

**Registration Form: Criminal Appeals & Post-Conviction Practice II – Sept. 13, 2019**

Please fill out the following registration form and return it, along with your check in the appropriate amount, to the New York State Defenders Association, 194 Washington Ave., Suite 500, Albany, NY 12210-2314; Fax 518-465-3249. You must return this form by **September 5, 2019** in order to attend. This program is for assigned counsel, public defense, and legal aid attorneys. **The program fee is \$100.** If you have any questions, please call Stephanie Batcheller at 518-465-3524 ext. 41. Email: [SJBatcheller@nysda.org](mailto:SJBatcheller@nysda.org).

NAME: \_\_\_\_\_ OFFICE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP CODE: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

I am not engaged in the prosecution of criminal cases. Do you have any special needs?  Are you a newly admitted attorney?

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

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 (2019-2022). This transitional/ nontransitional program has been approved in accordance with the requirements of the Continuing Legal Education Board for experienced attorneys for a maximum of 6.0 credit hours, of which 2.0 credit hours may be applied toward Ethics and Professionalism. No CLE credit may be earned for repeat attendance at any accredited CLE activity. *Tuition assistance for financial hardship is available.*

**Criminal Appeals**

**and**

**Post-Conviction**

**Practice II**

Presented by

the New York State

Defenders Association

in conjunction with

The Appellate Defender

Council of the New York

State Office of Indigent

Legal Services

**Friday, September 13,**

**2019**

**10:10 am-5:15 pm**

Holiday Inn Express

16 Wolf Road, Albany, NY

**6.0 MCLE Credits**

**(2.0 Ethics & Professionalism)**

## P R O G R A M

9:30-10:10 am

Registration

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10:10-11:00 am

**Ethical Dimensions of Appellate Advocacy for Assigned Counsel** — *Brian Shiffrin, Esq.*

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11:00-11:50 am

**Appellate and Post-Conviction Ethical Considerations and Conundrums when Representing Clients with Serious Mental Illness or Neurocognitive Deficits** —

*Alexandra Keeling, Esq.*

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11:50 am-1:35 pm

**Lunch with Keynote Address**

**U.S. Supreme Court Practice** — *Professor Jeffrey T. Green*

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1:35-2:00 pm

**Amendments to CPL 30.30 and Reviewability in Cases Involving Guilty Pleas and Enforceable Waivers of the Right to Appeal**

— *Drew DuBryn, Esq.*

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2:00-2:50 pm

**Effective Appellate Strategy: Spotting and Framing Issues** — *Professor Jeffrey T. Green*

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2:50-3:00 pm

Break

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3:00-3:50 pm

**The Dark Arts: Techniques for Persuasion** — *Professor Jeffrey T. Green*

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3:50-4:00 pm

Break

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4:00-5:15 pm

**Issues Not Requiring Preservation, Mode of Proceeding Errors, and Harmless Error Analysis** — *Matthew Bova, Esq.*

## S P E A K E R S

**Matthew Bova** is a senior appellate counsel at the Center of Appellate Litigation in New York City. He has argued direct appeals and post-conviction motions in New York courts, including three appeals in the Court of Appeals. Mr. Bova is the co-chair of the Appellate Courts Committee of the New York County Lawyers Association. He has presented numerous CLEs on criminal law. Mr. Bova graduated with highest honors from The George Washington University Law School, where he was a member of the Moot Court Team and received the Thurgood Marshall Civil Liberties Award for his law school externships with the Public Defender Service of D.C. and the American Civil Liberties Union.

**Drew DuBryn** is the Special Assistant in charge of the Appeals Bureau of the Monroe County Public Defender's Office. A graduate of Emory University School of Law, he has worked in the Appeals Bureau since 1987 and has handled hundreds of cases before New York's appellate courts. Mr. DuBryn co-chairs the appellate training program of the Appellate Defender Council of the New York State Office of Indigent Legal Services. He is the 2000 winner of the New York State Bar Association's Denison Ray Criminal Defender Award and his entire Appeals Bureau was given the same distinction in 2013. Mr. DuBryn has been a CLE lecturer on a range of topics, including appellate advocacy, preservation of appellate issues, deportation consequences of criminal convictions, prosecutorial misconduct, and New York statutory speedy trial issues.

**Professor Jeffrey T. Green** is a partner in the Washington, D.C. office of Sidley Austin LLP, where he focuses on criminal defense and contested litigation matters. He has an extensive trial practice, including first-chair criminal trial experience and also represents clients in appellate matters. Professor Green has argued five cases before the United States Supreme Court, including *Gall v United States*. As a founder of Sidley's Supreme Court Pro Bono Program, Professor Green has participated in many cases before the Court, including victories in *Dickerson v United States*, *Apprendi v New Jersey*, *United States v Booker*, and *Lafler v Cooper*. He co-instructs the Supreme Court Practicum at

the Northwestern University School of Law and serves as the Coordinating Co-Chair of NACDE's Amicus Committee. He has a J.D. from the University of California, Davis School of Law and clerked for Judge Jerry Smith on the Fifth Circuit.

**Alexandra Keeling** is an attorney at Mental Hygiene Legal Service, Appellate Division, First Department, which she joined in 2017 after 14 years at the Office of the Appellate Defender in New York City, where she served as Deputy-in-Charge from 2012-2017. Her current duties include representing criminal defendants with serious psychiatric, neurological, and/or neurocognitive illnesses during CPL Article 730 pretrial proceedings and the CPL 330.20 post-dispositional phase of the criminal justice process. She also assists the appeals unit with cases arising out of the CPL and MHL Article 10 practice. Ms. Keeling has served as co-chair of the Appellate Courts Committee of the New York County Lawyers Association; and is a member the New York City Bar Association's Criminal Justice Committee. Ms. Keeling obtained her J.D. from the City University of New York School of Law.

**Brian Shiffrin** is a member of the firm Easton Thompson Kasperek Shiffrin LLP in Rochester. He is a *cum laude* graduate of the University of Pennsylvania Law School. From 1981 to 2008, Mr. Shiffrin served as the Attorney-in-Charge of the Monroe County Public Defender's Appeals Bureau. He has written or supervised the perfection of more than 4,000 criminal and Family Court appeals and has argued appeals in numerous courts, including the New York Court of Appeals and the U.S. Supreme Court. Mr. Shiffrin is Past President of the Rochester Chapter of American Inns of the Court and a former Trustee of the Monroe County Bar Association. He has twice served as Chair of the Criminal Justice Section of the Monroe County Bar Association and co-authored the chapter on appeals in criminal cases in the New York State Bar Association *Criminal Practice Handbook* (5th Ed. 2016). He has been awarded the Monroe County Bar Association's Charles F. Crimi and Raymond J. Pauley Awards and the Daily Record's Nathaniel Award.