



**THE CENTER FOR AMERICAN
AND INTERNATIONAL LAW**

Program on Chapter 38 of the Texas Code of Criminal Procedure

A Program For The Defense



Program on Chapter 38 of the Texas Code of Criminal Procedure

February 21, 2014

**The Center for American and International Law
Plano, Texas**

With the exception of invited faculty,
attendance is limited to defense attorneys
and those who directly assist them in
Criminal Defense Litigation.

**This course is funded by a grant from
The Texas Court of Criminal Appeals.**

New Program!

- Survey of predicates for admissibility of certain evidence in criminal actions
- Includes an ethics presentation

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Program on Chapter 38 of the Texas CCP: A PROGRAM FOR THE DEFENSE

AGENDA

February 21

Conference Chair

Richard L. Wardroup, Esq.
Texas Criminal Defense
Lawyers Association
Lubbock, Texas

Program Description: This program will be a survey of the predicates for admissibility of certain evidence. Special focus will be on Art. 38.071, 38.072 and 38.074 relating to testimony relating to crimes against children; Art. 38.14 and 38.141, which require corroboration of certain testimony to support a conviction; Art. 38.21 and 38.22 dealing with the admissibility of statements given by the accused; Art. 38.23, the Texas exclusionary rule; Art. 38.36 relating to evidence in murder prosecutions and Art. 38.37 relating to the admissibility of some extraneous offenses.

8:00	REGISTRATION
8:45	WELCOME, OVERVIEW AND INTRODUCTIONS
9:00	<p>I KNOW WHAT MY GUY SAID, BUT DOES THE JURY HAVE TO HEAR ABOUT IT?: ART. 38.22 WHEN STATEMENTS MAY BE USED</p> <ul style="list-style-type: none">L.T. "Butch" Bradt, Esq., Attorney At Law Houston, Texas
10:00	<p>CAN THE JURY DECIDE WHETHER THE COURT WAS RIGHT?: ART. 38.23 ENTITLEMENT TO JURY CHARGE ON SUPPRESSION ISSUE</p> <ul style="list-style-type: none">Charlie A. Pelowski, Esq., Caprock Regional Public Defender's Office Lubbock, Texas
11:00	BREAK
11:15	<p>YOUR GUY'S DONE WHAT?!: ART. 38.37 EVIDENCE OF EXTRANEIOUS OFFENSES OR ACTS</p> <ul style="list-style-type: none">J. Craig Jett, Esq., Burleson, Page & Gibson, LLP Dallas, Texas
12:15	LUNCH (PROVIDED)
1:00	<p>ETHICS PRESENTATION</p> <ul style="list-style-type: none">Richard L. Wardroup, Esq., Texas Criminal Defense Lawyers Association Lubbock, Texas
1:30	<p>THE DETACHED AND NEUTRAL CAC INTERVIEWER - FACT OR FICTION?: ART. 38.071 TESTIMONY OF CHILD WHO IS THE VICTIM OF AN OFFENSE</p> <ul style="list-style-type: none">Marjorie I. Bachman, Esq., Law Office of Marjorie Bachman Austin, Texas

SCHEDULE CONTINUED ON NEXT PAGE

Most materials will be provided on a flash drive or electronically instead of in a folder.

Program on Chapter 38 of the Texas CCP: A PROGRAM FOR THE DEFENSE

AGENDA

February 21, *cont'd*

Program Faculty

Richard L. Wardroup, Esq.

Program Chair

Texas Criminal Defense

Lawyers Association

Lubbock, Texas

Marjorie I. Bachman, Esq.

Law Office of Marjorie Bachman

Austin, Texas

L.T. Bradt, Esq.

Attorney At Law

Houston, Texas

J. Craig Jett, Esq.

Burleson, Page & Gibson, LLP

Dallas, Texas

Angela J. Moore, Esq.

Dallas County Public

Defender's Office

Dallas, Texas

Charlie A. Pelowski, Esq.

Caprock Regional Public

Defender's Office

Lubbock, Texas

Sarah E. Roland, Esq.

Attorney At Law

Denton, Texas

2:30	FIRST IN TIME, FIRST IN LINE (TO TESTIFY)?: ART. 38.072 HEARSAY STATEMENT OF CERTAIN ABUSE VICTIMS <ul style="list-style-type: none">Angela J. Moore, Esq., Dallas County Public Defender's Office Dallas, Texas
3:30	BREAK
3:45	GUESS WHAT I FOUND IN THE VAULT!: ART. 38.43 EVIDENCE CONTAINING BIOLOGICAL MATERIAL <ul style="list-style-type: none">Sarah E. Roland, Esq., Attorney At Law Denton, Texas
4:45	PUTTING IT ALTOGETHER: APPLYING THIS TRAINING TO YOUR PRACTICE <ul style="list-style-type: none">Richard L. Wardroup, Esq., Texas Criminal Defense Lawyers Association Lubbock, Texas
5:00	ADJOURN

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REGISTRATION

Program on Chapter 38 of the Texas Code of Criminal Procedure A Program For The Defense

February 21, 2014
at The Center for American and International Law
Plano, Texas

Attendance is limited to criminal defense attorneys and those who directly assist them in criminal defense litigation. Tuition provides for the seminar, lunch and materials. Most materials will be provided on a flash drive or electronically instead of in a folder.

Mark the appropriate boxes:

- ☐ I am a licensed Texas criminal defense attorney who regularly represents indigent defendants in criminal matters in Texas State courts.
(Provide your Texas Bar number below.)

- ☐ \$25.00 Tuition only *
- ☐ \$50.00 Tuition plus a voluntary payment to support CAIL.**
- ☐ I request a tuition waiver (Leave payment information blank)

- ☐ I am a criminal defense attorney who is not in the above category or I directly assist criminal defense attorneys in criminal defense litigation.

- ☐ \$65.00 Tuition only *
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TO ALL REGISTRANTS

IF DUE, PAYMENT MUST ACCOMPANY
REGISTRATION

GENERAL INFORMATION

CANCELLATION POLICY: Written notice must be received 5 business days prior to the program (Email: lgspar@cailaw.org). After this date, no refunds, but substitution of attendees for this program will be permitted with prior approval. Call 972.244.3415. Registrants not entitled to a refund will receive the course materials.

NONDISCRIMINATION POLICY: The Center for American and International Law (CAIL) 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.

* Tuition will be used to cover future expenses of CAIL's Criminal Law grant programs or to provide for items the grant cannot sufficiently cover.

** Voluntary payments will go directly to CAIL's private fund account.

**This course is funded by a grant
from The Texas Court of Criminal
Appeals.**