

6th Annual
2018
Joint
Appellate
Advocacy
Training



Rosenthal Theater
18 – 20 September 2018
Fort Myer–Henderson Hall, Virginia

Tuesday, 18 September

0915: Welcome and announcements

0930 – 1020:

**CURRENT TRENDS AFFECTING PRACTICE BEFORE
THE COURT OF APPEALS FOR THE ARMED FORCES**

Hon. Gregory E. Maggs

U.S. Court of Appeals for the Armed Forces

1030 – 1120:

EFFECTIVE & RESPONSIBLE APPELLATE REPRESENTATION

Gene R. Fidell, Esq.

Florence Rogatz Visiting Lecturer in Law, Yale Law School

1130 – 1220:

EFFECTIVE APPELLATE BRIEF WRITING & ORAL ARGUMENT

Hon. Patricia Millett

U.S. Court of Appeals for the District of Columbia Circuit

Lunch

1330 – 1420: Concurrent Session #1

For Government Attorneys:

**REPRESENTING THE UNITED STATES ON APPEAL:
STRATEGIC, POLICY, AND PRACTICAL CONSIDERATIONS**

Patty Merkamp Stemler, Esq.

Chief, Appellate Section, U.S. Dep't of Justice Criminal Division

For Defense Attorneys:

WRITS PRACTICE

[Captain Brian Mizer, U.S. Navy](#)

Senior Appellate Defense Counsel, U.S. Air Force App. Def. Division

For Victims' Attorneys:

THE WRIT PROCESS

[Lieutenant Colonel Deanna Daly, U.S. Air Force](#)

Appellate & Outreach Branch Chief, U.S. Air Force SVC Program

1430 – 1520: Concurrent Session #2

For Government Attorneys:

APPELLATE BASICS AND THE APPELLATE TOOLKIT

[Multi-Service Panel](#)

For Defense Attorneys:

CONFRONTING FORENSIC SOFTWARE

[Kit Walsh, Esq.](#)

Senior Staff Attorney, Electronic Frontiers Foundation

For Victims' Attorneys:

VICTIMS' LEGAL COUNSEL APPELLATE UPDATE

[Commander Kimberly Kelly, U.S. Navy](#)

U.S. Navy Appellate Team Leader

1530 – 1620:

THE BASICS OF THE STORED COMMUNICATIONS ACT

[Laura-Kate Bernstein, Esq.](#)

Senior Counsel, Computer Crime and Intellectual Property Section,
U.S. Dep't of Justice Criminal Division

1620 – satiation:

MIXER IN THE THEATER LOBBY

Light refreshments; beverages for purchase
Proceeds supporting the USMC Ball

Wednesday, 19 September

0930 – 1020:

A VIEW FROM THE BENCH:

PRACTICAL POINTERS FOR EFFECTIVE APPELLATE ADVOCACY

Hon. Kevin A. Ohlson

U.S. Court of Appeals for the Armed Forces

1030 – 1120:

CONSTITUTIONAL ISSUES IN MILITARY JUSTICE

Aditya Bamzai, Esq.

Associate Professor, University of Virginia School of Law

Lunch

1230 – 1320:

THE CONFRONTATION CLAUSE IN SEXUAL ASSAULT CASES

Paul F. Rothstein, Esq.

Professor, Georgetown Law Center

1330 – 1420:

LITIGATING VICTIMS' RIGHTS ISSUES

Douglas Beloof, Esq.

Professor, Lewis & Clark Law School

1430 – 1520: Concurrent Session #3

For Government Attorneys:

**APPELLATE-TRIAL SYNERGY: EXTRAORDINARY WRITS, *DUBAY*
HEARINGS, ARTICLE 62S, AND PREVENTIVE APPELLATE LAW
Multi-Service Panel**

For Defense Attorneys:

SEX OFFENDER RECIDIVISM

April Szilagyi, Psy.D.

Licensed Clinical Psychologist and
Certified Sex Offender Treatment Provider

For Victims' Attorneys:

QUESTION & ANSWER SESSION

Douglas Beloof, Esq.

Professor, Lewis & Clark Law School

1530 – 1620: Concurrent Session #4

For Government Attorneys:

OCTOBER 2017 TERM SUCCESSES AND FAILURES & SHAPING-THE-LAW PLAN FOR THE OCTOBER 2018 TERM AND BEYOND
Multi-Service Panel

For Defense Attorneys:

PLAYING THE LONG GAME: APPELLATE TACTICS & STRATEGIES
Jeffrey T. Green, Esq.

Partner, Sidley Austin LLP

Jonathan F. Potter, Esq.

Former Capital Attorney, U.S. Army Defense Appellate Division

For Victims' Attorneys:

DRAFTING A WRIT

Lieutenant Paul Wagoner, U.S. Navy

Victims' Legal Counsel, San Diego, California

Thursday, 20 September

0930 – 1020:

Q AND A: LESSONS FROM 100 SUPREME COURT ARGUMENTS

Michael R. Dreeben, Esq.

Deputy Solicitor General, U.S. Dep't of Justice

1030 – 1120:

SUPREME COURT REVIEW OF MILITARY CASES

Colonel Dwight Sullivan, USMC (Ret.)

Senior Associate Deputy, DOD Office of General Counsel

1130 – 1220:

Q & A: REFLECTIONS AND RECONSIDERATIONS

Hon. James E. Baker

Former Chief Judge, U.S. Court of Appeals for the Armed Forces

Colonel Kenneth Tozzi, U.S. Army (Ret.) and

Colonel Lorianne Campanella, U.S. Army

Former Senior Judges, U.S. Army Court of Criminal Appeals

1220: Announcements and farewell
