallas, Texas

## THREE WAYS TO REGISTER

### ONLINE

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www.cailaw.org

### FAX

credit card only  
972.244.3401

### MAIL

check or credit card  
The Center for American and  
International Law  
5201 Democracy Drive  
Plano, TX USA 75024  
972.244.3400

CONFIRMATIONS WILL BE SENT  
TO ALL REGISTRANTS

## GENERAL INFORMATION

**DIRECTIONS TO THE CENTER FOR AMERICAN AND INTERNATIONAL LAW:** For a detailed map and directions, please visit [www.cailaw.org](http://www.cailaw.org) or call 972.244.3400. The Center is located at 5201 Democracy Drive, Plano, Texas 75024.

**CANCELLATION POLICY:** To cancel, please email Jade Johnson ([jadej@cailaw.org](mailto:jadej@cailaw.org)) by August 6, 2010.

**HOUSING:** The cost of housing is not included in the course registration fee. However, rooms (in limited number) have been reserved at the Hampton Inn Hotel, 4901 Old Shepard Place, Plano, Texas 75093. Registrants should call 972-519-1000 and advise them that you are attending the Actual Innocence program. A reduced room rate of \$89 + 13% occupancy tax is available. The last day to obtain this special rate is August 11, 2010.

**NONDISCRIMINATION POLICY:** The Center for American and International Law does not discriminate on the basis of race, sex, sexual orientation, color, religion, national origin or ancestry, age, disability, veteran status or any other protected status.

**MCLE INFORMATION:** Actual Innocence: Law, Evidence & Forensics has been approved by the State Bar of Texas for 14.0 hours including 1 hour of ethics. Course ID Number: 901206782. Actual Innocence: Habeas Petitions: 6 hours, no ethics. Course ID Number: 901206783. Actual Innocence: "On the Road" Program: Forensics: 3 hours, no ethics. Course ID Number: 901206784. Sign-in sheets and/or certificates of attendance will be available for ALL states.

**TCLEOSE INFORMATION:** Will be available for Texas Law Enforcement officers. Please sign in for each program.

**SEATING:** Registration will be limited to 210 for Annual Program and 100 for "On the Road" programs. Please register early to secure your seat.



**2010 ACTUAL INNOCENCE**  
 THE CENTER FOR AMERICAN  
 AND INTERNATIONAL LAW  
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 PLANO, TX USA 75024

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**PLEASE NOTE:** The Center for American and International Law utilizes outside mailing lists. If you receive a duplicate of this announcement, please pass it along to an interested defense colleague.

These programs are funded  
 by a grant from the Texas Court  
 of Criminal Appeals and are  
**FREE** to most participants.

Most participant materials will be  
 provided on CD-ROM.

**SEE INSIDE FOR SCHEDULE AND INFORMATION**

The Center for American and International Law • Plano, Texas

**ACTUAL INNOCENCE**  
**Establishing Innocence or Guilt**

**The Law, The Evidence  
 and Forensics**  
 August 23 - 24, 2010

**Habeas Petitions**  
 August 25, 2010

**Actual Innocence "On The Road" Programs**  
 August 25, 2010 - Houston, Texas • August 26, 2010 - Edinburg, Texas

These programs are funded by a grant from the Texas Court of Criminal Appeals. Thanks to this grant, the seminar is offered tuition-free to most participants.

- If you are a judge and you would like to request reimbursement of expenses, please check this box.

**I AM REGISTERING FOR FREE AS A:**

- Texas Judge
- Texas prosecutor
- Texas criminal defense lawyer who regularly represents indigent defendants
- Texas law enforcement official
- Texas law student working with an Innocence program
- Other - tuition is \$150 for all three days, \$100 for August 23-24 and \$50 for August 25, \$50 for each "On The Road" program (please specify days and nature of your practice/work) \_\_\_\_\_
- A member of a judge's staff
- A member of a prosecutor's staff

**I WISH TO ATTEND:**

- Both The Law, The Evidence and Forensics (August 23-24) and Habeas (August 25)
- Only the August 23-24 program on "The Law, The Evidence and Forensics"
- Only the August 25 program on "Habeas Petitions"
- August 25 "On The Road" - Houston, Texas
- August 26 "On The Road" - Edinburg, Texas

Name \_\_\_\_\_  
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**Payment Information** (if you are not in a tuition-free category)

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