



THE CENTER FOR AMERICAN
AND INTERNATIONAL LAW

www.cailaw.org

THE CENTER FOR AMERICAN
AND INTERNATIONAL LAW
PLANO, TEXAS

Capital Trial Prosecution
EMPHASIS on
EVIDENTIARY ISSUES
August 28-29, 2007

The program provides a general overview of developments of capital murder law. There will be a special emphasis on developing trends in punishment evidence.

PLUS: A ONE DAY COURSE ON

Emerging
MENTAL HEALTH ISSUES
in Capital Trials:
Prosecution Perspective
August 30, 2007

This new program concentrates on explaining how neuro-science, brain trauma, and mental retardation issues affect capital murder trials.

With the exception of invited faculty, attendance is limited to Texas prosecuting attorneys and their personnel.

These programs are funded by a grant from the Texas Court of Criminal Appeals.

15 hours of MCLE Credits available for Capital Trial Prosecution: Emphasis on Evidentiary Issues!

5.5 hours of MCLE Credits available for Emerging Mental Health Issues in Capital Trials: Prosecution Perspective!

THE FACULTY INCLUDES

PROGRAM CHAIR

Alan Levy, Esq.
*Chief, Criminal Division
Tarrant County District
Attorney's Office*

Greg Davis, Esq.
*Collin County First Assistant
District Attorney*

Charles M. Mallin, Esq.
*Tarrant County District
Attorney's Office*

Dr. J. Randall Price, Ph.D.
*Forensic Psychologist,
Dallas, Texas*

Matt Powell, Esq.
*Lubbock County
District Attorney*

Dr. David Self, M.D.
Flint, Texas

John Stride, Esq.
*Denton County District
Attorney's Office*

Dr. Tonya Taylor, Ph.D.
*University of Texas
at El Paso*



Capital Trial Prosecution EMPHASIS on EVIDENTIARY ISSUES

August 28-29, 2007

PROGRAM AGENDA

TUESDAY, AUGUST 28

- 8:00 **Registration**
- 8:50 **Welcome**
- 9:00 **Use of Grand Jury; Preparation of the Indictment; Pretrial Motions - Response to the Defense and What to Expect from the Defense – Motions to Quash - Discovery Issues**
- 9:45 ***Panetti v. Quarterman*; and Court of Criminal Appeals Update**
- 10:30 **Break**
- 10:45 **Procedural Issues: Daubert; Crawford; and Qualifying/Disqualifying Expert Witnesses (Rule 705)**
- 12:00 **Lunch Served**
- 1:00 **Jury Selection - Pretrial Issues and Effective Strategies; Use of Juror Questionnaire as an offensive instrument that is part of litigation strategy; Likeable Witness**
- 3:00 **Break**
- 3:15 **Jury Selection (continued)**
- 5:00 **Reception**
- 5:30 **Recess**

WEDNESDAY, AUGUST 29

- 9:00 **Mitigation Evidence: Definition of Mitigation, Defense v. Prosecution Sentencing Theories, Criminal Responsibility v. Moral Culpability, Types of Mitigation Evidence, Review of Relevant Case Law, Research Basis for Mitigation, Models of Mitigation, Mitigation Experts**
- 10:30 **Break**
- 10:45 **Mitigation Evidence (continued)**
- 12:00 **Lunch Presentation
BRAIN DAMAGE: Overview of Brain Functioning, Behavioral Correlates of Frontal Lobe Dysfunction, Brain Scans, Neuropsychological Assessment of Frontal Lobe Dysfunction (includes a 30 minute lunch)**
- 3:00 **Break**
- 3:15 **Brain Damage (continued)**
- 4:30 **Special Issue #1 – FUTURE DANGEROUSNESS
1) Outline of evidence normally available to state, criminal history, juvenile records, etc.
2) Relationship of mental illness and dangerousness assessments;
3) Psychopathy Checklist revised (includes a 15 minute break)**
- 6:45 **Adjourn**



THREE WAYS TO REGISTER

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• ONLINE

www.cailaw.org
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• FAX

972.244.3401
credit card only

• MAIL

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

CONFIRMATIONS WILL BE SENT TO
ALL REGISTRANTS.

Payment must accompany registration.

CANCELLATION POLICY: Written cancellation must be received by August 21, 2007. (Email lgaspar@cailaw.org) After this date, no refunds, but substitution of attendees for this program will be permitted with prior approval. Call Karen: 972.244.3415. Registrants not entitled to a refund will receive the course materials.

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, TX 75093. Registrants should call 972-519-1000 and advise them that you are attending the Capital Trial Prosecution: Emphasis on Evidentiary Issues program. A reduced room rate of \$89 is available if you advise the hotel that you are attending this program. The last day to obtain this special rate is August 14, 2007.

MCLE CREDIT: This course has been approved by the State Bar of Texas for 15.00 hours, including 0 hours of ethics. Course ID Number: 900027400. Sign-in sheets and/or certificates of attendance will be available for ALL states.

Attendance is limited to Texas prosecuting attorneys and their personnel.

REGISTRATION

Capital Trial Prosecution: EMPHASIS on EVIDENTIARY ISSUES

August 28-29, 2007

at The Center for American and International Law • Plano, Texas

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Mark the appropriate box(es):

- \$200, including \$100 tuition (for all classes, lunch and materials) plus a \$100 voluntary payment to support The Center for American and International Law.
- If you do not wish to make the voluntary payment, please remit only \$100.

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Matt Bingham, Esq.
*Smith County Criminal
District Attorney*

Dr. J. Randall Price, Ph.D.
*Forensic Psychologist,
Dallas, Texas*

Dr. Tim Proctor, Ph.D.
*Forensic Psychologist,
Dallas, Texas*

Roe Wilson, Esq.
*Chief, Postconviction
Writ Division
Harris County District
Attorney's Office*



A ONE DAY COURSE ON

Emerging MENTAL HEALTH ISSUES in Capital Trials: *Prosecution Perspective* August 30, 2007

PROGRAM AGENDA

THURSDAY, AUGUST 30

- 8:00 Registration 8:50 Welcome
- 9:00 **Prosecution Response to Mental Retardation Claims**
- 10:15 **Break**
- 10:30 **IQ Tests**
Flynn Effect
IQ Testing of Hispanics
Adaptive Behavior Assessment
- 12:00 **Lunch Served**
- 1:00 **Testing/Assessment continued**
- 2:15 **Break**
- 2:30 **Panel Discussion on MR, Testing/Assessment**
- 3:00 **Mental Health Issues - Q & A**
- 4:00 **Adjourn**

GENERAL INFORMATION FOR BOTH PROGRAMS

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

NONDISCRIMINATION POLICY: The Center for American and International Law does not discriminate on the basis of race, color, sex, religion, national origin, age, disability, veteran status or any other protected status in educational activities, scholarship programs or admissions.

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MCLE CREDIT: This course has been approved by the State Bar of Texas for 5.5 hours, including 0 hours of ethics. Course ID Number: 900027402. Sign-in sheets and/or certificates of attendance will be available for ALL states.

Attendance is limited to Texas prosecuting attorneys and their personnel.

REGISTRATION

Emerging MENTAL HEALTH ISSUES in Capital Trials: *Prosecution Perspective* August 30, 2007

at The Center for American and International Law • Plano, Texas

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and their personnel.

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ISSUES IN CAPITAL TRIALS: PROSECUTION PERSPECTIVE
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SEE INSIDE FOR AGENDA INFORMATION



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