

**THE FEDERAL PUBLIC DEFENDER FOR THE  
WESTERN DISTRICT OF MISSOURI**

**PRESENTS**

**DEFENDING A FEDERAL CRIMINAL CASE**

**MARCH 4, 2022**

**VIRTUAL CLE**

**APPROVED FOR 7.2 HOURS MISSOURI AND  
KANSAS CLE CREDIT**

**INCLUDING 1 HOUR ETHICS/PROFESSIONAL  
RESPONSIBILITY**

**Email to register: [rsvpwdmo@gmail.com](mailto:rsvpwdmo@gmail.com)**

# **AGENDA**

## **8:30-8:45 Introductory Remarks**

*Laine Cardarella*

## **8:45-9:45 Bureau of Prisons**

*Tina Scofield, Deputy Regional Counsel for BOP*

*David Tatarsky, Senior Attorney for BOP*

This session will focus on issues related to representing clients who are/will be in the Bureau of Prisons custody. Issues include calculation of time, designation and classification, First Step Act, obtaining medical and mental health treatment, pretrial detention at BOP Leavenworth Facility

## **9:45-10:45 Crime of Violence Challenges**

*Paresh Patel, Appellate Chief, Office of Federal Public Defender for the District of Maryland*

This session will focus on explaining the current state of sentencing enhancements that incorporate the definition of “crime of violence”. Issues include the categorical approach, the Force clause, enumerated clause offenses.

## **10:45-11:00 Break**

**11:00-12:00 Working with Mental Health  
Experts and Clients Diagnosed with Mental  
Illness**

*Tim Burdick, Assistant Federal Defender, District of Kansas*

*Dr. Jeanette Simmons, Deputy Director for Division of Behavioral  
Health with Missouri Department of Mental Health*

This session will discuss issues related to working with mental health experts in the areas of competency, NGRI and sentencing mitigation. This session will give you insight from the attorney and expert on how to most persuasively present information for your client.

**12:00-1:00 Lunch Break**

**1:00-2:15 Litigating Race at Sentencing**

*Tara L. Allen, Federal Public Defender Organizations, National  
Sentencing Resource Counsel*

This session will discuss how to deal with race at sentencing. Issues include discussing how does your client's race affect their criminal history, how does your client's race affect their involvement in their criminality, and how do you present that information to the Judge to get your client a lower sentence.

**2:15-2:30 Break**

## **2:30-3:30     Ethics**

*Peter Joy, Professor of Law, Washington University School of Law*

This session will highlight ethical issues of representing clients charged in federal court. The session will examine how to ethically address client complaints and how to address those issues with the court. The session will also examine how to address bar complaints, and how to handle your role as standby counsel.

## **3:30-4:30     Supreme Court Update**

*Erwin Chemerinsky, Dean and Professor of Law, University of California, Berkley School of Law*

This session highlights recent Supreme Court cases that are significant to federal criminal practice. Additionally, the session will discuss cases pending/upcoming before the Supreme Court that are significant to federal criminal practice.