

# Post-Conviction and Parole

Austin, Texas October 28-29, 2021 | 13.25 CLE including 1.0 Ethics

## Course Directors

- Bill Habern - Austin
- David O'Neil - Austin

## Overview

Bill Habern and David O'Neil are the Directors of this upcoming seminar which is intended to afford the criminal defense lawyer an update on a broad series of topics involving post-conviction issues that consistently arise in everyday practice. Some of the best lawyers in these fields will be speaking in this two-day event in Austin on topics that include: parole & parole revocations, prisons and immigration, sex offender registration and deregistration, ethics and prisoner grievances, civil commitment of sex offenders, expunctions and nondisclosures, state and federal writs and appeals, basic civil rights litigation for defense lawyers, and resources for family members of convicted sex offenders. The program will also include a discussion with the opportunity to question a Parole Board Member and the Special Assistant to the Board's Presiding Officer.

## Agenda

### Thursday, October 28, 2021

- 8:00 am Opening Remarks ~**Bill Habern and David O'Neil**
- 8:15 am State Appeals ~TBD
- 9:00 am State Writs ~**Gary Udashen**
- 9:45 am Break
- 10:00 am Federal Writs ~**Nicole DeBorde Hochglaube**
- 10:45 am Federal Appeals ~**Judy Madewell**
- 11:30 am Lunch Provided
- 1:00 pm Q&A: Things to Know about Dealing with TDCJ & the Texas Board of Pardons & Paroles ~**Board Chairman David Gutierrez, Parole Commissioner Marsha Moberly with Bill Habern and Allen Place Moderating**
- 2:15 pm Ethics and Prisoner Grievances ~**Robert Hinton**
- 3:15 pm Break
- 3:30 pm Immigration Law and Prison Inmates ~**Richard Prinz & Hon. Jimmie Lee Benton**
- 4:15 pm Deregistration of Sex Offenders ~**Scott Smith**

### Friday, October 29, 2021

- 7:45 am Opening Remarks ~ **Bill Habern & David O'Neil**
- 8:00 am Minimizing the Post-Conviction Consequences of Plea Bargains ~ **David O'Neil**
- 9:00 am Parole Revocation Case Law ~**Bill Habern**
- 10:00 am Break
- 10:15 am How to Present a Parole Revocation Case ~**Gary Cohen**
- 11:00 am What Criminal Defense Lawyers Need to Know About 42 USC 1983 ~**Scott Medlock**
- 11:45 am Lunch Provided
- 1:00 pm "Sexual in Nature": Two Offenses that DO NOT Require Compliance with the Sex Offender Registration and Notification Act ("SORNA") ~**Richard Gladden**
- 2:00 pm Expunctions & Nondisclosures ~**Dorian Cotlar**
- 2:45 pm Break
- 3:00 pm Family Assistance for the Convicted Sex Offender ~**Mary Sue Molnar**
- 3:30 pm Civil Commitment of Sexually Violent Predators ~**William Marshall**

## Registration | Electronic Materials

Materials will be sent via Dropbox and available on the seminar app. Cancellations must be received in writing two weeks prior to the seminar. A 10% processing fee will be deducted from the refund. Cancellations made within two weeks of the seminar will be assessed a 50% cancellation fee.

### Early Registration, by 10/21/21

- ☐ **\$35** including \$15 tuition deposit, plus a \$20 voluntary payment to support TCDLA.

- ☐ Texas Criminal Defense Lawyer – Who Regularly Represents Indigent Defendants
- ☐ Texas Judge
- ☐ Texas Student
- ☐ Travel Stipend : Hotel, Travel and Meals

- ☐ If you do not wish to make the voluntary payment, please remit only \$15 and mark this box.

### On-Site Registration, after 10/21/21

- ☐ **\$75** including \$55 tuition, plus a \$20 voluntary payment to support TCDLA.

- ☐ Texas Criminal Defense Lawyer – Who Regularly Represents Indigent Defendants
- ☐ Texas Judge
- ☐ Texas Student

- ☐ If you do not wish to make the voluntary payment, please remit only \$15 and mark this box.

## Meeting | Lodging Location

This seminar will be held at the Radisson North Austin Hotel, 6121 N Interstate Highway 35, Austin, Texas 78752. Accommodations are \$114 S/\$119 D per night single/double. Please call (512) 765-9626 for reservations and mention TCDLA room block.

## Register

- **Mail** completed registration form with payment to TCDLA | 6808 Hill Meadow Dr. | Austin, TX 78736
- **Online** at [www.tcdla.com](http://www.tcdla.com)
- **Fax** 512.469.0512

## Questions?

Email: [irodriguez@tcdla.com](mailto:irodriguez@tcdla.com) or call 512.478.2514

*This course is funded by a grant from the Texas Court of Criminal Appeals*

## Contact

Name \_\_\_\_\_

Bar Number \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E-mail \_\_\_\_\_

Phone \_\_\_\_\_ Cell \_\_\_\_\_

## Join TCDLA #tcdlastrong #onevoice

- ☐ New Member and Second-Year Member \$100
- ☐ Renew Membership \$180
- ☐ Prefer not to participate in auto renewal

For your convenience, TCDLA uses AUTO-RENEWAL for all membership dues, using your checking account or credit card. You will be automatically enrolled in the auto-renewal program, so you do not have to do anything while continuing to enjoy membership benefits every year! You can always opt out of auto-renewal anytime by simply emailing [mrendon@tcdla.com](mailto:mrendon@tcdla.com) or by checking the opt-out option above.

**Payment** ☐ Check ☐ Credit Card

Credit Card Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

Signature \_\_\_\_\_

## General Information

(Please read before registering) you may not register for this program if you are a full-time law enforcement officer, prosecutor, or currently acting as a prosecutor or special prosecutor in a capital case (unfortunately, no exceptions).

\*Tuition will be used to cover future expenses of TCDLA's grant programs or to provide for items that the grant cannot sufficiently cover.

\*\*Voluntary contributions go to support the Texas Criminal Defense Lawyers Association (TCDLA), a nonprofit organization and will go directly to TCDLA's private fund account.

CANCELLATION POLICY: Written notice must be received 5 business days prior to the program (E-mail: [mschank@tcdla.com](mailto:mschank@tcdla.com)). After this date, no refunds, but the substitution of attendees will be permitted with prior approval. Registrants who paid tuition and are not entitled to a refund can receive the course materials. Note: Tuition waiver recipients must attend the program to receive materials.

Tax Notice: \$36 of your annual dues (\$19 if a student member) is for a one-year subscription to the VOICE for the Defense. Dues to TCDLA are not deductible as a charitable contribution but may be deducted as an ordinary business expense.

[www.tcdla.com](http://www.tcdla.com)