



**Federal Bar  
Association**  
New Orleans Chapter



**Federal Public Defender**  
Eastern District of Louisiana

## **Annual Federal Defender & CJA Panel CLE Program**

*Join the New Orleans Chapter of the Federal Bar Association and the Eastern District of Louisiana's Federal Public Defender Office for 7 hours of continuing legal education on professionalism, ethics, and recent developments in federal criminal law.*

### **Featured Topics & Speakers**

**8:30 – 9:00 am**

**Registration**

Coffee and Pastries

**9:00 – 10:00 am**

**Are You Stuck in the Waiting Place? How to Keep Things Moving (and Maybe Even Win Release) for Your Incompetent Clients (Ethics Credit Pending)**

*Jaclyn L. Tarlton and Joseph H. Craven, Assistant Federal Public Defenders, Eastern District of North Carolina*

Any of us can find ourselves with an incompetent client, whether we handle revocations, misdemeanors, or felonies. But too often, these most vulnerable clients fall to the wayside because courts, prosecutors, and unfortunately sometimes even defense lawyers aren't sure how to keep these cases moving. The bad news is that there is an egregious nationwide backlog in obtaining competency evaluations and restoration treatment. The good news is that this is a place where the statute and case law are actually good for us! In this presentation, we will walk through the governing statute, 18 U.S.C. § 4241; nationwide caselaw; and sample pleadings that can protect these clients from languishing indefinitely in competency and restoration proceedings, avoid civil commitment, and perhaps even get these cases dismissed.

**10:00 – 10:10 am**

**Break**

**10:10 – 11:10 am**

**Back to the Future: Challenges to Federal Firearm Prosecutions Based on Recent Supreme Court Decisions in *Bruen* and *Rehaif***

*Adeel Bashir, Assistant Federal Public Defender and Appellate Supervisor for the Office of the Federal Public Defender, Middle District of Florida*

This presentation will provide a refresher on *Bruen* and *Rehaif*, discuss recent challenges to federal firearm offenses after *Bruen*, and help practitioners to identify and challenge legal issues in federal firearm prosecutions. This presentation will also review the post-*Rehaif* landscape of "status" offenses related to firearm possession. Finally, Mr. Bashir will guide practitioners through an action plan for defending federal firearm offenses and how to develop a record for successful challenges.



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**11:10 am –12:10 pm Immigration Law that Criminal Defense Lawyers Need to Know**

*Kathleen Gasparian, Gasparian Spivey Immigration*

*Roman Maney, Deputy Chief Counsel, U.S. Department of Homeland Security*

This basic and practical panel will provide practitioners with an overview of how immigration issues impact your criminal client. Topics will include detention and removal issues, understanding immigration documents and status, and information on local processes and procedures.

**12:10 – 12:45 pm Lunch – provided the FBA**

*Brief Comments from Claude Kelly, Federal Public Defender*

**12:45 – 1:45 pm When Your Client is also a Victim**

*Stanislav “Stas” Moroz, Assistant Professor of Law, Tulane University Law School*

Almost all defense attorneys will at some point represent a survivor of intimate partner violence, sexual violence, or trafficking who is being prosecuted for actions they took as a result of abuse or coercion. This CLE will focus on representing those clients. We will discuss how an understanding of the dynamics of abuse and coercive control can help you represent criminalized survivors, focusing on client interviewing, investigation, consulting with expert witnesses, developing a case theory, addressing seemingly “bad facts,” and negotiating with prosecutors.

**1:45 – 2:45 pm But I’m Not a Social Worker: Release Planning in Public Defense  
(Professionalism Credit Pending)**

*Mick Kliger, Facilitator with the Center for Restorative Approaches*  
*Wan Qi Kong, Senior Client Advocate at the Orleans Public Defenders Office*

This presentation will cover the why and how of release planning with incarcerated clients, including: assessing for underlying issues; collaborating with clients to determine their needs/priorities; identifying appropriate community resources; making referrals; using plans for release advocacy with system actors; and facilitating release/following up with clients. There will be an emphasis on relevant supportive services in the Greater New Orleans area.

**2:45 pm – 2:55 pm Break**



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**2:55 pm – 3:55 pm    What’s New in the 2023 Amendments to the Sentencing Guidelines**

*Alan Dorhoffer, Director, Office of Education and Sentencing Practice, United States Sentencing Commission*

This session will discuss the 2023 Guideline Amendments, including a discussion of the possible retroactivity of the criminal history amendment.

**3:55 pm – 4:55 pm    Fifth Circuit Sentencing Update**

*Alan Dorhoffer, Director, Office of Education and Sentencing Practice, United States Sentencing Commission*

This session will discuss recent Supreme Court and Fifth Circuit cases related to federal sentencing.

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**Registration**

1. To register online, please go to <http://nofba.org/events-one> OR
2. Complete the form below.

**Date & Time:** October 26, 2023  
8:30 am – 4:45 pm

**CLE Credit:** 7 Hours of CLE credit  
including 1 hour each of Ethics and  
Professionalism

**Location:** Jones Walker, 201 St. Charles  
Avenue, 52<sup>nd</sup> Floor Conference Center

*All cancellations must be received in writing no  
later than two days prior to the program. No  
refunds after October 24, 2023.*



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***Annual Federal Defender & CJA Panel Training Program  
October 26, 2023***

Name: \_\_\_\_\_

Firm/Organization: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Please select one:

- Government & CJA Panel Attorneys \$60
  - Federal Public Defender Employee ~~\$60~~-FREE
  - FBA Chapter Members ~~\$75~~-FREE
  - Law Students (non-members) \$20
  - Non-Members \$125
- Total \$ \_\_\_\_\_

Join the New Orleans Chapter of the FBA to receive this program and all CLEs for free, except for the Malcolm Monroe Seminar. Membership information may be found at [nofba.org](http://nofba.org) or [fedbar.org](http://fedbar.org).

Please remit payment to: Federal Bar Association, New Orleans Chapter, 500 Poydras Street, Room B-245, New Orleans, LA 70130. Cancellations must be received in writing two days prior to the program to be eligible for a refund. No shows will be charged. *For information, please contact Elena Perez, Executive Director, Federal Bar Association, New Orleans Chapter, 500 Poydras Street, Room B-245, New Orleans, LA 70130 at (504) 589-7990.*