



2023 Appellate Writing Workshop

April 27-29, 2023 | [Register here](#)

MAACS Roster Attorneys and SADO Assistant Defenders are invited to attend this in-person, 3-day writing workshop designed for criminal appellate attorneys. Working on either a mock case file or a case from their own caseload, attendees will learn practical tools and develop critical skills to improve their writing. Attendees will learn how to develop a compelling statement of facts, identify persuasive legal issues, and improve oral advocacy skills. This workshop offers a mix of plenary, panel, and small group brainstorming and writing sessions. **Space is limited; register early!**

Additional important information:

- ▶ **Who can attend?** The workshop is for court-appointed appellate lawyers only. Exceptions may be made with prior approval.
- ▶ **Where is the workshop?** The workshop will be held in-person, at the SADO Offices in Detroit (3031 W. Grand Blvd., Suite 450).
- ▶ **Can I come to the sessions I think will be best for me?** Registrants must attend all three days of the workshop.
- ▶ **How much does it cost?** The workshop is free, and lunch will be provided each day. For attendees traveling over 50 miles, a lodging stipend is available. (Do not book any accommodations until you get registration confirmation and express instructions.)
- ▶ **Will I receive CLE credit?** CLE credit is available, up to 22.25 hours.
- ▶ **Have more questions?** Contact Kathy Swedlow at kswedlow@sado.org or (517) 492-5848.

Presented in partnership by the **Criminal Defense Resource Center** of the **State Appellate Defender Office** and the **Michigan Appellate Assigned Counsel System**

Workshop Agenda

Day 1: Thursday, April 27, 2023

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| 8:30 – 9:00 AM | Check-in and Welcome |
| 9:00 – 10:00 AM | <i>Panel: Voices and Perspectives of Appellate Clients</i> |
| 10:00 – 11:00 AM | <i>Plenary: Using Facts to Tell Your Client's Story and to Develop a Case Theory (Brad Hall)</i> |
| 11:00 – 11:15 AM | Break |
| 11:15 AM – 12:30 PM | Small groups: Brainstorming the facts |
| 12:30 – 1:45 PM (Lunch provided) | <i>Plenary: Issue Spotting Strategies and Techniques (Marilena David)</i> |
| 1:45 – 3:00 PM | Small groups: Issue identification and development |
| 3:00 – 3:15 PM | Break |
| 3:15 – 4:30 PM | <i>Pen to Paper: Drafting the statement of facts</i> |
| 4:40 – 5:00 PM | Group writing exercise |
| 5:00 PM | Optional social hour |
| Homework | <ul style="list-style-type: none"> • Email <i>Pen to Paper</i> exercise to small group leader and members • Read <i>Pen to Paper</i> exercises from small group members and be prepared to give feedback |

Day 2: Friday, April 28, 2023

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| 9:00 – 10:00 AM | <i>Plenary: From Good to Better to Best (Marilena David)</i> |
| 10:00 – 11:30 AM | Small groups: Feedback on <i>Pen to Paper</i> exercise |
| 11:30 – 11:45 AM | Break |
| 11:45 AM – 12:45 PM | <i>Plenary: Extending the Theory of Your Case (Brad Hall)</i> |
| 12:45 – 2:00 PM (Lunch provided) | <i>Pen to Paper: Drafting issue headings and arguments</i> |
| 2:00 – 3:00 PM | <i>Plenary: Legal Analysis (Kathy Swedlow)</i> |

Day 2, continued

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| 3:00 – 3:15 PM | Break |
| 3:15 – 4:45 PM | <i>Pen to Paper</i> : Paring down and feedback |
| 4:45 – 5:15 PM | Group writing exercise |
| 5:15 PM | Optional social hour |

Day 3: Saturday, April 29, 2023

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| 9:00 – 10:00 AM | <i>Plenary: Looks Matter</i> (Kathy Swedlow) |
| 10:00 – 11:00 AM | Small groups: Feedback on issue headings and arguments |
| 11:00 – 11:15 AM | Break |
| 11:15 AM – 12:30 PM (Lunch provided) | <i>Plenary: Practical Oral Advocacy Tips and Demonstration</i> (Marilena David) |
| 12:30 – 1:00 PM | Individual preparation time |
| 1:00 – 2:30 PM | Small groups: Oral argument and issue heading feedback |
| 2:30 PM – 3:00 PM | Closing session, reflections, Q&A |

Faculty

Marilena David is the Deputy Director at SADO. Marilena also manages Project Reentry, a program she launched that is focused on supporting people on their journey home from prison. Marilena represents individuals on appeal of their felony convictions and individuals who are being resentenced after serving unconstitutional juvenile life without parole sentences. Marilena served as Manager of SADO’s Criminal Defense Resource Center from 2015-2022. Previously, she launched and managed SADO’s Crime Lab Unit, a federal grant funded unit tasked with analyzing the impact of potentially faulty Detroit Crime Lab evidence on criminal convictions following the shocking 2008 Detroit Crime Lab closure. Marilena serves on the Board of Directors for the Criminal Defense Attorneys of Michigan and the Michigan Appellate Bench Bar Conference Foundation. Marilena is past chair of the State Bar of Michigan’s 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.

Faculty, continued

Brad Hall is the MAACS Administrator. Brad graduated from Michigan State University before working as a youth treatment specialist at a residential facility. He then attended Northwestern University Pritzker School of Law, where he spent his summers doing unpaid death penalty defense work in Georgia, Alabama, and Illinois. After returning to Michigan, he worked as a federal judicial law clerk and then as a federal public defender for eight years. Since 2015, Brad has overseen Michigan's private appellate indigent defense system, including many meaningful reforms and an expansion to youth defense. He maintains an active client caseload and 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 has also authored numerous scholarly articles. Brad is active in the legal community and is past Chair of the State Bar of Michigan Appellate Practice Section.

Kathy Swedlow is the Manager of SADO's Criminal Defense Resource Center (CDRC) and is the former Deputy Administrator of MAACS. From 2000-2016, Kathy was a Professor and Assistant Dean at WMU-Cooley Law School, where she taught Criminal Law, Criminal Procedure, and Death Penalty Law; while at Cooley, Kathy served as the co-director of the school's Innocence Project and was co-counsel on the Project's first DNA exoneration case, *People v Wyniemko*. Before that, Kathy was an Assistant Federal Defender with the Capital Habeas Unit of the Defender Association of Philadelphia, where she represented death row prisoners in Pennsylvania; she has also worked in the Staff Attorneys' Offices in the U.S. Courts of Appeal for the Second, Third, and Sixth Circuits. Kathy is the author of the SADO Defender Appellate Manual (2021), three law school criminal law and procedure textbooks, and many law review articles; for many years, she was a contributing editor for death penalty cases for the ABA publication, *Preview of United States Supreme Court Cases*. Kathy is a graduate of Carnegie Mellon University (B.S.) and City University of New York School of Law (J.D.).