



NYSBA

Forensics and the Law V

Criminal Justice Section

Fall Meeting

Section Chair

Sherry Levin Wallach, Esq.

Wallach & Rendo LLP
Mount Kisco, NY

Program Chair

Marvin E. Schechter, Esq.

Marvin E. Schechter Law Firm
New York City

November 14, 2015

9:30 am – 4:15 pm (registration begins at 9:00)

New York University School of Law, Lipton Hall
108 West 3rd Street (Between MacDougal and Sullivan Streets)
New York, NY 10012

Co-Sponsored by the Young Lawyers Section

This is a live program only, and will not be recorded,
broadcast or available online.



Under New York's MCLE rules, this program has been approved for a total of up to 6.0 MCLE credit hours, in the area of Professional Practice for experienced attorneys only. The program and credits are non-transitional, and do not qualify for credit for newly-admitted attorneys.

SCHEDULE OF EVENTS

PROGRAM DESCRIPTION:

Each year this forensic conference seeks to address new issues in forensic science with an emphasis on how the litigator's practice is affected and what must be done to incorporate cutting-edge issues into successful discovery, motion practice and cross-examination. The continued expansion and growing use of DNA in prosecutions means counsel must become thoroughly familiar, not only with DNA analysis, but the companion topics of Low Copy DNA and likelihood ratios rather than simply relying on experts. DNA typing itself is no longer static, and this year we will present new issues involving this aspect of DNA analysis. NYS forensic laboratories contain a treasure trove of essential documents regarding forensic analysis which are generated by the laboratories themselves as well as by accrediting agencies which monitor their work. Accessing this information, interpreting it and utilizing the same in overall case preparation is crucial to successful litigation.

9:00 am

Registration

Continental Breakfast Served

9:30 am – 9:40 am

Welcome and Introductions

Section Member vote on changes to Criminal Justice Section Bylaws. Bylaws available at registration desk.

Sherry Levin Wallach, Esq.

Section Chair, Wallach & Rendo LLP, Mount Kisco, NY

9:40 am – 10:55 am

Special Problems in Forensic Pathology: Discovery & Time of Death Determinations

Dr. Michael Baden

Former Chief Medical Examiner of New York City, NY

Sherry Levin Wallach, Esq.

Section Chair, Wallach & Rendo LLP, Mount Kisco, NY

10:55 am – 11:10

Break

11:10 – 12:25

Understanding LCN DNA and Likelihood Ratio Software: Where the Scientific Rubber Hits the Legal Road

IMPORTANT NOTE: During last year's conference, NYU Professor Erin Murphy presented a 50 minute Introduction to DNA. It is highly recommended that those who did not attend listen to the lecture in advance of this year's conference to better understand and get the most out of Ms. Goldthwaite's presentation. Professor Murphy's lecture is available free of charge under Forensics and the Law IV, October 17-18, 2014 at: www.nysba.org/crimvideos

Jessica Wren Goldthwaite, Esq.

Staff Attorney, The Legal Aid Society DNA Unit, NYC

DNA evidence from touched samples like guns or knife handles often contains DNA from 3 or more people and frequently in low quantities, creating challenges for forensic scientists, the courts, and practitioners. Recently in *People v. Collins/Peaks*, the court ruled that two methods used by the NYC Office of Chief Medical Examiner in the testing and interpretation of these samples, Low Copy Number/High Sensitivity testing and the Forensic Statistical Tool, failed to satisfy the *Frye* general acceptance standard. This session will help you understand these methods and similar ones, and how to incorporate the information uncovered in *Collins* and other recent cases in pretrial and trial litigation. *1.5 credits in Professional Practice*

12:25 pm – 1:30 pm

Lunch on Your Own

1:30 pm – 2:45 pm

Cutting Edge Issues in Forensic DNA Typing

Erin Murphy, Esq.

Professor of Law, NYU School of Law, NYC

This session will address some areas of recent development in the field of forensic DNA typing. Topics may include the emergence of rapid DNA testing machines, studies showing the rate and prevalence of DNA transfer, the use of probabilistic software, and "next generation sequencing" methods. *1.5 credits in Professional Practice*

2:45 – 3:00 pm

Break

3:00 pm – 4:15 pm

Laboratory Accreditation: Discovering the Key Documents and Addressing Cross-Examination Issues

Forensic laboratories and accrediting agencies generate a slew of documents regarding analytical and workplace errors. Where these documents can be found, what is their individual importance and how these can be utilized to build a better motion practice side-by-side with a successful cross-examination of forensic experts are the subjects of this presentation. *1.5 credits in Professional Practice*

Marvin E. Schechter, Esq.

Marvin E. Schechter Law Firm, NYC

Adjournment

REGISTRATION FORM

Name _____

Office _____

Address _____

City/State/Zip _____

E-mail Address _____

Phone (____) _____ Fax (____) _____

PROGRAM FEES

Criminal Justice Section and/or Young Lawyers Section Members

- _____ \$120
- _____ \$110 Admitted to practice 2-5 years
- _____ \$50 Admitted to practice 0-2 years

NYSBA Members

- _____ \$150
- _____ \$135 Admitted to practice 2-5 years
- _____ \$50 Admitted to practice 0-2 years

Non-NYSBA members

- _____ \$180
- _____ \$160 Admitted to practice 2-5 years
- _____ \$50 Admitted to practice 0-2 years

Law Students

- _____ \$ 15 NYSBA Member New York Law School Students
- _____ Non-NYSBA Member New York Law School Students:

Join NYSBA and the Criminal Justice Section for
FREE at: nysba.org/pathway

PAYMENT INFORMATION

☐ Check or money order enclosed in the amount of \$ _____
(Make checks payable to New York State Bar Association.)

☐ Charge \$ _____ to ☐ American Express ☐ Discover

☐ MasterCard ☐ Visa Expiration Date: _____

Card number: _____

Authorized Signature _____

Criminal Justice Section

Fall Meeting

**Forensics and
the Law V**

**Saturday
November 14, 2015**

New York University School of Law
108 West 3rd Street
(between McDougal and Sullivan Streets)
New York, NY 10012

Important Information

Refund Policy: Notice of cancellation must be received on or before November 6, 2015 to receive a refund for the registration fee.

Program Format

This is a live program only, and will not be recorded, broadcast or available online.

Mail or Fax This Registration Form with Payment to:

Department of Section Services
New York State Bar Association
One Elk Street
Albany, NY 12207
Phone: (518) 487-5682
Secure Fax: (518) 463-5993
Attn: Amy Jasiewicz

Register Online at:
www.nysba.org/criminal

IMPORTANT INFORMATION

The New York State Bar Association has been certified by the New York State Continuing Legal Education Board as an Accredited Provider of continuing legal education in the State of New York.

DISCOUNTS AND SCHOLARSHIPS: New York State Bar Association members and non-members may receive financial aid to attend this program. Under this policy, any member of our Association or non-member who has a genuine basis for his/her hardship, if approved, can receive a discount or scholarship, depending on the circumstances. To apply for a discount or scholarship, please send your request in writing to: Amy Jasiewicz, New York State Bar Association, One Elk Street, Albany, New York 12207; ajasiewicz@nysba.org; 518.487.5682 phone or fax.

ACCOMMODATIONS FOR PERSONS WITH DISABILITIES: NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Amy Jasiewicz, New York State Bar Association, One Elk Street, Albany, New York 12207; ajasiewicz@nysba.org; 518.487.5682 phone or fax.



NEW YORK STATE BAR ASSOCIATION
CRIMINAL JUSTICE SECTION
1 Elk Street, Albany, NY 12207

**POSTMASTER: CONTAINS DATED MATERIAL.
PLEASE DELIVER PROMPTLY. THANK YOU.**

Non-Profit Org.
US Postage
PAID
Albany, NY
Permit No. 155



This is a live program only, and will not be recorded,
broadcast or available online.

Co-Sponsored by the Young Lawyers Section

November 14, 2015
9:30 am – 4:15 pm (registration begins at 9:00)
New York University School of Law, Lipton Hall
108 West 3rd Street (Between MacDougal and Sullivan Streets)
New York, NY 10012

November 14, 2015

Fall Meeting

Criminal Justice Section

**Forensics and
the Law V**



NYSBA – CRIMINAL JUSTICE SECTION – FORENSICS AND THE LAW V – FALL MEETING

