



FIRST DISTRICT APPELLATE PROJECT'S ANNUAL

**APPELLATE REPRESENTATION
TRAINING SEMINAR**

FRIDAY, APRIL 26, 2024

- 5.25 hours of MCLE
- Appellate and criminal specialization credits available
- Criminal and dependency breakout sessions
- Continental breakfast and lunch provided

FDAP Seminar Coordinators:

Staff Attorneys

Dominique Armstrong, Richard
Braucher, Stephanie Clarke, Louise
Collari, & Bill Robinson

Nile Hall/Ginn House
Preservation Park
1233 Preservation Park Way
Oakland, CA 94612

SEMINAR AGENDA

8:15 – 9:00	<i>Registration</i>		
	Breakout Sessions		
9:00 – 10:00	Recent Legal Developments in Criminal, Delinquency, & Civil Commitment Law Stephanie Clarke & Dominique Armstrong	or	A Guide to Dependency Practice in the First District Amy Grigsby & Louise Collari
10:00-11:00	Current Issues in Sentencing and Resentencing Appeals Megan Hailey-Dunsheath	or	Emerging and Recurring Issues in Dependency Appeals Louise Collari
11:00 – 11:15	<i>Break</i>		
11:15 – 12:15	Turning Murder into Manslaughter: The Six Pillars of the Manslaughter Defense and Other Rousing Stories Bill Robinson & Danalynn Pritz	or	Mootness: It Will Never Be Moot for This Family Louise Collari
12:15 – 1:15	<i>Lunch</i>		
1:15-2:15	Summoning the Genie: How Legislative Action Can Benefit Our Clients Richard Braucher & Danica Rodarmel		
2:15 – 2:30	<i>Break</i>		
2:30 – 3:45	Oral Argument: Showing Up and Standing Up for Our Clients J. Bradley O'Connell with Jeremy Price, Amanda Roze, & Christopher Stansell		
	<i>Adjourn</i>		

SEMINAR SPEAKERS

Dominique Armstrong graduated from UC Law San Francisco in 2023. While in law school, she interned at the California Appellate Project – San Francisco and worked as a law clerk for a First District panel attorney. At UC Law SF, Dominique served as the President of the Black Law Students Association and was an acquisitions editor for the Constitutional Law Quarterly. She joined FDAP in 2023.

Richard Braucher has been a staff attorney at FDAP since 1998. He serves on the board of the Pacific Juvenile Defender Center and has been a member of its Amicus Committee since 2006. Richard’s notable published cases include *In re McGhee* (2019) 34 Cal. App.5th 902 (voiding CDCR’s Prop. 57 regulations that excluded from parole consideration more than a third of otherwise eligible inmates) and *In re Elias V.* (2015) 237 Cal.App.4th 568 (holding that statements by a child interrogated by police at school were involuntary in part, because they resulted from the type of coercive interrogation techniques condemned in *Miranda*). For more than a decade, Richard has joined juvenile justice activists, lawyers, and justice-involved youth and their families in drafting, advocating for, and implementing youth justice reform legislation.

Stephanie Clarke began her legal career with the State of Connecticut Office of the Public Defender, where she handled both trials and appeals. Upon moving to San Francisco, she spent two years in civil practice before joining FDAP as a staff attorney in 1991. Stephanie later accepted a position at the Office of the State Public Defender where she represented death row clients on appeal from their capital convictions, until returning to FDAP in 2003. She has handled several California Supreme Court cases, maintains her own Court of Appeal caseload, and endeavors to review and approve panel attorney compensation claims as promptly as possible.

Louise Collari joined FDAP as a staff attorney in 2017. Prior to that, she was a member of the FDAP and SDAP appellate panels, representing parents in juvenile dependency appeals. Louise successfully argued two cases in the California Supreme Court: *In re I.C.* (2018) 4 Cal.5th 869 and *In re A.R.* (2021) 11 Cal.5th 234. She also had a published reversal in *In re B.D.* (2019) 35 Cal.App.5th 803.

Megan Hailey-Dunsheath joined FDAP in 2020 after several years representing adults and juveniles in criminal and delinquency appeals. While on FDAP’s panel, she successfully argued *In re Ricardo P.* (2019) 7 Cal.5th 1113 in the California Supreme Court. Prior to that, Megan worked as a deputy public defender in Contra Costa County and represented death-sentenced inmates in post-conviction proceedings at the Habeas Corpus Resource Center. She has also represented families of children with special education needs in litigation against school districts and taught legal research and writing to international law students. Megan is a graduate of the UC Berkeley School of Law.

Assistant Director J. Bradley O’Connell joined FDAP in 1986, as one of its original staff attorneys. He has litigated appeals and writs on a range of issues, with emphasis on homicide law, jury instructions, and habeas corpus practice. Brad has argued before the U.S. and California Supreme Courts, including in *Hedgpeth v. Pulido* (2008) 555 U.S. 57; *People v. Duvall* (1994) 9 Cal.4th 464; *People v. Randle* (2005) 35 Cal.4th 987; and *People v. Buza* (2019) 4 Cal.5th 658. Brad has also taught “Post-Conviction Remedies” as an adjunct professor at UC Law San Francisco.

SEMINAR SPEAKERS

Jeremy Price spent more than 18 years as a FDAP staff attorney before leaving in January of 2024 to join the Strategic Litigation and Research Unit at the Contra Costa County Public Defender. At FDAP, he handled hundreds of Court of Appeal cases and a couple in the California Supreme Court, including Public Guardian of Contra Costa County v. Eric B. (2022) 12 Cal.5th 1085, which effectively ended the practice of compelling the testimony of LPS Act conservatees. By appointment of the Chief Justice of California, Jeremy has served as the lone appellate defense attorney on the statewide Judicial Council Advisory Committee on Criminal Jury Instructions since 2020. He is a big believer in the value of oral argument and misses both FDAP and the panel every day!

Bill Robinson joined FDAP as a staff attorney in 2023. Starting in 1998, Bill worked at SDAP as a staff attorney, assistant director, and senior staff attorney, where he focused on mentoring panel members in homicide and sex-crime cases as part of the Greening program. Prior to joining SDAP, Bill was a panel attorney for 16 years. Bill has written articles and conducted training on many topics, including issue spotting, homicide law, credits, how to write a brief, oral argument, the Ex Post Facto Clause, and the 2022 new sentencing laws. Among his many published wins and losses are two gems, *People v. Mendoza* (1998) 18 Cal.4th 1114 (aiding and abetting requires a specific intent, even for a general intent crime, such that intoxication evidence is admissible), and *People v. McWilliams* (2023) 14 Cal.5th 429 (a police officer's discovery of a parole search condition does not attenuate the wrongfulness of a preceding unlawful detention). Bill is a longtime resident of San Francisco and has two wonderfully grown-up daughters.

Amanda Roze is a former court staff attorney who has handled juvenile and criminal appeals since 2007, and until recently split her time between appeals and working on exam development and grading for the State Bar. Her favorite published wins are *In re Ernesto L.* (2022) 81 Cal.App.5th 31 (requiring custody credits to be applied to the actual DJJ custodial term, disagreeing with a decision that applied credits to the theoretical exposure term), and *In re K.M.* (2022) 75 Cal.App.5th 323 (aiding and abetting liability requires affirmative conduct, disagreeing with a 1976 decision with racial overtones).

Danica Rodarmel is an attorney and policy consultant whose work centers on challenging and changing unjust criminal laws and creating a world where wellbeing and healing are truly accessible for all. Danica's family has been deeply impacted by violence and the criminal legal system, which has led her to devote her life to personal and collective healing, as well as transformative forms of justice. She served as State Policy Director at the San Francisco Public Defender from 2020-2022 before founding Sacramento based Whole Consulting in 2021. She is a graduate of UC Berkeley Law School and a member of the California Bar.

Danalynn Pritz has been a panel attorney for 25.5 years, ever since her triplets were born. She's worked with every panel. A graduate of SDAP's first Greening class, and a recipient of SDAP's Gerald Z. Mayer award in 2015, she won two reversals while Greening, involving voluntary manslaughter instructional error in the *Alcaraz* case (unpublished), and a *Miranda* win in *People v. Lopez* (2005) 129 Cal.App.4th 1508 ["F___ you, I want to talk to my lawyer" invoked right to counsel]. Danalynn specializes in homicide cases, notching published wins in *People v. Pedroza* (2014) 231 Cal.App.4th 635, *People v. Tatum* (2016) 4 Cal.App.5th 1125 [court's voir dire comments on credibility of plumbers required mistrial because main alibi witness was a plumber; or as Wash. Post put it, "Judge's cracks about plumbers flushed murder conviction"], and, of course *People v. Banks* (2015) 61 Cal.4th 788 [setting forth "major participant/reckless indifference" standard for felony murder cases]. Danalynn lives in Channel Islands Harbor, where she enjoys boating with her husband Jourdain. She has three amazing 25.5 year-old children.

Chris Stansell graduated from UC Davis School of Law. He interned at county and federal public defender offices in and after law school, was a deputy public defender in Kern County, then handled a wide range of trial cases and appointed appeals in private practice. Now, he happily lives in Oakland and handles only appeals and other post-conviction work, mostly appointed appeals. He is a member of all five California panels. With an avid interest in the art of oral argument, Chris has been known to occasionally enjoy streaming arguments from the Ninth Circuit's YouTube channel on his big-screen TV at home (much to the chagrin of innocent bystanders).

DETAILS

Registration Dates:

- Registration is now open. www.fdap.org/events
- Registration Deadline: Friday, April 19, 2024

Registration fees:

- ❖ \$100 for Court of Appeal panel attorneys, government attorneys, non-profit attorneys, and attorneys in practice 0-5 years
- ❖ \$25 for law students
- ❖ \$150 for other attorneys in practice more than 5 years

Note: registration is *not* open to attorneys affiliated with prosecutorial agencies, including County Counsel offices.

Cancellation Policy:

Refunds, less a \$10 processing fee, will be sent for those cancellations received by 5 p.m. on April 22, 2024. Cancellations received after that date are not eligible for a refund.

Seminar Materials:

The seminar materials will be available in electronic format only. The electronic materials will be made available for downloading prior to the seminar.