



Appellate Defender Annual Fall Training

October 11, 17, 19 and 24, 2022

Via Zoom

Session descriptions and faculty bios are below

Day 1: Tuesday, October 11, 2022 (5 CLE) – [Register here](#)

9:15 – 9:30 am	Welcome
9:30 - 10:30 am	MAACS Town Hall, <i>Brad Hall and Patricia Maceroni</i>
10:30 - 10:45 am	Break
10:45 - 11:45 am	Racism, Representation & Appellate Advocacy, <i>Alexis Hoag-Fordjour</i>
11:45 - 12:45 pm	Extended Break
12:45 - 1:45 pm	Exploring Diverse Epidemiological Methods to Advance Our Clients' Lived-Experiences and Due Process, <i>Dr. Jones-Eversley</i>
1:45 – 2:00 pm	Break
2:00 - 3:15 pm	Unstacking the Odds: Using re-entry and mitigation to secure favorable resentencing outcomes, <i>Rachel Wolfe, Emily Swanson, Jose Burgos</i>
3:15 – 3:30 pm	Break
3:30 – 4:30 pm	New Youth Decisions & Implications on Sentencing Issues, <i>Maya Menlo</i>

Day 2: Monday, October 17, 2022 (5 CLE) – [Register here](#)

9:15 – 9:30 am	Welcome
9:30 - 10:30 am	Litigating 6.500 Motions: The Keys to Correcting Wrongful Convictions Through Michigan's Post-Conviction Gateway, <i>Imran Syed</i>
10:30 - 10:45 am	Break
10:45 - 11:45 am	Using Experts on Appeal, <i>Jessica Zimbelman</i>
11:45 - 12:45 pm	Extended Break
12:45 - 1:45 pm	Legislative and Court Rule Updates: What Changes You Need to Know, <i>Stephanie Farkas</i>
1:45- 2:00 pm	Break
2:00 - 3:15 pm	The Borderline Claims Game (trials and pleas), <i>Katherine Marcuz</i>
3:15- 3:30 pm	Break
3:30 – 4:30 pm	Building Trusting and Durable Attorney Client Relationships, <i>Matt Monahan</i>

Day 3: Wednesday, October 19, 2022 (5 CLE) – [Register here](#)

9:15 – 9:30 am	Welcome
9:30 - 10:30 am	7.208 and Trial Court Practice, <i>Jason Eggert</i>
10:30 - 10:45 am	Break
10:45 – 11:45 am	Sentencing Law Updates, <i>Anne Yantus</i>
11:45 - 12:45 pm	Extended Break
12:45 - 1:45 pm	What’s on the Legal Horizon? A Preview of this Term in the Michigan Supreme Court, <i>Adrienne Young</i>
1:45 – 2:00 pm	Break
2:00 - 3:00 pm	Practicing Cultural Humility, <i>Gina Pruski</i>
3:00 – 3:15 pm	Break
3:15 – 4:15 pm	Session TBD

Day 4: Monday, October 24, 2022 (5 CLE) – [Register here](#)

9:15 – 9:30 am	Welcome
9:30 - 10:30 am	Writing Persuasive Briefs, <i>Marilena David</i>
10:30 - 10:45 am	Break
10:45 - 11:45 pm	E-Briefing, <i>Steven Helton</i>
11:45 - 12:45 pm	Extended Break
12:45 - 1:45 pm	Motions to Correct Invalid Sentence, <i>Angeles Meneses</i>
1:45 – 2:00 pm	Break
2:00 – 3:00 pm	Motions for Plea Withdrawal, <i>Josh Hadley</i>
3:00 – 3:15 pm	Break
3:15 – 4:15 pm	Plain and Structural Error and <i>People v Davis</i> , <i>Jackie McCann</i>

Registration Information: This training is for defense attorneys/defense attorney team members. You must register for each day separately and you can choose to register for whatever days interest you and attend whatever individual sessions interest you. You will receive a confirmation email with Zoom connection information immediately after you register. Save that information and use it to join the program at least 5 minutes prior to the scheduled start time.

CLE Information: Over the course of 4 days, 20 CLE hours are available. A single CLE form will be provided to MAACS attorneys for submission after all training is completed. Whatever number of hours of programming you attended is the number of hours of CLE you may request.

Questions? Contact Marilena David at mdavid@sado.org | 313-670-0309

Session Descriptions and Faculty Bios

Tuesday, October 11, 2022

MAACS Town Hall

In this session, MAACS Administrator Brad Hall and Deputy Administrator Patty Maceroni will provide an update on the appellate indigent defense system and roster, including caseload trends, system reforms, regional assignment list expansion, Zoom video client visits, court rule changes, litigation support, mitigation and reentry support, and future goals. There will be time for questions and answers about appointed appellate practice and procedure (non-substantive).

Brad Hall is the MAACS Administrator. Brad is a graduate of Northwestern University Pritzker School of Law, where he gained practical experience working at the Southern Center for Human Rights, Cook County Public Defender Office, and Center on Wrongful Convictions. After a clerkship with Judge Nancy G. Edmunds on the United States District Court for the Eastern District of Michigan, he spent eight years as a staff attorney at the Federal Defender Office in Detroit, handling trials, appeals, and habeas corpus cases. As amicus counsel for the Criminal Defense Attorneys of Michigan, he has briefed and argued several significant cases in the Michigan Supreme Court and Michigan Court of Appeals, one of which was awarded a Distinguished Brief Award by Cooley Law School. Brad is Chair of the SBM Appellate Practice Section.

Patricia Maceroni is the Deputy Administrator of the Michigan Assigned Appellate Counsel System (MAACS). Prior to her employment with MAACS, Ms. Maceroni was in private practice for 30 years, representing clients in both the federal and state courts, at both the trial and appellate levels. Ms. Maceroni has taught at the University of Detroit Law School, as a legal writing instructor as well as the supervisor of the Urban Law Clinic. Ms. Maceroni has been a member of CDAM since 1989 when she joined in law school and has participated in just about every CDAM committee, as well as being a member of the executive board. Ms. Maceroni was CDAM's President from 2015-2018. Ms. Maceroni is married to John Robinson, and they are the parents of two sons, Joseph and Sean.

Racism, Representation and Appellate Advocacy

Race matters in our criminal adjudication system, from arrest to sentencing and parole. This training will interrogate the role of anti-Black racism and white supremacy in the development of the Court's ineffective assistance of counsel doctrine. It will also identify strategies and ideas to help address and attack racial bias in appellate advocacy.

Alexis Hoag-Fordjour is an assistant professor at Brooklyn Law School where she teaches criminal procedure, evidence, and abolition, and co-directs the [Center for Criminal Justice](#). Her scholarship examines the constitutional rights of those accused of crime and embraces critical race theory. Professor Hoag-Fordjour's writing has appeared in the *New York University Law Review*, *Michigan Law Review*, *Harvard Law Review Blog*, and other journals. She serves on the boards of the [Death Penalty Information Center](#) and the [Eighth Amendment Project](#), and on the editorial board of the [Amicus Journal](#), and co-chairs the Capital Punishment Committee of the New York City Bar Association. Professor Hoag-Fordjour frequently provides legal analysis for MSNBC, NPR, CNN, and other media outlets. In 2021, she was elected to membership in the [American Law Institute](#). Prior to joining BLS, Professor Hoag-Fordjour served as the inaugural practitioner-in-residence at the Eric H. Holder Jr. Initiative for Civil & Political Rights at Columbia University, and as a lecturer at Columbia Law School. She spent more than a decade as a civil rights and criminal defense lawyer, primarily representing capital convicted clients in federal post-conviction proceedings, with the [NAACP Legal Defense and Educational Fund, Inc.](#) and the Office of the Federal Public Defender in Nashville, Tennessee. Professor Hoag-Fordjour graduated from Yale and NYU Law, where she was a Derrick Bell Public Interest Scholar. She served as a law clerk for the late Judge John T. Nixon of the United States District Court for the Middle District of Tennessee.

Exploring Diverse Epidemiological Methods to Advance Our Clients' Lived-Experiences and Due Process

To address multilevel social structural factors impacting your clients' lived-experiences and due process, the science of Public Health offers diverse epidemiological methods to bolster defense teams' legal strategies. The session will explore diverse epidemiological methods like legal epidemiology, social epidemiology, spatial epidemiology, psychiatric epidemiology, epidemiological criminology, forensic epidemiology, political epidemiology, environmental epidemiology, and economic epidemiology. The session will use a public health lens to further leverage litigation and client mitigation. Persons who attend the session will briefly:

- Assess how social justice, equity, and history are key public health factors
- Highlight the importance of the sociohistorical context and lived-experiences of public defense clients
- Receive an introduction to legal epidemiology, social epidemiology, spatial epidemiology, *psychiatric epidemiology*, epidemiological criminology, forensic epidemiology, political epidemiology, environmental epidemiology, and economic epidemiology
- Examine the diverse epidemiological methods to demonstrate ways they may aid in mitigation treatment plans, litigation, and sentencing memos

Sharon D. Jones-Eversley, DrPH, was born, raised, and public school educated in West Baltimore. Dr. Jones-Eversley has over 38 years of professional experience in human services and health. She is a tenured Full Professor at Towson University in the Family Studies and Community Development Department. Dr. Jones-Eversley made gender and racial history in her department by becoming the first Black person and Person of Color to earn the following achievements:

- The first full-time Black faculty hired in her department
- The first tenure-track Black faculty hired in her department
- She became the first Person-of-Color to earn tenure in her department
- The first Person-of-Color to be promoted to Full Professor in her department.

Her scholarly priorities translate complex public health findings to reach, inform and improve the health and wellness of families and communities of color. Dr. Jones-Eversley earned a Doctorate in Public Health from Morgan State University School of Community Health and Policy. Her interdisciplinary research expertise includes social epidemiology, family science, and community capacity-building. Her advocacy and research look to better understand intergenerational disease distribution and the continuum of disease-related morbidities that adversely impact high-risk families and communities. She is concerned about the disproportionate diminished health outcomes, high morbidity and mortality rates, deprivation, injustice, violence, and premature deaths impacting Black families and communities.

Unstacking the Odds: Using Re-Entry and Mitigation to Secure Favorable Resentencing Outcomes

Telling your client's story and having a plan for their release are two crucial aspects of advocating for them at resentencing. This session will provide an overview of reentry and mitigation services, as well as how and when to request support for a resentencing.

Jose Burgos is the Reentry Specialist for the State Appellate Defender Office's Project Reentry. After being sentenced to life without parole as a child and having spent 27 years incarcerated, Jose was fortunate to be resentenced to a term of years in 2018, making him immediately eligible for parole. The State Appellate Defender Office subsequently hired Jose to join Project Reentry to guide and support SADO and MAACS clients through all of the daunting steps in the reentry process. Jose is passionate about each client's journey towards justice and is proud to be a critical ally during their reentry.

Emily Swanson is the Mitigation Specialist for the MAACS Roster. Emily graduated from Wayne State University with a master's degree in Social Work and a specialization in Holistic Defense. She has sentencing mitigation

experience at the Federal Community Defender Office in the Eastern District of Michigan, as well as a history of working with youth impacted by trauma. **Rachel Wolfe** has been practicing criminal law since her graduation from the Michigan State University College of Law in 2015 – first as a clerk at the Michigan Court of Appeals and then as Chief Appellate Attorney for Flood Law. In 2020, Ms. Wolfe founded Wolfe Law, a small criminal appellate and post-conviction practice based in Oakland County, Michigan. Ms. Wolfe has been a MAACS Roster Attorney for two years and accepts appointments out of the Detroit Metro area and the northern lower peninsula.

New Youth Decisions and Implications on Sentencing Issues

The youth sentencing landscape changed dramatically on July 28, 2022, when the Michigan Supreme Court issued rulings in *People v Boykin*, *People v Tate*, *People v Parks*, *People v Stovall*, and *People v Taylor*. During this training session we will discuss the impact of these decisions and how to use them to advocate for your clients.

Maya Menlo joined SADO as an Assistant Defender in 2019. Prior to joining SADO, she was an Assistant Defender at the Washtenaw County Office of the Public Defender. Maya was born and raised in Michigan. She holds degrees from the University of Michigan Ford School of Public Policy and Yale Law School. While earning her J.D., Maya was involved in New Haven’s Sex Workers and Allies Network, which was born out of the community’s broader movement against police violence. She served as president of Yale’s OutLaws chapter and led a successful initiative to amend both the Connecticut Building Code and Yale University policy regarding gender-neutral restrooms. Yale Law Women awarded Maya its annual Student Excellence Award. Maya also received the New Haven County Bar Public Service Award and the Yale Law School Stephen J. Massey Prize for her clinic work and community service.

Monday, October 17, 2022

Litigating 6.500 Motions – The Keys to Correcting Wrongful Convictions Through Michigan’s Post-Conviction Gateway

Michigan's 6.500 motion rules are needlessly complicated, but also provide a fairly robust pathway for litigating new evidence that materially impacts the validity of a criminal conviction. Although actual innocence is mostly not a requirement to utilizing this procedural pathway, the rule is especially useful in seeking to correct wrongful convictions. Moreover, as the Michigan Supreme Court has taken greater interest in reducing wrongful convictions in recent years, the 6.500 pathway has been broadened in interesting ways. This session will cover the nuts and bolts of 6.500 motions—how to avoid the usual

landmines and best practices to ensure success—by drawing lessons from significant recent wrongful conviction cases.

Imran Syed is a clinical assistant professor at the University of Michigan Law School and serves as co-director of the Michigan Innocence Clinic. Imran serves on the executive board of the national Innocence Network and also co-chairs the Network's amicus committee. As part of teaching in the Innocence Clinic, Imran has supervised students investigating and litigating a wide variety of post-conviction and direct appellate cases, including several of the Clinic's forensic science-based innocence cases. Imran has drafted many proposed amendments to the 6.500 rules that have been accepted and implemented by the Supreme Court in recent years. He has also written law review articles discussing the novel litigation strategies needed to address wrongful convictions based on outdated scientific evidence.

Using Experts on Appeal

What kind of experts can we use on appeal? How do we get money to pay for them? How can we find experts? These are just a few of the questions we'll discuss as we examine the value of using experts on appeal to win relief for our clients.

Jessica Zimbelman is a Managing Attorney with the State Appellate Defender Office, representing people statewide as they appeal their convictions and sentences. She has appeared before the Michigan Court of Appeals and Michigan Supreme Court multiple times, as well as trial courts throughout the state. Prior to SADO, she was the Senior Analyst in the Legislative Corrections Ombudsman's Office, monitoring the Michigan Department of Corrections on behalf of the State Legislature. Before law school, Jessica was a legislative aide in the Michigan House of Representatives and continues to be active in the policy world through SADO and as Co-Chair of the Rules and Law Committee of the Criminal Defense Attorneys of Michigan. Jessica is a member of the Representative Assembly of the State Bar of Michigan, representing Ingham County. She is also on the Board of Directors of the Ingham County Bar Association. She lives in Lansing with her husband and two rambunctious twin daughters.

Legislative and Court Rule Updates: What Changes You Need to Know

This session will cover recent statutory and court rule changes that that impact our appellate practice.

Stephanie Farkas is the Litigation Support Counsel for the Michigan Appellate Assigned Counsel System (MAACS) where she helps train, support, and supervise new and established MAACS roster attorneys. Stephanie is a former Chair of the State Bar Criminal Law Section and remains on the Council. She also serves on the Model Criminal Jury Instructions Committee.

Previously, Stephanie worked as a Senior Trial Attorney at Neighborhood Defender Service ("NDS") Detroit, as an Assistant Public Defender in Berrien County, and as a private practitioner.

The Borderline Claims Game (for trial and plea appeals)

Deep dive into meritorious vs. frivolous claims.

Katherine Marcuz is a Managing Attorney at the State Appellate Defender Office in Detroit. She joined SADO in 2012 following a clerkship at the District of Columbia Court of Appeals for the Honorable Catharine F. Easterly. Katherine is a graduate of Sarah Lawrence College and the University of Michigan Law School. She also holds a master's degree in education from Brooklyn College. Before law school, she worked as a high school English teacher in Brooklyn, New York. Katherine lives in Detroit with her husband and two sons.

Building Trusting and Durable Attorney Client Relationships

Together we will workshop, discuss, and model techniques for gaining and keeping our clients' trust.

Matt Monahan is an attorney at SADO. Prior to that he worked for judge Laurie Michelson on the eastern district of Michigan. And way before that he taught high school in Chicago, objectively the best town in the Midwest.

Wednesday, October 19, 2022

7.208 and Trial Court Practice

Jason Eggert has been an assistant defender at the State Appellate Defender Office since 2016. He is also an adjunct professor at the University of Michigan Law School, teaching the Criminal Appellate Practice Clinic.

Sentencing Law Updates

Review of notable Michigan sentencing decisions and court rule amendments from the past year.

Anne Yantus is a sentence consultant, working with retained and court-appointed attorneys to promote more favorable sentencing outcomes. Anne credits her knowledge of sentencing law to the many years spent handling plea and sentencing appeals with the State Appellate Defender Office. Following her time with SADO, Anne taught a criminal sentencing court at University of Detroit Mercy School of Law and subsequently continued to write and speak on felony sentencing law while serving as pro bono counsel with Bodman PLC.

She welcomes your felony sentencing questions and is happy to provide an individualized sentence consultation through her new practice, Michigan Sentencing PLLC.

What's on the Legal Horizon?

A Preview of this Term in the Michigan Supreme Court

This session will be a preview of the 2022-2023 term at the Michigan Supreme Court through summaries of and discussion about cases pending in the Court with oral argument granted.

Adrienne Young is an Assistant Defender at the State Appellate Defender Office (SADO). Adrienne has represented indigent people in courts across the state, including the Michigan Supreme Court. She regularly trains on appellate case law. Adrienne enjoys brainstorming about how best to assist young adults on appeal and advocate for individuals who are mentally ill short of legal insanity. Before joining SADO, Adrienne clerked on the Michigan Supreme Court. Adrienne is a graduate of the University of Chicago Law School where she was awarded the Pro Bono Service Award of Excellence for her hundreds of volunteer hours. Prior to attending law school, Adrienne earned her Master in Education while serving as a special education teacher. She is a graduate with distinction from the University of Michigan. Adrienne has completed twelve marathons and in 2016 was elected to the Birmingham Board of Education. She and her husband, Jeffrey Bozell, are the proud parents of three kids. They are the usually proud, sometimes embarrassed, owners of a rambunctious rat terrier. Adrienne can be reached at ayoung@sado.org.

Practicing Cultural Humility

This session will focus on the concept of cultural humility as developed by Melanie Tervalon, MD. We will examine the origins of the concept, how it differs from cultural competency, and the four principles that form the framework. We will also discuss specific ways we can incorporate the principles of cultural humility into our day-to-day work as defenders.

Gina Pruski is the Director of Training and Development for the State Public Defender's Office (SPD) in Wisconsin. After obtaining both her undergraduate and law degrees from the University of Wisconsin-Madison, she began her career with the SPD in 1992 serving first as a staff attorney in the Trial Division and then as Deputy Legal Counsel and Legislative Liaison for the agency.

Gina was the 2016-17 Chair of the National Alliance of Indigent Defense Educators (NAIDE), the trainers' section of the National Legal Aid and Defender Association (NLADA) and is currently an executive officer of NAIDE. She is a member of the National Association for Public Defense (NAPD), serves

on NAPD's Education Committee, and helped create the Be Well Wednesday (BWW) virtual program offered weekly to those who work in public defense.

From 2017-2019, Gina served as a trainer consultant for NLADA for the MacArthur Foundation's Safety and Justice (S+J) Challenge. In addition, on behalf of the U.S. State Department, Gina provided mentoring and technical assistance in the area of training and professional development to the Public Defender's Office in Armenia. In March 2018, she conducted train-the-trainer programs for criminal justice professionals in Yerevan.

Gina is a member of the SPD's Diversity, Equity, and Inclusion Committee and has received extensive training in the area of racial justice facilitation, is one of the YWCA of Madison's *Race to Equity* facilitators and conducts unconscious bias and anti-racism workshops for public defender offices and other organizations and groups around the country and, in 2016, the Criminal Lawyers' Association in Canada. Other subjects for which she conducts training at the national level include cultural humility, public defender wellness/sustainability, adult learning, group facilitation, and public defense leadership.

Gina is a volunteer for the Wisconsin Lawyers Assistance Program (WisLAP) and served on the State Bar of Wisconsin's Task Force on Wisconsin Lawyer Well-Being. She also currently serves on the Board of Directors for Wisconsin Women in Government.

She is co-author of the WISCONSIN JUVENILE LAW HANDBOOK published by the State Bar of Wisconsin and is a certified trainer for the Juvenile Training Immersion Program (JTIP) developed by The Gault Center (formerly known as the National Juvenile Defender Center). Gina also regularly volunteers as a judge for moot court and mock trial competitions around Wisconsin. Gina is a 2011 recipient of the Women in the Law honor bestowed by the *Wisconsin Law Journal*.

Monday, October 24, 2022

Writing Persuasive Briefs

Persuasive, clear, and compelling writing with a purpose is a skill and an art form. In this session, we will discuss how to use the facts and law you have to develop the story you want to tell.

Marilena David is the Deputy Director at the State Appellate Defender Office. Marilena manages the Criminal Defense Resource Center and provides training, resources, and support to the criminal defense bar. She regularly trains lawyers around the country on writing, research, sentencing mitigation, client relationships, issue spotting, sustainability, and more. Marilena launched and manages SADO's Project Reentry, a program focused on

supporting people on their journey home from prison. Marilena serves on the Board of Directors for CDAM and is chair of the State Bar of Michigan's (SBM) Prisons & Corrections Section. She serves on the National Association for Public Defense Core Well-Being Committee and contributes to developing and implementing national standards for public defense sustainability. Marilena is the recipient of the 2014 SBM Outstanding Young Lawyer Award, the 2014 Criminal Defense Attorneys of Michigan Justice for All Award, and the 2018 Detroit Metropolitan Bar Association Community Impact Award. In 2019, she was appointed by Governor Whitmer to serve on the Michigan Community Corrections Board. In 2021, she was appointed by the Michigan Supreme Court to serve on the Michigan Judicial Council.

E-Briefing

On September 1, 2022, an amendment to MCR 7.212 took effect, and altered the formatting requirements for briefs and applications filed by attorneys in the Court of Appeals and Supreme Court. This training will go over what those changes are, provide technical guidance for how to most easily ensure compliance with the new requirements, and offer suggestions about how to take advantage of the new format to tell your clients' stories in a more compelling and visually appealing way.

Steven Helton has been an Assistant Defender with SADO since 2018. He graduated from Wayne State Law School in 2013 and was a MAACS roster attorney prior to joining SADO. Steven has helped clients obtain relief by showing police intentionally destroyed evidence and by showing prosecutors failed to correct perjured testimony. In the Michigan Supreme Court, he has successfully argued for reversal of published Court of Appeals opinions that would have restricted indigent defendants' access to expert witnesses and undermined the right of all defendants to a public trial, and also persuaded the Court to adopt a formal rebuttable presumption that unpreserved structural errors are prejudicial, thereby shifting the burden to the prosecution to demonstrate that plain structural errors do not require reversal.

Motions to Correct Invalid Sentence

Motions to correct invalid sentence may seem straightforward, but there is always room to creatively advocate for your client. This training addresses the many different ways to challenge your client's sentence on appeal, from guidelines issues to financial penalties, and everything in between.

Angeles Meneses has been an assistant defender with the State Appellate Defender Office since 2016. She is also an adjunct professor at Wayne State University Law School and the University of Michigan Law School, teaching the Criminal Appellate Practice Clinic. Angeles is a member of the Editorial Advisory Board for the 2022 Michigan Sentencing Guidelines Manual.

Motions for Plea Withdrawal

This session will discuss the process for Motions for Plea Withdrawal at the Circuit Court level and an Application for Leave to Appeal in the event of a denial at the Circuit Court level. The session will detail the applicable deadlines, the procedural process, and the legal arguments in support of withdrawing a plea (IAC, unknowing/involuntary plea agreement, etc.). In addition to providing the "nuts and bolts" of Motions for Plea Withdrawal, the session will provide some practical advice and tips for navigating the various Circuit Courts as appointed appellate counsel.

Josh Hadley joined the Michigan Appellate Assigned Counsel System in 2019 handling plea appeals. Josh has been representing clients in state and federal court at the trial and appellate levels since joining the Michigan Bar in 2015. Josh worked as an intern with the State Appellate Defender Office in 2016-2017 on the Juvenile Lifer project before joining the firm of Taylor, Butterfield, Howell, Churchill & Garner P.C. in Lapeer, Michigan from 2017 - 2020. At the start of 2020, Josh branched out on his own and formed Hadley Law, PLLC, specializing in criminal defense, defense of municipal violations, and civil litigation under 42 USC 1983 civil rights claims (with an emphasis on prisoner rights violations). Josh currently serves as MIDC counsel for the 34th District Court in addition to his private practice and MAACS plea appeals.

Plain and Structural Error and *People v Davis*

Jacqueline J. McCann has been an assistant defender at the State Appellate Defender Office since 2001. She was the principal author of SADO's Criminal Defense Resource Center's Defender Plea, Sentence, and Post-Conviction Book and Annotated Sentencing Guidelines Manual from 2011 through 2019. Ms. McCann regularly represents defendants in Michigan's appellate courts, including in *People v Francisco*, 474 Mich 82 (2006), *People v Steanhouse*, 500 Mich 453 (2017), and, most recently, *People v Wafer*, ___ Mich ___ (2022). Ms. McCann is also an adjunct professor for the Criminal Appellate Practice Clinic at Wayne State University Law School on a rotating basis.