

Registration Form: Assigned Counsel Criminal Appeals Training Seminar – April 15, 2016

Name: _____ Office: _____
Address: _____
City/State/Zip Code: _____
Telephone: _____ Email: _____

PREREGISTRATION IS REQUIRED. NO REGISTRATION AT THE DOOR. There is no fee for this seminar.
Please complete this form and return it to:

Assigned Counsel Criminal Court Appeals Training
Seminar Appellate Division, Fourth Department
50 East Avenue, Suite 200, Rochester, NY 14604-2299

You must return this form by **April 8, 2016** in order to attend.
If you have any questions, please call 585-530-3100.

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 (2013-2016). This transitional/non-transitional program has been approved in accordance with the requirements of the Continuing Legal Education Board for a maximum of 6.0 credit hours, of which 1.0 credit hour can be applied toward Ethics and Professionalism. No CLE credit may be earned for repeat attendance at any accredited CLE activity within any one reporting cycle. *Tuition assistance for financial hardship is available.*

Appellate Division, Fourth Department
50 East Ave., Suite 200
Rochester, New York 14604-2299

Assigned Counsel Criminal Appeals Training Seminar

presented by the
Appellate Division
Fourth Judicial Department
Hon. Gerald J. Whalen
Presiding Justice



and the
New York State
Defenders Association



Friday, April 15, 2016

New York State Appellate Division
Fourth Department
2nd Floor Conference Room
45 East Avenue, Rochester, NY

6.0 MCLE Credits (1.0 Ethics)

A G E N D A

8:30-9:00 am Registration

9:00-9:10 am Welcome

9:10-10:30 am

Fertile Grounds: Developing Successful Appellate Issues in the Fourth Department

Drew DuBrin

10:30 am-12:00 noon

Starting and Perfecting an Assigned Appeal

Timothy Murphy

12:00-12:45 pm Lunch (provided)

12:45-1:45 pm

Effective Brief Writing

Mary Hope Bennett

1:45-2:30 pm

Practice and Procedure: Guidelines for Assigned Counsel

Kim Taylor

2:30-2:45 pm Break

2:45-3:45 pm

Ethical Considerations for Appellate Counsel

Andrea Tomaino

S P E A K E R S

Mary Hope Benedict is Senior Principal Law Clerk to Justice Henry J. Scudder and has been Justice Scudder's law clerk for more than 20 years. Prior to her employment as Justice Scudder's law clerk, she was employed by the Steuben County Law Department as an Assistant County Attorney

and prosecuted juvenile delinquent cases, and abuse and neglect matters in Family Court. Ms. Benedict is a graduate of University of Buffalo Law School and LeMoyne College.

Drew R. DuBrin, a graduate of the Emory University School of Law, is the Special Assistant Public Defender in charge of appeals for the Monroe County Public Defender's Office. Mr. DuBrin has worked in the appeals section of the Monroe County Public Defender's Office since 1987 and has handled hundreds of cases before New York's appellate courts.

Timothy Murphy has been practicing law for 20 years, and is presently Chief Attorney of the Appeals and Post-Conviction Unit of the Legal Aid Bureau of Buffalo, Inc., overseeing the state's largest criminal appeals department outside New York City. The office represents indigent appellate clients in Erie, Orleans, Genesee and Cattaraugus Counties. He is the Chair of the Appellate Practice Committee of the Bar Association of Erie County; a board member for the New York Association of Criminal Defense Lawyers; a member of the Committee on Courts of Appellate Jurisdiction for the New York State Bar Association; and a member of the Tri-County Judicial Screening Committee for NYS Court of Appeals candidates. He is admitted to practice before the U.S. Supreme Court and the U.S. Court of Appeals for the Second, Fourth, Sixth and Eleventh Circuits, as well as before the Seneca Nation of Indians Court of Appeals. He is also a former Niagara County prosecutor, and has been a Town Justice in the Town of Pendleton

since 2008. Tim was named to *Super Lawyers* (Upstate NY edition) in 2014.

Kim Koski Taylor is a graduate of the University at Buffalo Law School. Upon graduation from law school Ms. Taylor clerked for the Supreme Court, Appellate Division, Fourth Department, before joining the Monroe County Law Department. Ms. Taylor served as a Deputy County Attorney and then as the Supervising Attorney for the Child Support Enforcement Unit. In addition to her duties as the Supervising Attorney, Ms. Taylor handled all appellate work for the Child Support Enforcement Unit and the Monroe County Juvenile Prosecutor's Office. Ms. Taylor is currently the Administrator of the assigned counsel program for the Fourth Department.

Andrea E. Tomaino is Principal Counsel for the Seventh Judicial District Attorney Grievance Committee, an agency of the Appellate Division, Fourth Department. She previously served as a Confidential Law Clerk to the Appellate Division, Fourth Department, before entering private practice, where she concentrated in family law with the firms of Chamberlain, D'Amanda, Oppenheimer & Greenfield, and Woods Oviatt Gilman LLP, in Rochester, New York. Ms. Tomaino has been a frequent lecturer at CLE programs on legal ethics for various County Bar Associations and the New York State Bar Association, and she is the immediate past Chair of the Board of Trustees of Our Lady of Mercy High School in Rochester, New York. She received her BA from the College of the Holy Cross and her JD from Washington & Lee University School of Law.