



ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

ELIZABETH BROWN LUCK
Chief

WASHINGTON, D.C. 20544

PAMELA B. HAMRIN
Deputy Chief

January 4, 2024

**MEMORANDUM TO: CAPITAL DEFENSE ATTORNEYS, INVESTIGATORS, AND
MITIGATION SPECIALISTS**

**FROM: Frank Draper, Chief, Training Division, Defender Services
Office**

**SUBJECT: "The Development and Integration of Mitigation Evidence in
Capital Cases"**

The Habeas Assistance and Training Counsel and the Training Division of the Administrative Office of the U.S. Courts' (AO) Defender Services Office, are pleased to announce the "Twenty-First National Seminar on the Development and Integration of Mitigation Evidence in Capital Cases." This unique training initiative will bring together nationally recognized mental health experts, mitigation specialists, and capital defense attorneys to discuss new developments and recurring issues related to social history investigation and the comprehensive development and integration of mitigation evidence at all stages of representation in capital cases.

The program will be held **February 22-25, 2024**, at the **Element/W Philadelphia Downtown, 1441 Chestnut Stret, Philadelphia, PA 19102**. This seminar is designed for, and attendance is limited to, federal defenders, CJA panel attorneys, mitigation specialists, investigators, and attorneys interested in representing an inmate in federal collateral review, and state court practitioners who are currently appointed or seeking appointment in a capital proceeding in federal court. Continuing Legal Education (CLE) accreditation for attorneys will be sought in all applicable jurisdictions. **There will be no tuition and materials will be provided to participants free of charge. The AO also will make available, to a limited number of applicants, funding to cover travel expenses (airfare and/or lodging only) as detailed in this memorandum. Space is limited to 150 attendees.**

PROGRAM DESCRIPTION

This seminar has been held annually since the Supreme Court decision in *Wiggins v. Smith*, 539 U.S. 510 (2003), which recognized the need for thorough mitigation investigation and acknowledged the importance of the non-lawyer who had compiled the mitigation in the successful post-conviction presentation. Twenty-one years after *Wiggins*, this year's seminar will address cutting edge scientific research relevant to the development and presentation of mitigating evidence, changes in the constantly evolving legal landscape, and new empirical research addressing how jurors respond to sentencing phase evidence. The program will also include presentations on the use of narrative, finding and telling humanizing stories, the use of social history investigation in litigating *Atkins* claims, the importance of pleas, how to select appropriate experts and frame referral questions for mental health evaluations, and strategies for obtaining adequate time and funding. As always, the faculty will include university-based researchers as well as litigators, mitigation specialists, and mental health experts. Breakout sessions will include a beginners' track on mitigation basics as well as advanced workshops on specialized problems.

CIN NUMBER FOR FEDERAL PUBLIC DEFENDER REGISTRANTS

If you are an employee of a federal public defender office, please provide the following Conference Identification Number (CIN) to the individual in your office who is responsible for processing the paperwork associated with authorizing your travel to this event: **CONF240023**. This code is needed to track the total funding spent for this event.

CLE (Please read before registering):

We have applied for CLE accreditation in states that have mandatory requirements. We regret that we cannot respond to telephone inquiries regarding the status of CLE approval prior to the workshop. All information related to CLE will be emailed to attendees within 15-30 days following the program.

- To minimize reporting fees per attorney/program, if you are barred in more than one of the following states NM, TN, PA, NE, attendance will be reported to one state only.
- The attorney is responsible for making sure the appropriate state and bar number is on file with the DSO Training Division.
- For applicable states, attendance will be reported using the bar number and state(s) listed on the registration form submitted for this program.
- Failure to provide the state and bar number may result in the Training Division not being able to report your attendance.

For us to report your attendance for CLE purposes, during online registration, you must provide the following information: Bar numbers, including their respective states. Only include those states where you are seeking credit.

Attorneys seeking CLE credit must ensure that they stop by the program registration desk for daily check-in and check-out. Failure to follow these steps will result in us being unable to process your CLE credits.

****Continuing Legal Education (CLE) accreditation for this DSO Training Division Program will be requested unless otherwise noted. Program Credit hours are subject to each state's approval and credit rounding rules.**

SEMINAR REGISTRATION

While registration is free to attendees, DSO-TD covers the necessary funding to present this program. As a result, please register only if you can attend and if you are unable to attend, please notify us immediately. We kindly ask that you use your work email address for registration purposes and to help eliminate duplication. For registration, please [CLICK HERE](#). A confirmation email will be sent to you after registering. If you do not receive a confirmation email, please check your spam folder.

SCHEDULE

We expect that on-site registration and materials pick-up will commence at 3:30 p.m. and the program will begin at 5:00 p.m. on Thursday, February 22, and the seminar will conclude by 12:00 noon on Sunday, February 25, 2024.

FINANCIAL ASSISTANCE

Limited funds are available to cover airfare and/or lodging costs for individuals who require financial assistance to attend this seminar. You must be currently appointed to, or expect to soon be appointed to, a federal capital habeas case to be eligible for payment of your travel costs. Employee of federal defender and community defender offices are not eligible to apply. **To apply for financial assistance, you must first register online for the program then complete the financial assistance application form that is attached to this email.** Requests will be prioritized by financial need and the extent of the applicant's involvement in federal capital habeas corpus representation. **Please be sure you provide all required information, and your application reaches us by January 15, 2024. Incomplete requests and those received after the deadline will not be considered.** If you apply for financial assistance, please do not make airline reservations until you are notified about a decision on your application and furnished with information on how to secure those reservations. You should receive notification about your financial assistance request by **January 22, 2024.**

Thank you for your interest in this very important program. If you have any logistical questions or require additional information, please contact Chastain Smith via email at Chastain_Smith@ao.uscourts.gov. All registration and/or CLE inquiries should go to Brittany Jeffers at Brittany_Jeffers@ao.uscourts.gov.