

CALIFORNIA ATTORNEYS FOR CRIMINAL JUSTICE



RULES OF THE ROAD XIII

DUI, Drugs, Murder,
Manslaughter...
Are You up to the Challenge?

— **SATURDAY, SEPTEMBER 25, 2010** —

HILTON HOTEL • PALM SPRINGS

SEMINAR COORDINATOR
Vincent Tucci

SEMINAR COMMITTEE CHAIR
Jeffrey Thoma

Seminar Approved for 7.0 MCLE Credits

RULES OF THE ROAD XIII – SEMINAR SCHEDULE

CACJ's Annual DUI Seminar, Rules of the Road XIII, leading trial lawyers concentrating on critical current trial issues, sharing from a wealth of experience in trying DUI cases. There will also be an update on new DUI Case law and legislation.

FRIDAY, SEPTEMBER 24, 2010

5:00–7:00pm Reception/Hilton Palm Springs
Sponsored by Richard Hutton & Robert Wilson

7:00–9:00pm Board of Governors Meeting
Hilton Palm Springs

SATURDAY, SEPTEMBER 25, 2010

7:30–8:30am Registration
Coffee & Continental Breakfast

8:30–9:00am Legislative Update
Ignacio Hernandez & Bob Wilson

9:00–10:00am Case Law Update
Al Menaster

10:00–10:15am Break with Sponsors and Exhibitors

10:15–11:30am DMV
Chad R. Maddox

11:30–12:15pm DUI Murder, Manslaughter
Richard Hutton & Robert Wilson

12:15–1:30pm Lunch Break with Sponsors & Exhibitors

1:30–2:30pm DUI Drugs-Legal and Illicit: An Analytical Chemistry Point of View
Justin J. McShane

2:30–2:45pm Break with Sponsors & Exhibitors

2:45–4:00pm Jury Selection
Steve Harmon

4:00–5:00pm Melendez-Diaz & Cross Examination of Prosecution Chemist
Don Bartell

6:00pm CACJ's 6th Annual Texas Hold'em Poker Tournament
SPONSORED BY GREG RYNERSON BAIL BONDS

MCLE AND SPECIALIZATION CREDITS

CACJ certifies that this activity has been approved for MCLE credit by the State Bar of California in the amount of 7.0 hours.

Seminar Approved for 7.0 MCLE Credits

RULES OF THE ROAD XIII – SEMINAR FACULTY

DONALD L. BARTELL

Melendez-Diaz and Cross Examination of Prosecution Chemist



Donald Bartell is a partner in the law firm of Bartell & Hensel and has been in private practice for over 20 years. The firm's office is located in Riverside, California. Mr. Bartell is a graduate of the University of California, Berkeley and the University of Notre Dame School of Law. He is on the Board of Directors of the California Deuce Defenders — a statewide DUI defense organization - and he is a frequent lecturer to lawyers from around the state on topics of DUI defense. Mr. Bartell co-authored a nationwide book on drunk driving called *Attacking and Defending Drunk Driving Tests* published by James Publishing. He is an editorial consultant for the book *California Drunk Driving Law*. Mr. Bartell is a pilot and available to handle cases at remote locations by private plane.

STEVEN HARMON

Jury Selection



Mr. Harmon has been practicing in Riverside County since 1972, specializing in Criminal Defense and is on the faculty of the National Criminal Defense College based in Macon, Georgia, the Institute for Criminal Defense Advocacy in San Diego, and the Death Penalty College at the University of Santa Clara Law School, and has been a guest speaker for many

legal programs throughout the United States. From 1990 to the present Mr. Harmon has been listed in the publication "The Best Lawyers of America" and is rated AV in Martindale-Hubbell. He has defended many murder cases, including death penalty cases throughout his career and represented the inmates of the Riverside County Jail in litigation concerning overcrowding, and is a member of the State Bar of California, a Fellow of the American Board of Criminal Lawyers, and was past Secretary, Treasurer, Vice President and President of the Riverside County Bar Association.

IGNACIO HERNANDEZ

Legislative Update



Mr. Hernandez operates one of the only legislative advocacy firms in Sacramento which also provides individual legal representation. He previously served as Chief of Staff in both the Assembly and State Senate, and as a consultant for the Assembly Public Safety Committee. Before moving to Sacramento, Mr. Hernandez taught political science at San Jose State University. He is a current member of the California Judicial Council's Criminal Law Advisory Committee. Ignacio is a graduate of Santa Clara University Law School.

RICHARD HUTTON

DUI Murder, Manslaughter



Richard Hutton is a partner in the Pasadena law firm of Hutton and Wilson, and has been practicing criminal defense law since 1970 with an emphasis in driving under the influence cases, and has tried over 400 jury trials. In addition to being a Life Member and President of CACJ, he was a past President of the each of the following: the Los Angeles County Criminal Court Bar Association, the Glendale Bar Association and the California DUI Lawyers Association, as well as a founding member of the National College of DUI Defense.

CHAD MADDUX

DMV



Chad R. Maddux has certifications in training of NHTSA SFST administration and POST Breath Alcohol Testing. He received his Juris Doctorate from Western State University and was admitted to the California State Bar in 2000. He is a member of the National College for DUI Defense, the California DUI Lawyers Association, and American Center for Law and Justice. He has contributed to portions of California Drunk Driving Law, and was named as one of the Top DUI Attorneys in Orange County by OC Metro Magazine in 2009. He represented the defendant in the published opinion of *Arias v. Superior Court* (2008) which resulted in the dismissal of DUI charges after the defendant's time waiver was withdrawn in writing, and lead to an amendment to PC§1382. He is a solo practitioner with a focus on DUI defense, including Appeals and DMV Writs. He has had success in Appeals and Writs including: use of out-of-state priors at DMV, use of alleged refusal at DMV, denial of continuance requested by driver, PAS device used at DMV, illegal continuance granted at DUI trial, and unlawful delay in filing DUI complaint.

JUSTIN JAMES McSHANE, ESQUIRE

DUI Drugs-Legal and Illicit:

An Analytical Chemistry Point of View



Attorney Justin McShane is the Chairman/CEO of The McShane Firm, Harrisburg, Pennsylvania's top DUI and criminal defense firm. An experienced trial attorney who specializes in using forensic science to defend citizens accused by the Government of violation of the law, Justin has earned a national reputation for not only his fierce litigation skills, but also his strong understanding and in-depth knowledge of all forms of forensic science. He is the first and only Pennsylvania lawyer to earn Board Certification both in DUI Defense Law by the National College for DUI Defense and as a Criminal Trial Advocate by the National Board of Trial Advocacy (a Pennsylvania Supreme Court Approved Agency), and is also the first attorney in the nation to earn certification in Forensic Sobriety Assessment.

RULES OF THE ROAD XIII – SEMINAR FACULTY

Mr. McShane has lectured nationwide at forensic and DUI seminars hosted by or based upon the teaching of esteemed associations such as the National College of DUI Defense, the National Highway Traffic Safety Administration, the Pennsylvania Association of Criminal Defense Lawyers, the Pennsylvania State Police Academy, and the Pennsylvania State University Dickinson School of Law. In his spare time, Justin maintains two popular DUI and forensic science blogs at PaDUIBlog.com and TheTruthAboutForensicScience.com.

ALBERT MENASTER *Case Law Update*



Albert Menaster has served as a Deputy Public Defender in Los Angeles County since 1973. Mr. Menaster writes books, articles and lectures frequently on a wide range of defense topics, including computer technology for defense attorneys, juvenile court practice, Three Strikes, Proposition 36, Courtroom Evidence and

Motion Practice. He also writes the Technology Column, book reviews and other substantive legal articles for CACJ's *Forum* magazine; and he regularly provides updates on current legal topics for CACJ's FLASH. In May of last year he was named the Los Angeles County Bar Associations' "Defender of the Year."

ROBERT WILSON *Legislative Update* *DUI Murder, Manslaughter*



Mr. Wilson, a partner in the law firm of Hutton and Wilson, has tried over 250 DUI cases and has represented hundreds of individuals before various administrative bodies throughout California. Mr. Wilson is a frequent lecturer in the field of driving under the influence and alternative sentencing options in the courts of Los Angeles County. He is a past president of the Criminal Courts Bar Association and member of CACJ's Board of Governors.

SPONSORED BY GREG RYNERSON BAIL BONDS
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Don't Miss CACJ'S Sixth Annual Texas Hold'em Fund Raising Tournament

Saturday, September 25th — 6:00 pm
Hilton Hotel

Are you the Ace of the Deuce?

**Challenge Your Friends
and Associates!!!**

*Cash/Prizes Awarded to the
Final Top 2 Players!!*

*\$100 Re-Buy Option at the
End of the First Hour*



Sign-Up Early!

TO PARTICIPATE PLEASE COMPLETE THE FOLLOWING AND
RETURN TO CACJ BY FAX OR MAIL

Name _____

Address _____

Buy-in: \$100

Pay at Door

Check Enclosed (Make payable to CACJ)

Charge my credit card Visa Mastercard

Account # _____

Exp Date _____

TOURNAMENT PROCEEDS GO TO SUPPORT CACJ

CACJ • 1540 River Park Drive, Suite 224A • Sacramento CA 95815 Phone: 916/643-1800 • Fax: 916/643-1836

DUI SEMINAR REGISTRATION FORM

STEP 1

Preregistration Deadline: Friday, September 17, 2010 at 5:00 p.m.
Preregistration not accepted after September 17, 2010 at 5:00 p.m.
Payment must be included with form
Late registration is subject to a \$20 late fee

RETURN FORM TO:
California Attorneys for Criminal Justice
 1540 River Park Drive, Suite 224A
 Sacramento, CA 95815
 Phone: (916) 643-1800 • Fax: (916) 643-1836

NAME »	DATE ADMITTED TO BAR »		
FIRM »	BAR NUMBER »		
ADDRESS »			
CITY »	STATE »	ZIP »	EMAIL »
PHONE (AREA CODE) »	FAX (AREA CODE) »		

STEP 2

REGISTRATION FEES: *Registration includes lunch and syllabus CD. To preorder a hard copy syllabus see Step 5. To preregister for these seminars, CACJ must receive your preregistration form and payment by Friday, September 17, 2010, at 5:00 p.m. Postmarks after that date will not be accepted. Late registration includes a \$20 fee.*

	Prepaid	Late Register		Prepaid	Late Register
CACJ Attorney Member (5+ yrs of Practice)	\$200	\$220	CACJ Law Student	\$19.50	\$39.50
Attorney Non-Member	\$250	\$270	Student Non-Member	\$65	\$85
CACJ Investigator/Other	\$190	\$210	CACJ Attorney Member (0-5 yrs of Practice)	\$60	\$80
Investigator/Investigator/Other	\$225	\$245			

STEP 3

MEMBERSHIP DUES: *New Membership Rates for Law Students and Attorneys in First 5 Years of Practice Includes 1 Free CACJ Seminar. *** Join Today and Pay the Member Rate for Seminar Tuition.*

Life Member*†	\$5000	Out-of-State Attorney	\$100
Patron*†	\$600	Associate Member	\$70
Sustaining Member	\$300	Friend of CACJ (not engaged in legal profession)	\$40
Attorney in practice over 5 years	\$175	Law Student**	\$10
Public Defender in practice over 5 years and Law Professor..	\$120	Attorney in Practice up to 2 Years**	\$35
Attorney over 5 years and in Patron's or Life Member's firm...	\$120	Attorney in Practice 2+–5 Years**	\$70

* Life Members and Patrons may attend two one-day seminars each year at no charge. † Call CACJ for payment options
 ** Law Students and Attorneys in practice 0-5 years receive 1 free CACJ Seminar.

By adding a \$50 donation to the above dues, you will support the California Attorneys for Criminal Justice Political Action Committee, which supports our position on issues and candidates for state elective offices who are committed to the protection of individual rights and the improvement of the criminal justice system. Dues and PAC contributions are not deductible as charitable contributions for Federal Income Tax purposes.

STEP 4

CONFIDENTIALITY PLEDGE : *This pledge MUST be read and signed before CACJ is able to process your registration!*
 I hereby acknowledge that materials and information provided in this packet, at the seminar, and syllabus materials, are confidential information and may not be distributed or disclosed except to other defense practitioners. This information reflects thoughts, opinions, impressions and strategies with regard to previous and ongoing cases and, as such, is protected under the attorney-client privilege and work product doctrine. The materials provided at the seminar are licensed to participants for use in defense of criminal cases only, and any other use or distribution is a violation of copyright laws and the attorney's ethical obligation. By signing this pledge, I agree to abide by this understanding and to keep all information privileged. My signature also indicates that I am involved exclusively in the defense of persons accused in criminal cases.

Signature: _____ Date: _____

STEP 5

PAYMENT:

Registration Fee	\$ _____
Membership Dues (if signing up today)	\$ _____
Hard Copy Syllabus – \$18.00	\$ _____
TOTAL	\$ _____

There is a \$35 fee for check returned for insufficient funds or credit cards declined.

- Check enclosed (payable to CACJ)
 Charge my: Visa MC

CREDIT CARD NUMBER »	
3 DIGIT SECURITY CODE (REQUIRED) »	EXP. DATE »
BILLING ADDRESS (REQUIRED) »	
SIGNATURE »	

FREE Seminar Tuition "Check here to use your Free Seminar" **Purchase Lunch \$35** **No lunch needed**
 ***Free seminar limited to DUI, Appellate and Annual Fall Criminal Defense Seminars and the seminar CD only and does not include food/beverage at event.

California Attorneys for Criminal Justice

1540 River Park Drive, Suite 224A
Sacramento, California 95815

RETURN SERVICE REQUESTED



Seminar Information Enclosed
SATURDAY, SEPTEMBER 25, 2010

Don't Miss These Upcoming CACJ Seminars and Events...

2010 APPELLATE PRACTICE SEMINAR

San Francisco State University
October 30, 2010
San Francisco, CA

2010 ANNUAL FALL CRIMINAL DEFENSE SEMINAR

Hotel Nikko
December 11, 2010
San Francisco, CA

2011 CACJ/CPDA CAPITAL CASE DEFENSE SEMINAR

Monterey Conference Center
February 18-21, 2011
Monterey, CA

MCLE AND SPECIALIZATION CREDITS — CACJ certifies that this activity has been approved for MCLE credit by the State Bar of California in the amount of 7.0 hours of which no hours apply to Legal Ethics or Law Office Management.

This activity has also been approved for Certification and/or Recertification as a Criminal Law Specialist by the California Board of Legal Specialization in the amount of 7.0 hours of which 1.5 hours applies to Evidence and 1.5 hours applies to Substantive Criminal Law and Procedure

ACCOMMODATIONS — The DUI Seminar is being held at the Hilton Palm Springs.

To reserve a room at the CACJ conference rate of \$149.00 (plus tax) single or double occupancy, please call 760/320-6868; or to make your reservations on-line, go to www.cacj.org DUI Seminar page and you will find a link to the Online Room Block Web site.

Be sure to make your reservations early!!! The hotel cannot guarantee guest room availability after September 1, 2010 — and the hotel is known to sell out!!

There is a deposit of one night required to make a reservation, if you wish to cancel please do so at least 3 days prior to your arrival to avoid cancellation penalties with the Hilton Hotel.

TRAVEL — CACJ is pleased to offer discounted airfare through our seminar travel agent, Travel Store Platinum. Please contact Terry Welles at (310) 689-5417. The Travel Store Platinum has been in business for over 50 years, and Terry has over 25 years experience. You will be in good hands for your travel needs.

GROUP DISCOUNTS — Groups of five or more from the same organization who preregister AS A GROUP by September 17, 2010, at 5:00 p.m. are eligible for a 15% discount. The discounted tuition is \$170.00 for members and \$212.50 for non-members. Preregistration forms must be received together. This offer does not apply to student registrants or new CACJ Members 0-5 years in practice.

CANCELLATIONS — Refunds, less a \$30 processing fee, will be sent only for those cancellations received by 5:00 p.m. Friday, September 17, 2010. NO REFUNDS WILL BE SENT FOR CANCELLATIONS RECEIVED AFTER September 17, 2010. It is possible, however, to substitute one person on another's registration, excluding Patron and Life Member registrations. Substitutions are permitted for group registrations.