

**New Hampshire Association of Criminal Defense Lawyers Presents:  
Kids, Computers and Confabulation**

Friday, October 21, 2011  
The Holiday Inn, 172 N. Main St., Concord, NH  
Registration begins at 8:15 am, CLE starts at 8:45 am  
6 Hours of CLE Credit including one hour of ethics

**Nuts and Bolts:**

This CLE will include a Continental breakfast and afternoon drinks and snacks. Lunch will be on your own from 12-1 p.m. There are many restaurants within walking distance.

Written materials will be provided via email a few days before the CLE if you indicate that on your sign up form. This will allow you to read the materials and print any items you wish to have in front of you during the CLE, but this will be one large PDF file. The materials will also be available on a flash drive that you will get at the CLE if you wish, and this version will have the different materials divided into separate files making it easier to use them later to cut and paste for motions, etc. Hard copy is also available. Please let me know if you have questions about these options.

**Speakers include:**

**Donna Brown and Meredith Lugo:** *Countering Trickery in Openings and Closings*

You know that sinking feeling during opening and closing when the prosecutor is making an argument that you know is not RIGHT, but you can't formulate the objection fast enough to do something about it? Well, this session will help you to quickly identify those statements and arguments that introduce prejudice and unfairness into the process and give you the tools to counteract them quickly and effectively.

Donna and Meredith are long-time public defenders and between the two of them have tried hundreds of cases to NH juries in multiple counties.

**William R. Gallagher:** *On-line Investigations*

At the NHACDL annual meeting last year, the CLE covered the ethics of using social media and other on-line tools to conduct investigations. We know where to be careful, now William Gallagher will show you how to delve into the on-line world to find better and more information. He will also discuss how to get this stuff introduced at trial once you get the goods. Attorney Gallagher is a partner in the firm Arenstein and Gallagher in Cincinnati. Prior to starting a career in private criminal defense, he was a

state public defender in Illinois. He past president of the Cincinnati Criminal Defense Lawyers Association, board member of the Ohio Association of Criminal Defense Lawyers and a board member of the National Association of Criminal Defense Lawyers where he ran the national CLE programs. He has been a professor at the DePaul University Law School and the University of Cincinnati Law School, where he helped to establish an Innocence Project. He has lectured at CLEs in 15 different states on a variety of topics to rave reviews. On August 6, 2011, Mr. Gallagher was awarded the Robert C. Heeney Memorial Award, NACDL's most prestigious honor which is given annually to the one criminal defense lawyer who best exemplifies the goals and values of the profession.

**Ted Lothstein:** *The Law of Memory in the Courtroom*

Ted is one of NHACDL's most popular speakers. He has practiced in New Hampshire for more than 15 years as a public defender, appellate defender and in private practice. He delivers content you can use and always provides a few laughs while doing so.

Ted will cover a variety of tough trial issues such as the updated law on recorded recollection, opening the door and other baffling areas of the law that tend to thwart your efforts during trial.

**Ed Nichols:** *Testimony by Children*

Ed Nichols is a psychotherapist from New York who has provided expert consultation on child sex abuse cases for the past 30 years. He will cover how to challenge the reliability of young children's statements in false sex abuse cases. Much of this is applicable to the testimony of young children in other kinds of cases as well. He will cover the relationship between "competency," "credibility" and "reliability." He will share the research concerning the effects of suggestive interviewing on children's subsequent reports and the application of social science research to the judicial setting. He will discuss the presentation of legal arguments for the exclusion of evidence elicited through suggestive interviews, including the landmark cases of NJ vs. Michaels and PA vs. Delbridge. He will also include a section on overcoming common State arguments for the admission of children's testimony.

**Mike Iacopino:** *Defense of Child Porn Cases*

Mike is the former president and current at-large board member of NHACDL, a long time state and federal defense practitioner and former member of the NACDL board of directors. Mike will discuss both state and

federal issues with child pornography cases. More and more of these cases are being brought. If you have not had one yet, it is just a matter of time. Learn what you need to know about handling the evidence, computer issues, and how to mount a defense when faced with this material.

**Plus: Special small group session on objections with Behzad Mirhashem and John Newman**

Are you a newer lawyer? Are you an experienced attorney who has not spent any time in a long time on your court room technique? This small group session will give you a chance to work on making objections and how you can effectively make the record and still charm the jury! John Newman and Behzad Mirhashem have decades of experience in New Hampshire and other states. They are experienced trainers and fantastic trial lawyers. Spend some time focusing on yourself and your performance in a low-pressure setting. This will be a small group with just 10 spots available. If you want in, sign up early!