

LEADERSHIP CONNECTION

ABA CRIMINAL JUSTICE SECTION

APRIL 1, 2011

BRUCE GREEN, CHAIR

WWW.ABANET.ORG/CRIMJUST



THE UNIFIED VOICE OF CRIMINAL JUSTICE

COMMITTEES/TASK FORCES MAKING A DIFFERENCE

The **Defense Function Committee** held a conference call on Wednesday, March 30 to discuss the following: Draft resolutions; plans for the Spring meeting in Miami, practice tips for the CJS newsletter; Native rights issues; an update on Habeas; computer cases; and the forensics program in June. This will be an informal meeting, so bring your ideas and comments. I will send out some notes from the last meeting before next Wednesday. If there is anything you want to discuss, please let me know and I'll add it to the list. **Pauline Weaver serves as Co-Chair of the Defense Function Committee** and facilitated the conference call.

SPECIAL APPOINTMENT

The following special appointment will be presented to the **Criminal Justice Section Council** during the Spring Meeting in April in Miami, FL: The CJS Bylaws allow for the appointment of special advisors to the CJS Council. **Chair Bruce Green, and Chair Elect Janet Levine** would like to appoint former **Council Member Susan Gaertner as a Special Advisor to the Council on Prevention and Victims Rights**. Susan is the former District Attorney from Hennepin County, MN.

PADILLA RESOURCE GUIDE NOW AVAILABLE!

The ***Padilla v. Kentucky Resource Guide*** is now available online for purchase. As a follow-up to our recent ***"Padilla and Beyond"*** symposium at the Newseum in Washington D.C., the **CJS** has assembled a compilation of printed resources detailing the impact of ***Padilla v. Kentucky*** on the pressing implications of the recent Supreme Court Decision. The publication includes foundational articles on the general implications of Padilla and its impact on the treatment of collateral consequences; grouped materials for members of the legal community: defense, prosecutor and judicial resources; and concludes with an article that serves as a comprehensive guide to overall processes, proceedings, and attitudes following ***Padilla v. Kentucky***. The inside, back cover includes two discs showcasing the ***"Padilla and Beyond"*** symposium taped at the Newseum. **To purchase the *Padilla v. Kentucky Resource Guide* click [here](#).**

UPCOMING EVENTS

Join the **ABA Racial Justice Improvement Project on Friday, April 29, 2011**, as part of the **National Consortium on Racial and Ethnic Fairness in the Courts Annual Meeting** in New Orleans, LA for a Panel Discussion on reforms to reduce or eliminate the disparity in the criminal justice system. This panel will discuss the project's innovative approach, provide a roadmap for other jurisdictions to follow in instituting similar collaborations, and discuss ways to promote the goal of bias-free decision-making in the criminal justice system. Esteem Panelists include: **Cynthia Jones**, Director, Racial Justice

Improvement Project and Associate Professor of Law at The American University Washington College of Law, Washington D.C.; **Jee Park**, New Orleans Racial Justice Improvement Project and Special Litigation Counsel, New Orleans Public Defender, New Orleans, LA; **Norris Henderson**, Executive Director, V.O.T.E., New Orleans, LA; and **Jack Hanna**, Grant Director Racial Justice Improvement Project, American Bar Association Criminal Justice Section Director, Washington, D.C. The Program will be moderated by **Salma S. Safiedine**, Assistant Director Racial Justice Improvement Project, Criminal Justice Section Attorney, Washington D.C. **For more information, contact Salma S. Safiedine at salma.safiedine@americanbar.org or on 202-662-1590.**

ABA Criminal Justice Section; the ABA Section of Individual Rights and Responsibilities; and the ABA Council on Racial and Ethnic Justice will co-host a training conference for the **“Building Community Trust: Improving Cross Cultural Communication in the Criminal Justice Section” Project on Thursday, May 12, 2011** at the District of Columbia Offices of the American Bar Association located at 740 15th Street N.W. Washington D.C. 20005.

The CJS invites you to participate in the training and to identify individuals to attend the training. The training will be facilitated by **Wayne McKenzie**, Vera Institute & District Attorney’s Office, Brooklyn, NY; **Edwin Burnette**, Vice President of Defender Legal Services at the National Legal Aid & Defender Association; and **Catherine Beane**, Principal Beane Consulting and co-author of the curriculum. Funded by the **ABA Board of Governors**, the project seeks to address concerns that are of particular importance to the legal profession. Our objective is to develop a cadre of committed individuals trained in curriculum, who will emerge as leaders in the criminal justice field to address diversity issues. Drawing upon the diverse perspectives of prosecutors, defense lawyers, judges and scholars, the training will provide valuable and thoughtful presentations on pressing racial disparity issues in the criminal justice system. Seating is limited. **Please R.S.V.P. to Salma S. Safiedine at salma.safiedine@americanbar.org by April 7, 2011 to guarantee admittance.**



SAVE THE DATE... THE 2011 CRIMINAL JUSTICE SECTION ANNUAL MEETING will be held August 4-7 in Toronto, Canada. The Criminal Justice Section will be headquartered at the Hyatt Regency Toronto. It’s not too early to register at <http://www2.americanbar.org/sections/criminaljustice/PublicDocuments/2011annual.pdf>.

LAST CALL FOR AWARD NOMINATIONS

The Criminal Justice Section needs your help. Please take a moment to review below the list of awards and nominate your colleague or associate:

Charles R. English Award: This award recognizes a Criminal Justice Section member who has: (1) provided exceptional service to the Criminal Justice Section (2) exercised exemplary ethical and

professional conduct, (3) engaged in activities that have increased the stature and professionalism of lawyers practicing in the criminal justice system, and (4) enhanced the relationship between prosecutors and the defense bar by promoting professional and bar association endeavors that advance fairness and justice over parochial defense and prosecution views. **Deadline for submitting nominations: April 15, 2011.**

Norm Maleng Minister of Justice Award: Nominees for this award must be prosecutors. They may practice at the federal, state, local or municipal level, and they may be elected or appointed. The nominee selected will be distinguished in his or her work in the field of criminal justice, and will exemplify the principles that: (1) the prosecutor's obligation is to protect the innocent as well as to convict the guilty, (2) the prosecutor must guard the rights of the accused as well as enforce the rights of the public, and (3) the prosecutor's commitment to the legal and ethical standards must be unwavering. **Deadline for submitting nominations: April 15, 2011.**

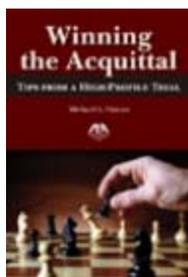
Livingston Hall Juvenile Justice Award: This award recognizes lawyers practicing in the juvenile justice field who have demonstrated a high degree of skill, commitment, and professionalism in representing their young clients, positively and significantly contributing to the field and the rights and interests of the children they serve. **Deadline for submitting nominations: May 31, 2011.**

CALL FOR SUBMISSIONS

William W. Greenhalgh Student Writing Competition: This contest is open to all students who are members of the American Bar Association and who, at the date the entry is submitted, attend and are in good standing at an ABA-accredited law school within the United States and its possessions. Membership in the Criminal Justice Section is not a requirement for eligibility. The chosen topic may be any timely and important issue of American criminal constitutional procedure of interest to practitioners of criminal law. A winning entry will contain an original discussion of the issue chosen, will be substantively accurate, will be supported by citations, and will be grammatically correct, concise, and clearly written. **Deadline for submissions: April 25, 2011.**

For more information on these awards, please visit the [Section Awards](#) web page.

MEMBER NEWS: A WINNING READ



TITLE: "WINNING THE ACQUITTAL: TIPS FROM A HIGH-PROFILE TRIAL"

BOOK REVIEW BY:

KEANE, KELLY MARKETING DIRECTOR ABA PUBLISHING

The CJS has recently published a new book authored by an old friend of the Section. **Author Michael S. Pasano, former CJS Chair 2005-2006 has written "Winning the Acquittal: Tips from a High-Profile Trial"** in which he provides insider's tips on winning a case for the defendant. Based on an intriguing trial diary kept by Michael, the book documents the day-to-day developments of the high-profile 2009 trial of **Luisa Inclán Bird**, an advisor to Puerto Rico's former governor. Told in "real time", the book is filled with observations and comments on how criminal defense work is done; what succeeds and does not succeed; how criminal defense attorneys perform their work; and what well-planned steps they take toward winning a judgment for their clients. Special thanks to **Jack Selden, Book Board Chair and his Committee** for continuing to publish and recommend great books to our members. **To order Michael's new book, visit the CJS publications webpage at http://www.americanbar.org/groups/criminal_justice/publications.html.**

MEMBERSHIP

ABA PUBLIC SERVICE GROUP MEMBERSHIP

Attorneys within government offices, legal services organizations, and other not-for-profit organizations are eligible for a reduced ABA dues rate of only \$70, in exchange for recruiting new members and consolidating billing and administration. The flat dues rate reflects a savings over the already discounted government membership rates, reducing dues by an average of 50%. Section memberships are an additional cost.

REQUIREMENTS:

- Groups must contain a minimum of five people.
- 50% of each group must be comprised of new ABA members.
- One individual will be designated as the Group Administrator, responsible for collecting and transmitting all dues payments and making membership updates.

For more information contact Sarah Bollinger, Group Program Manager, at 312-988-5538 or sarah.bollinger@americanbar.org.

http://www.americanbar.org/membership/membership_rates/firm_group_billing.html

TECHNOLOGY...

What's "New" on the CJS Website --- CJS Technology/Publications Manager Kyo Suh has been busy redesigning and updating the newly-launched [ABA/CJS website](#), mainly key portal pages such as [Events/CLE](#), [Publications](#) and [Resources](#). Please send your feedback to kyo.suh@americanbar.org.

Be sure to visit the (CJS) on the web at: www.abanet.org/crimjust and become a **CJS Fan** on [Facebook](#), [Linked-in](#) and [Twitter](#).

WEEKLY CRIMINAL JUSTICE NEWS ROUND-UP APRIL 1, 2011

MICROSOFT SHARPENS ANTITRUST ATTACK AGAINST GOOGLE

Wall Street Journal Law Blog

Thursday, March 31, 2011

Microsoft has become consumed by drama of late, as co-founder Paul Allen is soon to release a memoir in which he promises to open a closet full of bitterness towards his former pal and business colleague Bill Gates. As much as we love it when tech billionaires take off the gloves, we turn to the more sober topic of Microsoft's role as an antitrust aggressor, a far cry from the days when the company was the one picked on by competition police. Microsoft today filed a formal complaint with European antitrust authorities that targets Google's dominance of the Internet search market. **For more on this story, visit <http://blogs.wsj.com/law/2011/03/31/microsoft-sharpens-antitrust-attack-against-google/>.**

STRUGGLING STEWARDESS EXPOSED EURO COIN FRAUD RING

Reuters

Thursday, March 31, 2011

FRANKFURT, GERMANY. An airline stewardess struggling to lift her bag at a German airport led to the discovery of a 6-million euro (\$8.4 million) coin fraud. The customs officer who stopped the stewardess in early 2010 found thousands of one and two euro coins in her bag, Bild newspaper reported in its Thursday edition. The incident sparked an investigation that has uncovered a forgery ring stretching to China and potentially implicating employees of German airline Lufthansa, the paper said. The Frankfurt prosecutors' office said on Thursday it carried out dawn raids on offices and residences and arrested six people, four of whom are from China. It suspects them of having smuggled coins that had been taken out of circulation or bits of those coins into Germany from China, where they had been sent as scrap metal. The suspects then put the coins back together and exchanged them for a total of 6 million Euros at the Bundesbank from 2007 to 2010, the prosecutors said. **For more on this story, visit <http://www.bloomberg.com/news/2011-03-03/cdo-cds-fraud-probes-to-be-2011-priority-new-york-u-s-prosecutor-says.html>.**