

SPEAKER BIOGRAPHIES

Maria Andrade

Ms. Andrade's practice, Andrade Legal, focuses on removal defense, family immigration, federal litigation and illegal re-entry defense. Ms. Andrade's litigation experience including petitions for review, habeas petitions, mandamus actions, petitions for post-conviction relief, as well as affirmative civil litigation. Ms. Andrade frequently lectures and advises criminal defense attorneys on the immigration consequences of criminal convictions, and was awarded the 2015 Nevin Professionalism Award by the Idaho Association of Criminal Defense Lawyers on the basis of that work. Ms. Andrade obtained her J.D. from the University of Notre Dame in 1995 and B.A. from Loyola Marymount University in 1990.

Branden Bell

Branden A. Bell is an Assistant Federal Public Defender in the District of Kansas. Before joining the FPD, he was a partner at a firm in Kansas City, Missouri, where he handled white-collar cases and internal investigations, as well as serving on the CJA panel. Recently he won a major victory in a synthetic drug case.

Michael Kennedy

Mr. Kennedy has worked almost exclusively in federal courts in the West since 1992 defending individuals accused of a variety of federal crimes. In 2016, he left the Nevada Office of the Federal Defender and opened his own law practice. Mr. Kennedy teaches trial skills at the NCDC, the Federal CJA Trial Skills Academy and other similar programs. Mr. Kennedy has been selected for inclusion in the Nevada Super Lawyers, and recognized nationally by the National Academy of Criminal Defense Lawyers and the National Trial Lawyers Association, for the practice of criminal defense.

Trina Realmuto

Trina Realmuto is the Litigation Director at the National Immigration Project of the National Lawyers Guild in Boston. Her work primarily focuses on litigation before the federal courts on issues related to removal defense and government accountability. Trina has litigated and argued several precedent decisions on behalf of individuals, classes of noncitizens, and amicus curiae. Previously, Trina worked for the American Immigration Council and the law firm Van Der Hout, Brigagliano & Nightingale, where her work concentrated on removal defense and complex federal court litigation. Trina is the author of numerous practice advisories and is a frequent presenter on immigration issues.

Jason Ser

Since 2013, Jason Ser has been a staff attorney at Federal Defenders of New York. Prior to that he was a supervisory attorney at Federal Defenders of San Diego, where he started in 1998. Mr. Ser has tried dozens of cases to verdict employing a variety of creative defenses and while in San Diego argued cases before the Ninth Circuit Court of Appeals. Mr. Ser trains Federal Defender and CJA attorneys on a variety of criminal defense topics in the Southern District of New York. He also lectures regularly at national seminars coordinated by the Defender Services Office for Federal Defender and CJA attorneys.

Rodney Uphoff

Rodney J. Uphoff was the first Elwood L. Thomas Missouri Endowed Professor of Law at the University of Missouri, where he also served as the associate dean of academic affairs for three years. Before joining MU faculty in 2001, Uphoff taught at the University Of Oklahoma College Of Law, where he served as a professor and director of clinical legal education and ran a criminal defense clinic for 10 years. Before becoming a law professor, Uphoff was a public defender from 1978-1984, including service as the chief staff attorney of the Milwaukee Office of the Wisconsin State Public Defender. Uphoff has written numerous articles on criminal defense practice, the delivery of indigent services and ethical issues facing those involved in the criminal justice system. Uphoff was one of four attorneys appointed to represent Terry Nichols in Oklahoma state court. Nichols was convicted of 160 murders based on the bombing of the Murrah Building in Oklahoma City in April 1995, but did not receive the death penalty.

Bruce Livingston

Bruce Livingston is a graduate of Duke University and the School of Law at Washington University in St. Louis. After nearly 15 years in private practice in St. Louis, he joined the Capital Habeas Unit of the Federal Defenders in Idaho in 1997. He has appeared and argued before the Supreme Court of the United States and numerous US Courts of Appeal. Death row clients of his in both Missouri and Idaho have been taken off death row and won their release from prison since he started litigating capital cases in 1989. When not working on behalf of indigent defense, Bruce avidly follows college basketball, especially the Blue Devils, and tries to keep up with a wide array of popular new music.

Gerald King

Bo King is a staff attorney with the Capital Habeas Unit of the Federal Defender Program in Atlanta, where he represents death-sentenced prisoners in habeas corpus proceedings. A graduate of Duke University and the NYU School of Law, Mr. King has previously worked at Equal Justice Initiative of Alabama and the Atlanta Legal Aid Society. He lives in Decatur, Georgia, with his wife and three daughters.

Emily Olson-Gault

Emily Olson-Gault is Director and Chief Counsel of the American Bar Association Death Penalty Representation Project in Washington, D.C. where she works to improve the quality and availability of legal representation for those charged with or convicted of capital crimes in the United States. Her efforts include educating the public, the judiciary, and the bar about the importance of qualified counsel; leading systematic litigation efforts in jurisdictions that fail to provide necessary defense services; and recruiting volunteer lawyers from civil law firms to represent death-sentenced persons without counsel. Ms. Olson-Gault serves as a national expert on the *ABA Guidelines for the Appointment & Performance of Defense Counsel in Death Penalty Cases*. She routinely provides training and technical assistance to capital defenders and pro bono counsel. She has also testified about the requirements for effective capital defense representation in cases throughout the United States and before the Committee to Review the Criminal Justice Act Program.

Hilary Potashner

Hilary Potashner is the Federal Public Defender for the Central District of California. Ms. Potashner was sworn in as the Federal Public Defender on June 30, 2015. She oversees an office of more than 200 employees. Her office represents indigent people charged with federal criminal offenses in magistrate and district court and those challenging their convictions and sentences on direct appeal. Her office also is appointed on behalf of prisoners challenging their state court convictions through the federal habeas corpus process, and her office has dedicated capital and non-capital habeas units. Ms. Potashner joined her office in 2001. She served as Acting Federal Public Defender from September 2014 to June 2015, Chief Deputy from 2012 to 2014, a supervising trial attorney from 2007 to 2012, and a deputy in the trial unit from 2001 to 2007. Prior to her work at the Federal Public Defender's Office, she was a deputy public defender for the County of San Diego. She is on the Board of Directors for the Los Angeles Chapter of the Federal Bar Association and presently serves as its President-Elect. Ms. Potashner received her undergraduate degree from Duke University, and obtained her law degree from the University of California, Hastings College of the Law.

Tom Lowenstein

Thomas Lowenstein is the founder of the New Orleans Journalism Project, which works with journalism students on stories related to criminal justice issues. He was formerly the policy director and an investigator of Innocence Project New Orleans, an editor at *DoubleTake* magazine, and a teaching fellow at Harvard. He has contributed to the *American Prospect* magazine and *Philadelphia City Paper*. He lives in New Orleans.

THURSDAY, Sept. 14, 2017

- 7:30-8:00 Registration
- 8:00-8:15 Opening Remarks
- 8:15-9:15 Emily Olson-Gault: ABA Guidelines
- 9:15-10:15 Hilary Potashner: Death Penalty Resolution
- 10:15-10:30 Break
- 10:30-11:30 Bruce Livingston: Brady Developments
- 11:30-12:30 Bo King: Lethal Injection
- 12:30-12:45 Break
- 12:45-1:45 Tom Lowenstein: The Trials of Walter Ograd

FRIDAY, Sept. 15, 2017

- 8:00-8:15 Registration
- 8:15-8:30 Opening Remarks - Dick Rubin
- 8:30-9:30 Michael Kennedy: Dismantling the Conspiracy Charge Pretrial through Trial
- 9:30-10:45 Jason Ser: Crime de Jure
- 10:45-11:00 Break
- 11:00-12:00 Branden Bell: Litigating Synthetic Drug Cases
- 12:00-1:30 Lunch
- 1:30-3:00 Maria Andrade and Trina Realmuto: New Developments in Immigration Law That Can Effect All Criminal Defense Lawyers, State and Federal
- 3:00-3:15 Break
- 3:15-4:00 9th Circuit Update
- 4:00-5:15 Rodney Uphoff: How to Avoid Ethical Issues Before They Arise
- 5:30-7:30 Cocktail Party – Basque Market (Sponsored by IACDL)

REGISTRATION

Western All-Star Conference & Confabulation

Name:

Telephone:

Bar Number (*REQUIRED for CLE)

Registration Fee (prepaid):

_____ \$45 Thursday (9/14) only

_____ \$45 Friday (9/15) only

_____ \$75 both days (9/14 & 9/15)

*Add \$10 to fees for door registration.

Prepaid registration deadline is September 7, 2017. Send your registration and check payable to: Federal Defender Services of Idaho, 702 W. Idaho Street, Suite 1000, Boise, Idaho 83702

Includes admission and written materials. Questions? Call Kathy Bozman at (208) 331-5508

2017 ANNUAL WESTERN ALL-STAR CONFERENCE & CONFABULATION

“THEY NEED YOU NOW MORE THAN EVER”

Thursday, September 14th: CAPITAL HABEAS DAY

Friday, September 15th: TRIAL DAY

BOISE CENTRE

420 Boise Centre East

Boise, Idaho



Boise is located between the edge of the great basin and the edge of the Rocky Mountains and boasts an average of 230 sunny days annually making recreational activities a must.

Sponsored by Federal Defender Services of Idaho and The Idaho Association of Criminal Defense Lawyers; CLE credits pending approval by the Idaho State Bar