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# Mitigation: Upholding Principles of Justice Through Advocacy

April 10 - 12, 2024 | The Jessie Ball duPont Center

## Day 1: Wednesday, April 10

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9:30 a.m.     **Registration**

*In front of Lecture Hall - 208*

10:30 a.m.    **Welcome / Opening Remarks**

*Lecture Hall - 208*

10:45 a.m.    **Keynote Address - The Climate for Justice: Actively Supporting  
Fundamental Change | Robin Maher**

*Lecture Hall - 208*

As our nation grapples with the profound and far-reaching consequences of inequity, it becomes increasingly clear that the fight for justice must be waged on multiple fronts. One critical avenue for addressing justice-related issues is through advancing the practice of mitigation. Our keynote speaker will inspire practitioners to navigate the U.S. Criminal Legal landscape toward systemic change.

11:35 a.m.    **Sustainable Mitigation: Principles and Applications | Nayeli Moreno**

*Lecture Hall - 208*

This session will offer participants an overview of essential knowledge for effectively providing mitigation investigation, including building client relationships, conducting witness interviews, and working with essential records.

12:45 p.m.    **Lunch**

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2:00 p.m.     **Breakout Session**

**A) Mitigation Law: What Mitigation Specialists, Fact Investigators, and Paralegals Need to Know | Amy Vosburg-Casey & Rita Radostitz**

*Lecture Hall - 208*

Mitigation Specialists, Fact Investigators, Paralegals, and other defense practitioners play a crucial role in case development, and understanding mitigation law is fundamental. This workshop equips practitioners to strengthen their knowledge of such laws and how they apply them to daily practice.

**B) Mitigation: What Attorneys Need to Know | Sonali Shahi**

*Northern Trust Seminar Room - 219*

For the duration of a case, attorneys are responsible for ensuring that legal and ethical standards are upheld. Leading an investigation is a crucial skill set that attorneys need to master to maintain integrity and ensure the best possible representation for clients and a balanced defense team. This training is designed to further equip attorneys with the knowledge, tools, and best practices to lead collaborative investigations and how to handle obstacles to common legal and ethical challenges.

3:20 p.m.     **Break**

3:40 p.m.     **Components of Intellectual Disability: The Intersection of Racism and Ableism in Defense | Dr. Jen Newton & Dr. Khalilah Johnson**

*Lecture Hall - 208*

The intersection of racism and ableism within legal defense mitigation practices is an often overlooked but critical aspect of the criminal justice system. This workshop aims to shed light on this complex and multifaceted issue, providing participants with a comprehensive understanding of how racism and ableism intersect in the context of legal defense.

*Network: JessiePublic | Password: welcometothejessie*



5:10 p.m.     **Wrap-up**

5:25 p.m.     **End Training Day 1**

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7:30 p.m.     **Healing Circle: Dealing With Death While Trying to Save a Life**  
(Optional)

Led by Rita Radostitz and Constance Sheehan

*Location: ARC, Inc. Jacksonville Office*

*24 N. Market Street, Suite 501*

*Jacksonville, FL 32202*

This is a discussion centered on acknowledging that part of capital defense is that sometimes our client dies – of natural causes, of illness, by state action. As we strive to save our clients' lives, how do we prepare for their death? How can we help our clients, our teams, and importantly, ourselves prepare for the inevitable while holding onto and working for life? This session will utilize a circle format to facilitate open dialogue and support among the participants.

## **Day 2: Thursday, April 11**

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8:30 a.m.     **Sign-in**

*In front of Lecture Hall - 208*

9:00 a.m.     **Announcements**

*Lecture Hall - 208*

*Network: JessiePublic | Password: welcometothejessie*



9:10 a.m.     **Breakout Session**

**A) Intellectual Disability in Capital Cases | Emily Paavola**

*Room 043*

Intellectual disability is a major factor in many criminal cases. Properly investigating, understanding, and effectively conveying intellectual disability and the role it has played in a client’s life history can be the difference between life and death for the accused. The workshop will focus on researching and developing Atkins claims, which aim to prevent the execution of individuals with intellectual disabilities. This presentation will address the challenges and responsibilities of advocating for individuals with intellectual disabilities in the criminal legal system.

**B) Intellectual Disability and Other Mental Health Challenges in Non-Capital Cases | Amy Williams and Dr. Elizabeth Vartkessian**

*Lecture Hall - 208*

In many legal proceedings, individuals with intellectual disabilities and mental health issues face unique challenges in juvenile, felony, and other non-capital cases. During this presentation, attendees will understand how to navigate these cases effectively and ethically tackle these challenges by adapting mitigation strategies.

**C) Processing and Managing Records | Grace O’Connor & Kristen Samuels**

*Northern Trust Seminar Room - 219*

One of the foundational practices of mitigation investigation is the collection and management of records and data. This workshop aims to provide participants with a comprehensive understanding of this process including demonstrations using MasterDocs.

10:25 a.m.     **Transition / Break**

10:40 a.m.     **Breakout Session 2** (sessions repeated)

*Network: JessiePublic | Password: welcometothejessie*



11:55 a.m.     **Lunch** (provided)

*Lecture Hall - 208*

1:05 p.m.     **Strategies for Life: Winning Before Trial** | Blake Johnson & Sarah Morris

*Lecture Hall - 208*

During this session, practitioners will understand the process of developing and employing effective strategies to achieve favorable outcomes for capital clients, ideally before the case reaches the trial stage.

2:15 p.m.     **The Physiological Aspects of Traumatic Events** | Dr. Alisha Ali

*Lecture Hall - 208*

This workshop aims to provide a deep understanding of how the psychological experiences of trauma manifest within the body. Participants will understand the intricate interplay between the mind and body, exploring the biological mechanisms that underpin stress and trauma responses.

3:20 p.m.     **Break**

3:35 p.m.     **The Path Toward Justice: Lessons from Killing States** | Robin Maher

*Lecture Hall - 208*

An ARC, Inc. conference staple, the objective of this session is to examine recent or pending legal developments within jurisdictions with reputations for aggressive execution schedules and high death row populations. Speakers will address the complexities of achieving justice in such challenging environments and share lessons drawn from their experiences with making progress.



4:45 p.m. **Engaging with the Media** | Rita Radostitz

*Lecture Hall - 208*

In legal defense, public perception can significantly impact the trajectory of a case and local practices. This is especially true for cases and jurisdictions in which clients are facing the death penalty. This training will cover when and how to navigate the complex landscape of media engagement effectively and ethically.

5:55 p.m. **Wrap-up**

6:00 p.m. **End Training Day 2**

### **Day 3: Friday, April 12**

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8:30 a.m. **Sign-in**

*In front of Lecture Hall - 208*

9:00 a.m. **Announcements**

*Lecture Hall - 208*

9:10 a.m. **Managing Vicarious Trauma by Recognizing Successes** | Amy

Vosburg-Casey & Constance Sheehan

*Lecture Hall - 208*

Defense work often exposes practitioners to traumatic and emotionally challenging situations, leading to the risk of vicarious trauma. Vicarious trauma, also known as secondary trauma or compassion fatigue, can have a significant impact on an attorney's well-being and professional effectiveness. This session is designed to help defense practitioners identify it and understand how to protect their mental and emotional health while continuing to provide effective legal representation. The speakers will also discuss coping with the emotional toll of one's work by focusing on the positive impact their work has.

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10:20 a.m. **Break**

10:30 a.m. **Breakout Session**

**A) Navigating Advocacy as Solo Mitigation Practitioners** | Amy Williams & Salima Pirmohamed

*Room 043*

Solo practitioners bring their skill sets to various criminal defense teams. This session will offer invaluable insights to strengthen their skills and approach their work with strategies to overcome challenges that are unique to mitigation practitioners in private or solo practice. The presentation will address topics including time-tracking, networking, common misconceptions about private investigative work, establishing your business, essential resources, and more.

**B) Essential Resources for Investigation and Team-Building** | Kristen Samuels

*Lecture Hall - 208*

Attendees will examine how to assemble a strong team and operate effectively within their roles for greater teamwork. This workshop aims to provide participants with a comprehensive understanding of the latest tools and techniques available for quality mitigation investigation including websites, templates, listservs, contacts, and more.

11:45 a.m. **Break**

12:00 p.m. **Ensuring Access to Justice** | Salima Pirmohamed & Dr. Elizabeth Vartkessian  
*Lecture Hall - 208*

Advocating for clients also means advocating for the practice of mitigation itself. When best practices are challenged by decision-makers, knowing how to make the case for mitigation practices is critical to ensuring fair and just legal outcomes for clients. This workshop will focus on crucial components of effective mitigation advocacy including pay rate negotiation, how to approach decision-makers, and the historical impact of mitigation.

*Network: JessiePublic | Password: welcometothejessie*



1:10 p.m.      **Closing Remarks**

1:20 p.m.      **Conference Ends**





## **About Advancing Real Change, Inc.**

*The mission of Advancing Real Change, Inc. is to create a more just world by advancing empathy, dignity, and equity within and beyond the criminal legal system.*

## **Celebrating 10 Years Together**

In 2014, Advancing Real Change, Inc. began with just a handful of people working in Liz Vartkessian's basement in Baltimore. The team had witnessed the extraordinary need for thorough, effective mitigation investigation all over the country and the dearth of well-trained investigators to carry out this essential work. ARC was launched to help fill that gap. Now, ten years later, ARC is known nationwide for its high-quality mitigation investigation services, and it is a leading provider of training and education for other defenders.

## **What we do**

**Direct Mitigation Services:** Providing mitigation investigation for people facing the most extreme sentences is the heart of our work. With a growing staff of 14 working out of offices in Baltimore, Maryland, and Jacksonville, Florida, we serve on criminal defense teams across the country.

**Training and Education:** ARC provides in-person and virtual training, online resources, and consulting to more than 2,500 defenders every year. We provide these services free of charge in order to ensure that every person facing the loss of their life or liberty has a skilled team of defenders advocating for them.

**Mitigation and system change:** We aim to take what we learn through this work and uplift those experiences to reshape and rebuild social systems so that communities and individuals may truly flourish. Our vision is the transformation of the criminal legal system and all social systems into systems that deliver true justice.

***Learn more at [advancechange.org](https://advancechange.org).***



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