

NYSACDL

New York State Association of Criminal Defense Lawyers
An Affiliate of the National Association of Criminal Defense Lawyers

"Not for the few, but for the rights of All"

NEW YORK STATE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

PRESENTS

SYRACUSE FALL SEMINAR 2010

4 CLE CREDIT HOURS OF SKILLS; 2 CLE CREDIT HOUR OF ETHICS

SATURDAY, OCTOBER 23, 2010

SYRACUSE UNIVERSITY COLLEGE OF LAW, ROOM 100, MACNAUGHTON HALL
SYRACUSE, NEW YORK

PROGRAM AGENDA

8:30 a.m. REGISTRATION

9:00-9:50 *Cross Examination: The Art, The Science*, Ray Kelly, Esq.

9:50 - 10:10 BREAK

10:10 – 11:50 *Professional Ethics: Fighting Against Attacks by Judges, Prosecutors, Fellow Attorneys and Former Clients*, Thomas F. Liotti, Esq.

11:50 – 12:30 LUNCH

12:30-1:20 *Conditional Sealing: Making Effective Use of CPL Section 160.58*, Patricia Warth, Esq.

1:20–1:30 BREAK

1:30–3:10 *It's the Driving, Stupid . . . The Defense of a DWI Case from Arrest through Trial*, Andre Vitale, Esq.

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Faculty Biographies

Materials

Cross-Examination: The Art, The Science Presented by Ray Kelly, Esq.

Cross Examination: The Art, The Science

Cross Examination Outline and Trial Notebook Worksheets

Theories, Themes and Trilogies

Professional Ethics: Fighting Against Attacks by Judges, Prosecutors, Fellow Attorneys and Former Clients Presented by Thomas Liotti, Esq.

Outline

Dirty Tricks – Article

Judicial Civility – Article

Touro Law Review – Article

Defense of Legal Malpractice – Article

Enjoining a State Court Judge – Article

Cost and Sanctions – Article

Conditional Sealing: Making Effective Use of CPL Section 160.58Presented by Patricia Warth, Esq.

Conditional Sealing Table of Contents

Conditional Sealing Power Point

CPL Section 160.58

Conditional Sealing Qualified Agencies

Conditional Sealing Motion & M.O.L.

It's the Driving, Stupid... The Defense of A DWI Case from Arrest to Trial.....Presented by Andre Vitale, Esq.

PROGRAM FACULTY

RAY KELLY, ESQ. an attorney in private practice in Albany New York, has been defending fellow human beings for almost his entire professional career. As a result of his involvement in over 60 murder trials, Ray keeps current in forensics as a member of the Forensic Science Society and the American Academy of Forensic Sciences. Ray has been awarded the New York State Bar Association's Denison Ray Indigent Defender of the Year Award for 1998, the Criminal Justice Section of the New York State Bar Association's Charles F. Crimi Outstanding Practitioner Award for the Year 2000 and the Hon. Thurgood Marshall Distinguished Practitioner Award for the Year 2002 by NYSACDL. In 2005, Ray was awarded the New York State Bar Association's Distinguished Service Award in Law-Related Education for his work with high school students and the state-wide high school moot court camp and in 2007 he received the Wilfred R. O'Connor Lifetime Client-Centered Representation Award by the NYS Defenders Association. Ray's criminal trial notebook *Preparation, Persuasion and Self: Defending Fellow Human Beings* has been published by NYSACDL. Ray is a past President of NYSACDL and a Life Member of both the National Association of Criminal Defense Lawyers and NYSACDL.

THOMAS F. LIOTTI, Esq. is an attorney in Garden City, New York for 33 years and a Village Justice in Westbury, Long Island, New York. He is the author of five books; thirty-five judicial decisions and more than 125 law review articles and book reviews. One of his books is entitled: *Judge Mojo: The True Story of One Attorney's Fight Against Judicial Terrorism* (iUniverse, 2007). Mr. Liotti is a Past President of the Criminal Courts Bar Association of Nassau County and NYSACDL. He is the former Chair of the Criminal Justice Section of the New York State Bar Association. a Fellow in the American Board of Criminal Lawyers. He has been involved in and innumerable high profile trials and appeals. More than three hundred reported cases bear his name.

ANDRE VITALE, ESQ. is a Special Assistant Public Defender at the Monroe County Public Defender's Office, currently supervising the office's Non-Violent Felony Section as well as carrying his own caseload. Andre has served with the Public Defender's Office for more than 10 years, handling violent felony and major drug cases. He has significant trial experience having handled more than 50 jury trials including two murders—one of which involved challenging the DNA evidence offered by the Government. Andre is a current Director of NYSACDL, and has been awarded the Kevin Andersen Award by NYSDA and the Denison Ray Award by the NYSBA. He is a frequent lecturer with the Public Defender's Office as well as programs sponsored by NYSACDL and NYSDA.

PATRICIA WARTH, ESQ. is the Co-Director of Justice Strategies at the Center for Community Alternatives (CCA). Prior to joining CCA, Ms. Warth spent 8 years as a Deputy Capital Defender for New York State Capital Defender Office; after the Court of Appeals invalidated New York's death penalty, Ms. Warth spent two years as Managing Attorney of the Buffalo, NY office of Prisoner's Legal Services of New York. She has delivered presentations and trainings on sentencing, drug law reform, defending sex offense cases, early release programs, and the life-long consequences of a criminal conviction for the New York State Defender Association, the New York State Association of Criminal Defense Lawyers, local bar associations, and other legal and non-legal organizations. More recently, she has litigated issues surrounding New York's recent enactment of conditional sealing pursuant to Criminal Procedure Law § 160.58.