



NEW YORK STATE DEFENDERS ASSOCIATION DEFENDER INSTITUTE

2018 Basic Trial Skills Program June 17-22, 2018

"It has built my confidence and helped me feel more experienced. It has also made me feel more proud of the training and experience I do have. The spirit here is great. I felt no judgment and a lot of energy."

"It reaffirmed my greatest strength and my belief that the client should be the foundation of my work."

—PAST BTSP PARTICIPANTS

About the Basic Trial Skills Program

The Basic Trial Skills Program is designed to help attorneys with little or no trial experience become skilled in the techniques of jury persuasion and confident of their abilities to conduct jury trials. A parallel goal of the program is to increase the sensitivity of the participants to the conditions of the lives of their clients and to promote caring, humane and effective representation. The program seeks to foster a long-term commitment to the representation of poor people. The Criminal Justice Section of the New York State Bar Association presented the Defender Institute with its Award for Outstanding Contribution to Criminal Law Education. The New York State Judicial Commission on Minorities has called the program "a model for other agencies that provide legal assistance to the poor" and re-endorsed the program in 2011.

The training includes small group exercises, lectures and demonstrations by attorneys and communication specialists and informal sessions with participants and faculty. Participants are divided into small groups according to experience. Topics covered during the six-day program include jury persuasion, theory of the case, client interviews, *voir dire*, opening statement, cross-examination, impeachment, direct examination, and closing argument.

This total immersion program is extremely demanding, with more than 40 hours of breakout sessions, lectures, and demonstrations. To successfully participate in the training, you must be familiar with all case materials prior to the program as well as prepare daily during the program for participant exercises.

Dates

Sunday, June 17 through Friday, June 22, 2018.

Application deadline is THURSDAY MAY 17, 2018.

Location and Accommodations

The Defender Institute 2018 Basic Trial Skills Program will be held at Skidmore College, Saratoga, New York. *Participants will share dormitory rooms in a student residence hall.* Single rooms will be available on a limited basis for an additional fee.

Application and Admissions Process

The Defender Institute seeks to accept applicants from a broad range of New York counties' full- and part-time defenders and assigned counsel practitioners who handle a substantial number of assigned criminal cases. Partici-

pants are trained by some of the best trial attorneys and communication specialists in the country. If selected, participants are required to make a personal commitment to attend all sessions of the program.

Each year, NYSDA's Defender Institute receives more applications than it can accept and must turn down some applicants due to lack of space in the program. Because participants will learn from each other both informally and in small group exercises, a diverse student body is sought. Some of the factors for acceptance are: levels of trial experience; diversity of the participant population; commitment to the representation of the poor; need for training; and skills or experiences, both in and out of the law, that can be shared with fellow participants. Those persons not selected for the program will be placed on a ranked waiting list.

Applications must be complete to be considered.

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 (2016–2019). This transitional program has been approved for all attorneys, including newly admitted lawyers, in accordance with the requirements of the Continuing Legal Education Board for approximately 30 credit hours (depending on the final schedule), of which approximately 2 credit hours can be applied toward Ethics and Professionalism. Tuition assistance for financial hardship is available.

About the New York State Defenders Association

Spurred on by the Supreme Court's decision in *Gideon v. Wainwright*, the New York State Defenders Association (NYSDA) was incorporated in 1967 to be the voice for defense lawyers in New York State. In 1981, New York State contracted with the Association to run the nation's first Public Defense Backup Center, a clearinghouse that provides consultation, research, expert referrals, training and publications to the state's more than 6,000 public defense attorneys. In 1987, NYSDA established the Defender Institute, which presents the Basic Trial Skills Program and carries out a statewide series of continuing legal education seminars for public defense attorneys.

TO APPLY: Send a COMPLETED APPLICATION AND YOUR RÉSUMÉ to NYSDA by **MAY 17, 2018**. Persons with late applications will be placed on a ranked waiting list.

2018 BTSP APPLICATION

It is important that this application be fully completed. **Incomplete applications will not be considered.** If additional space is needed, attach extra sheets. PLEASE TYPE.

1. NAME _____

Office Address _____

City _____ County _____ State _____ Zip _____

Office Phone (____) _____ Office Fax (____) _____

Office E-mail Address _____

Home Address _____

City _____ County _____ State _____ Zip _____

Cell Phone # (____) _____ Home E-mail Address _____

Name of Public Defender, Legal Aid Society,
or Assigned Counsel Program _____

In what counties do you do Assigned Counsel work? _____

2. EMPLOYMENT (please indicate):

A. ☐ Full-time Public Defender or Full-time Legal Aid Attorney

1. Number of years and months in present position _____

B. ☐ Part-time Public Defender or Part-time Legal Aid Attorney

1. Number of years and months in present position _____

2. What percentage of your total working hours is devoted to representing poor people accused of crimes?
_____ %

3. Please describe the nature of the balance of your practice _____

C. ☐ Assigned Counsel Practitioner

1. Number of years and months on assigned counsel panel _____

2. What percentage of your total working hours is devoted to representing poor people accused of crimes?
_____ %

3. Please describe the nature of the balance of your practice _____

4. Number of assigned counsel cases you have accepted over the past 12 months: _____

D. Caseload Information. Please indicate the number of cases you are currently assigned in each category. Enter "N/A" if you have never handled a case in a particular category.

Homicides: _____ Felonies: _____ Family Court: _____ Parole Cases: _____

Misdemeanors: _____ Violations: _____ Criminal Appeals: _____

3. WRITTEN STATEMENTS: On a separate sheet, please answer the following questions.

- A. Discuss your reasons for choosing to do public defense work.
- B. Describe your career goals and indicate how long you expect to do public defense work.
- C. Please tell us why you need this training and what specific concerns you have with the prospect of trying a criminal case.
- D. What anxieties and concerns do you have in representing your clients?
- E. Please provide a profile of the public defense clients you typically represent.

4. TRIAL ADVOCACY COURSES ATTENDED:

Trial advocacy courses attended during and after law school: _____

5. TRIAL EXPERIENCE: Number of trials to date. (Participants are placed in groups according to experience level. Please be as accurate as possible.)

A. No trial experience _____

B. Criminal: Felony:..... Jury: _____ Bench: _____
Misdemeanor: ... Jury: _____ Bench: _____
Violations: Bench: _____

C. Civil: Jury: _____ Bench: _____

D. Other hearings (please specify): _____

6. OTHER EXPERIENCE: On a separate sheet, please explain any additional circumstances which you believe should be considered in reviewing your application.

7. MISCELLANEOUS INFORMATION:

A. I am ☐ visually impaired ☐ hearing impaired ☐ physically challenged/in need of barrier free access

B. Special dietary needs: ☐ Vegetarian (no meat at all)

☐ Quasi-Vegetarian (no red meat; chicken and fish only)

☐ Other (please specify): _____

My T-shirt size: _____

How I would like my name tag to read: _____

C. Single room: A limited number of single rooms (shared bath) are available for an additional charge. ☐ Yes ☐ No

D. If needed, we will explore child care with you. Do you need child care? ☐ Yes ☐ No

E. Are you a member of NYSDA? ☐ Yes ☐ No

F. Have you applied to the Basic Trial Skills Program before? ☐ Yes ☐ No If yes, what year(s)? _____

8. DEMOGRAPHIC INFORMATION:

Please designate:

A. Race: _____

B. Ethnicity: _____

C. Sex: _____

The New York State Defenders Association does not discriminate on the basis of race, sex, age, national origin, physical disability, religious belief, sexual orientation or prior criminal record.

9. PERSONAL COMMITMENT:

I agree to attend and actively participate in all training sessions of the 2018 Basic Trial Skills Program of the NYSDA Defender Institute. **I am not engaged in the prosecution of criminal cases.**

Signature: _____ Date: _____

BEFORE YOU SEND THIS APPLICATION, PLEASE MAKE SURE:

1. All questions on the application are completely answered.
2. Your résumé is enclosed.

INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED.

Thursday May 17, 2018.

Please return the COMPLETED APPLICATION and YOUR RÉSUMÉ by April 20, 2018 to:

Defender Institute 2018 Basic Trial Skills Program
New York State Defenders Association
194 Washington Ave., Suite 500
Albany, NY 12210-2314

Phone: 518-465-3524 Fax: 518-465-3249