

LibertyWatch

A Publication of the Pennsylvania Association of Criminal Defense Lawyers
January 2006

Welcome to *LibertyWatch*. Dave Crowley covered the Pennsylvania Supreme, Superior and Commonwealth Courts for the month of November, 2005. We are necessarily selective in our coverage and no newsletter can substitute for diligent research and innovative analysis. The Pennsylvania cases can be found in full at: www.aopc.org. If you would prefer not to receive *LibertyWatch* via e-mail, please notify us so that we may remove your name from our e-mail list.

Pennsylvania Supreme Court Decisions

Megan's Law II — Failure to Register — *Cmwlth. v. Killinger*, No. 10 MAP 2004, opinion by Baer, J., 12/27/05 — Answering the question it declined to address in Williams, where it found that the life sentence for tier 1 offenders failing to report a change in address under Megan's Law II unconstitutional, the Court found that the felony 3 grading for the failure of a tier II offender to timely register an address is not unconstitutionally punitive. Unanswered in this appeal is whether Mr. Killinger and similarly situated individuals may still be prosecuted under provisions repealed by Megan's Law III. Further, will we see a Megan's Law IV with a return to felony sanctions for failing to report?

Search & Seizure — Investigative Detentions — Exigent Circumstances — *Cmwlth. v. Revere*, No. 50 EAP 2003, opinion by Castille, J., 12/28/05 — The Court recognized that there are certain exigencies (particularly the need for safety or security in conducting and completing an investigative detention) which make it reasonable under Terry to place a suspect in a vehicle and transport him a short distance during an investigative detention.

Search & Seizure — Expectation of Privacy — *Cmwlth. v. Millner*, No. 35 EAP 2004, opinion by, Castille, J., 12/28/05 — The Court found that the lower court improperly ordered the suppression of a firearm that police seized following a warrantless entry into a vehicle near the place where appellant was detained and illegally searched as appellant failed to establish an expectation of privacy in the vehicle at his suppression hearing.

Effective Assistance of Counsel — *Cmwlth. v. Cousin*, No. 60 EAP 2004, opinion by, Saylor, J., 12/28/05 — Trial counsel's concession of petitioner's guilt to the lesser charge of voluntary manslaughter, at closing argument in guilt phase of bench trial, in order to gain credibility in eyes of fact-finder and thereby avoid conviction for higher degree of criminal homicide, was not per se prejudicial so as to relieve him of his burden of proving prejudice in his PCRA claim.

Death Penalty — Effective Assistance of Counsel — *Cmwlth. v. Duffey*, No. 324 Capital Appeal Docket Cappy, C.J., 12/28/05 — Following remand for evidentiary hearing, the Court upheld a trial court determination that trial counsel had reasonable basis in not objecting to evidence of and comments upon appellant's post arrest silence.

Appellate Review — 1925(b) Statement — *Cmwlth. v. Schofield*, No. 41 EAP 2004 & *Cmwlth. v. Castillo*, No. 42 EAP 2004, opinion by, Baer, J., 12/29/05 — Over the well reasoned dissents of Mr. Justice Saylor in both cases, the Court refused to abandon its earlier bright-line rule that the failure to timely file a 1925 b statement results in automatic waiver of appellate review.

Death Penalty — Future Dangerousness — Simmons Instruction — *Cmwlth. v. Chmiel*, David, No. 428 Capital Appeal Docket opinion by Baer, J., 12/29/05 — The Court held that a prosecutor did not inject issue of future dangerousness into penalty phase of capital murder prosecution so as to require an instruction that defendant would be ineligible for parole if he should be sentenced to life imprisonment under South Carolina v. Kelly where he articulated that the murder of one of the victims demonstrates "that coldness of heart, the type of depravity that tells you that he deserves death," and that defendant "thirsted after the bliss of the knife", but did not utter the words "future dangerousness." Mr. Justice Saylor's dissent astutely notes that: "...the United States Supreme Court set forth the following, straightforward test ...: Evidence of future dangerousness under Simmons is evidence with a tendency to prove dangerousness in the future; its relevance to that point does not

disappear merely because it might support other inferences or be described in other terms. Rather than acknowledging and applying this test, the majority undertakes to distinguish Kelly on the facts, and proceeds to rely on prior decisions of this Court that are plainly inconsistent with Kelly."

Pennsylvania Superior Court Decisions

DUI (old law) — BAC — Intoxilizer — Relation Back Evidence — *Cmwlth. v. Lippert*, No. 1344 WDA 2004, opinion by, Bowes, J., 12/1/05 — "We reject the Commonwealth's valiant effort to bring this case within the parameters of other decisions in this area." When was the last time a court attributed nobility to anything you attempted? Appellant's BAC 1 hour after driving was variously tested at .105 and .115%. He was convicted under former 75 Pa.C.S. § 3731(a)(4) (driving while BAC .10 or greater) after producing rebuttal evidence that there was a 10% margin of error in the intoxilizer and that at the time he was driving his BAC was below .10% and rising at the time of the test. On sur rebuttal, the Commonwealth produced evidence that the margin of error on the intoxilizer was only 5%, making the BAC at least .10% at the time of testing but offered no opinion as to whether the BAC was rising or falling at the time of the test. On these facts the court was "constrained to concur" with defendant that there was sufficient evidence to prove that his BAC at the time of driving was .10% or greater.

Search & Seizure — Automobile Stop — Probable Cause — Gleason — *Cmwlth. v. Anderson*, No. 1959 MDA 2004, opinion by Stevens, J.; Concurring and Dissenting Opinion by Gantman, J., 12/7/05 — Officer had probable cause to stop Appellee on suspicion of DUI. During 5 blocks of pursuit on numerous two-lane streets Appellee straddled the double yellow lines for a full two blocks "in such a manner that oncoming traffic would be required to swerve to avoid" him. Further, Appellee "repeatedly stopped his vehicle for an inordinate and inexplicable amount of time without the presence of traffic signals or stop signs. By coming to unexpected, complete stops in a lane of travel, particularly while shrouded in darkness, Appellee certainly created a clear hazard to himself and others."

PCRA — DNA Testing — *Cmwlth. v. Smith*, No 981 MDA 2005, opinion by Beck, J., 12/7/05 — PCRA petitioner's unsupported assertion that absence of his DNA from victim's fingernails would establish his innocence was insufficient to entitle him to post-conviction DNA testing of victim's fingernail clippings. Theory that assailant's DNA was deposited onto victim's fingernails as she defensively scratched her assailant was too speculative to warrant relief and would not establish petitioner's innocence of victim's murder.

Search & Seizure — Automobile Stop — Tipsters — *Cmwlth. v. Barber*, No. 209 MDA 2005, opinion by Stevens, J., 12/8/05 — Tip from citizen who identified himself to 911 dispatcher that a 40 year old man was sitting in a van drinking beer and urinating in public provided sufficient reasonable suspicion for officers to stop a van matching that description at the location provided by the tipster.

Speedy Trial — Due Diligence — *Cmwlth. v. Malgieri*, No. 1947 WDA 2004, opinion by McCaffery, J., 12/9/05 — The trial court abused its discretion in determining that the Commonwealth did not use due diligence in endeavoring to bring Appellee to trial within the 365-day period specified in Pa.R.Crim.P. 600. Due diligence is apparently satisfied by waiting 51 weeks to call a case for trial and being told by the court that they can't bring in a jury panel that week because it conflicts with a judges conference.

DUI — Sufficient Evidence — *Cmwlth. v. Brotherson*, No. 1411 EDA 2003, opinion by Stevens, J., 12/13/05 — Defendant was observed behind the wheel of a vehicle parked on a basketball court with its engine running. In finding the evidence sufficient to support his DUI conviction, the Court noted that: "The highly inappropriate location of the car-on the basketball court of a gated children's playground-created a strong inference that it was an already intoxicated Appellant who had driven the car to that spot. Further distinguishing this case from Byers is the reasonable inference that Appellant's BAC of .118% more than three hours after his arrest could not have derived exclusively from the limited amount of beer available within his car." Further the court deemed waived the issue of whether the basketball court was a trafficway.

Speedy Trial — Due Diligence — *Cmwlth. v. Kears*, No. 2722 EDA 2004, opinion by Joyce, J., 12/13/05 — "Did the Commonwealth fail to act with due diligence when it allowed the preliminary hearing to be continued several times instead of severing Appellant's case from his co-defendant's, thus protecting Appellant's speedy

trial rights?" – No, says the Court!

Rape — Sufficiency of Evidence — Weight of Evidence — *Cmwlth. v. Castelhun*, No. 1964 EDA 2004, opinion by Panella, J., 12/14/05 — Rape, IDSI, and Indecent assault convictions were supported by sufficient evidence.

Ineffective Assistance of Counsel — Appellate Review — Discretionary Aspects of Sentencing — *Cmwlth. v. Johnson*, No. 703 MDA 2005, opinion by Beck, J., 12/14/05 — Even though there is no right to challenge the discretionary aspects of a sentence; there is, a right to seek appellate review of the discretionary aspects of a sentence. An appellate brief which fails to include a 2119f statement and lacks citations to relevant case law effectively denies appellate review of the sentence and warrants reinstatement of appellate rights.

Accidents Involving Death or Personal Injury — Mens Rea — *Cmwlth. v. Hurst*, No. 2647 EDA 2004, opinion by Stevens, J., 12/14/05 — Conviction for accidents involving death or personal injury while not properly licensed requires proof that defendant acted with criminal negligence, even though the statute does not contain a scienter requirement. Kudos to PACDL member Karl Baker and his staff at the Defender Association.

Sentencing — Discretionary Aspects of Sentence — *Cmwlth. v. Marts*, No. 371 WDA 2004, opinion by Hudock, J.; concurring opinion by Stevens, J., 12/14/05 — Trial court did not commit a manifest abuse of discretion in sentencing defendant to aggregate 10 to 20-year sentence for five counts of robbery, four counts of criminal conspiracy, two counts of recklessly endangering another person, and one count of theft from a motor vehicle.

Sentencing — Discretionary Aspects of Sentence — *Cmwlth. v. Bonds*, No. 3114 EDA 2004, opinion by Johnson, J., 12/20/05 — Appellant did not meet his burden of proof with respect to claim that sentencing judge was biased in re-sentencing defendant so as to warrant recusal.

Probation Revocation -- Probation Conditions -- Withdrawal of Counsel -- Anders Briefs -- *Cmwlth. v. Visaint*, No. 905 MDA 2005, opinion by Klein, J., 12/23/05 — The Court reminds counsel that a proper Anders brief does not argue against the client or for affirmance, but states all issues raised by the client, asserts that there has been a diligent review of the record and a finding of wholly frivolousness. The Court found that the failure to make the revocation hearing transcript part of the record impacted both on counsel's diligent review of the record and impeded the court's required independent review of the record. The Court also found potential merit in an interesting argument that it was improper to find defendant in violation of a special condition which was imposed by the probation officer rather than the sentencing court.

Sentencing — Restitution — *Cmwlth. v. Wesley*, No. 457 WDA 2005, opinion by Bender, J., 12/23/05 — Sentencing court did not lack jurisdiction to vacate Appellant's original sentence and re-sentence him with a higher amount of restitution as Commonwealth timely filed a motion to modify sentence.

Aggravated Assault — Inconsistent Verdicts — *Cmwlth. v. Frisbie*, No. 120 WDA 2005, opinion by Tamilya, J., 12/27/05 Aggravated assault conviction was supported by sufficient evidence that appellant's conduct was reckless and malicious as his acquittal on charge of third degree murder was not a specific finding that he did not act with malice.

Right to Counsel — Appellate Procedure — *Cmwlth. v. Steckel*, No. 290 MDA 2005, opinion by Stevens, J., dissenting statement by McEwen, P.J.E. 12/29/05 — In a case of first impression, the court held that an order denying appointment of counsel is interlocutory and quashed the instant appeal.

Juvenile Court — *Cmwlth. v. Ghee*, No. 1006 MDA 2005, opinion by McCaffery, J., 12/30/05 — Analogizing a juvenile's waiver of felony charges into adult court to a guilty plea; the Court held that, in the absence of a record establishing that the decision was knowingly and intelligently made, the refusal of the lower court to hold a hearing on appellant's motion to withdraw plea and transfer jurisdiction back to juvenile court constituted a denial of due process

Collateral Estoppel — *Cmwlth. v. States*, No. 169 WDA 2004, opinion by Popovich, J., 12/30/05 — Collateral estoppel bars retrial of homicide by vehicle charges on which a jury deadlocked, where trial court as fact finder on charge of accidents involving death or personal injury while not properly licensed acquitted defendant on the basis that the Commonwealth had not established that appellant was the operator of the motor vehicle. Well done PACDL member Tom Farrell

Search & Seizure — Consent Searches — Expectation of Privacy — *Cmwlth. v. Viall*, No. 730 MDA 2005, opinion by Del Sole, P.J., 12/30/05 — Passenger had no expectation of privacy in the backseat area of a car in order to challenge the validity of the consent given to search that area by driver.

Pennsylvania Commonwealth Court Decisions

State Parole — Sentence Credit — In-home Detention — *Canty v. PA Board of Probation and Parole*, 526 C.D. 2005, opinion by Colins, P. J., 12/6/05 — In calculating a new parole violation maximum date, a parole violator is not entitled to credit against his original sentence for time at liberty on parole where he was subjected to Board imposed electronic monitoring/in-home detention unless he can establish that "equity was deemed to require it, such as when a defendant was assured that his time spent on electronic monitoring would count toward his sentence."

Driver's License Suspension — Statutory Construction — Drug Conviction Suspensions — *Keim v. DOT, BDL*, 2481 C.D. 2004, opinion by Smith-Ribner, J. ~ dissenting opinion by: Kelley, S.J., 12/7/05 — Motor Vehicle Act provision mandating license suspension for conviction of offenses "involving the possession, sale, delivery, offering for sale, holding for sale or giving away of any controlled substance" applied to a conviction for manufacture of a controlled substance. Judge Kelley's dissent astutely notes that as the statute clearly delineates the 6 drug offenses which trigger the suspension at issue; PennDOT should not be permitted to go beyond the express words of the statute to include an additional offense.

State Parole — Sentence Credit — In-home Detention — Martin — Retroactive Parole — *Johnson v. Murray*, 1315 C.D. 2005, opinion by Kelley, S.J., 12/8/05 — As trial court lacked authority to retroactively parole DUI on a date prior to sentencing for that offense, parole violator was not entitled to credit against his original sentence for the time between the putative parole date and his sentencing. -- An issue which still should be preserved as another panel in Jones v. PBPP, 872 A.2d 1283 (Pa.Cmwlth. 2005) appears to have recently reached the opposite conclusion. -- Echoing Canty Supra the Court also held that Board ordered electronic home monitoring was not "custody" for purposes of calculating credit in adjusting parole violation maximum date following conviction.

Sentencing — Violation of Probation — Time Credit — Mandamus — *Black v. PA Department of Corrections*, 402 M.D. 2005, opinion by Pellegrini, J., 12/29/05 — Though "troubled" that the DOC, without notice to an inmate, can initiate a proceeding that leads to the entry of a modified sentencing order extending a violation of probation sentence by 727 days, the Court held that mandamus would not lie against the Department as it was obligated to follow the modified sentencing order until and unless it is reversed.

PACDL Listserve

Are you a member of PACDL's listserv? If not, you and the PACDL members who do belong are missing out. For details on how to sign up, visit our web site at www.pacdl.org. You'll need your member username and password to visit the members only section of our site. Call us at 717-234-7403 or e-mail us at pacdl@aol.com if you have misplaced your username and/or password.

Expert Witnesses Sought for Databank

As a continuing service to our Members, PACDL is in the process of gathering a list of expert witnesses throughout the State. Please share your expert witnesses with your fellow Members. Kindly respond by providing the type of

expert, the expert's name, address, phone numbers and fees (if known) so that we can expand our list.

Mark Your Calendar

Please note – the Search & Seizure seminar scheduled for January 27, 2006 in Wilkes-Barre has been moved (see below). Great Defences, scheduled for January 28, 2006, has been cancelled.

Search & Seizure and/or Litigating The Tough Capital Case (Rule 801 Capital Case Training)

12 total credit hours

Search & Seizure – Friday, February 3, 2006 – 6 credits hours

How to Get a Not Guilty – Saturday, February 4, 2006 – 6 Rule 801 Capital Case Training hours

Radisson Hotel Valley Forge

1160 First Avenue

King of Prussia, PA 19406

Capital Cases III

6 Rule 801 Capital Case Training hours

Saturday, March 25, 2006

DoubleTree Hotel

One Bigelow Square

Pittsburgh, PA 15219

2006 Joint Annual Meeting

15 total credit hours, including 6 hours of Rule 801 Capital Case Credits

Thursday, Friday and Saturday, April 27 - 29, 2006

Hilton Harrisburg

1 N. Second Street

Harrisburg, PA 17101

The National Center for State Courts is asking for our help

(NCSC) has undertaken its National Program to Increase Citizen Participation in Jury Service, a multi-phase project designed to promote public awareness and understanding of jury service and to support state and local courts in their efforts to improve the jury system.

One objective of this project is to document state and local law, policy, and practice concerning jury system management and jury trial procedures. To accomplish this objective, NCSC staff is surveying a number of judges and lawyers within Pennsylvania to obtain an accurate picture of local jury practices. Your responses to the "Judges & Lawyers Survey" will greatly assist them in this effort. This questionnaire, together with 2 other survey instruments being filled out by court personnel in Pennsylvania, will be combined with comparable data from all 50 states and the District of Columbia. The final product will be the first-ever encyclopedia of jury trial practices in every general jurisdiction state court in our nation.

The survey can be completed online via the National Center for State Courts' website by using the following web address: http://www.ncsconline.org/d_research/practitionersurvey/. Completed surveys can also be sent to Chris Connelly at the address listed below. If you would like more information about the National Program or other jury-related projects of the NCSC, contact him at 1-800-532-0204 x 6909 or cconnelly@ncsc.dni.us.

Berks County Public Defender has an immediate opening for a full time Asst. Public Defender. Potential candidate should be admitted to Pa. Bar. Salary range \$38,615 to \$46,000 plus benefits. Salary commensurate with experience. Criminal law experience preferred. Send resume & cover letter to Berks County Public Defender, 633 Court St., Reading, Pa. 19601 or fax 610-478-6673.

PACDL is proud to announce the return of two terrific seminars. On Friday, February 3, 2006, we present *Search & Seizure* and on Saturday, February 4, 2006, we present *Litigating The Tough Capital Case*.

Search & Seizure, designed by Paul Boas, offers you 6 hours of cutting edge topics in this indispensable area of law.

Litigating The Tough Capital Case, designed by Jules Epstein and Bernard Siegel, features demonstration examinations and arguments in a capital jury trial. A group of highly experienced capital litigators will walk you through the guilt-innocence phase of a trial where there is a strong likelihood of conviction and thus the need to build a penalty phase focus into the guilt-innocence presentation. There will be a live jury with feedback on their reactions to what does and does not work.

The course offers 6 hours of Rule 801 capital case training. Under the Supreme Court's Order implementing Rule 801 of the Rules of Criminal Procedure you will need 18 total hours of capital case training taken after June 4, 2004 but **before May 1, 2006** to be eligible to appear in a capital case.

I hope to see you at one or both of these events – register for both and get a discount on your registration fee!

Search & Seizure
Friday, February 3, 2006
Radisson Hotel Valley Forge
1160 First Ave.
King of Prussia, PA

8:00 a.m. Registration and Continental Breakfast

8:45 a.m. – **Looking for Defects in Search Warrants – George H. Newman, Philadelphia**

George will discuss warrants, affidavits, particularity clause issues and new developments in the search warrant area.

9:45 – **Exceptions to the Warrant Rule – Paul D. Boas, Pittsburgh**

Paul will discuss the four major exceptions – consent, plain view, exigent circumstances, and search incident arrest, and how to establish that none of these exceptions are appropriate.

10:45 a.m. – Break

11:00 a.m. - **Interactions with Police -- Mere Encounter versus Investigatory Detention/Terry Stop versus Custodial Detention - David Rudovsky, Professor of Law, University of Pennsylvania Law School**

Professor Rudovsky will address the law in this area, including new developments, and will demonstrate how to convince the court that a particular encounter is either an investigatory detention or a custodial detention, depending on one's need in any particular case.

12:00 p.m. - 1:15 p.m. – Lunch on your own

1:15 p.m. - **Edmunds, Motions to Suppress and Their Multiple Uses – Theodore Simon, Philadelphia**

Updating *Cmwlth. v. Edmunds*, creative ways to use *Edmunds*, benefits of using Article I, Section 8 of the Pennsylvania Constitution and creative and tactical uses of suppression motions.

2:15 p.m. - ***New Technology and Its Impact on the Fourth Amendment – Stephen Henderson, Professor of Law, Widener University School of Law***

Professor Henderson will discuss how technological advancements and social norms expand or limit the reach of the Fourth Amendment. Has the law kept up with advances in technology?

3:15 p.m. - 3:30 p.m. – Break

3:30 p.m. - ***Legal Ethics as it Relates to Search and Seizure Issues***

4:30 p.m. Seminar Concludes

Litigating The Tough Capital Case

(Mock Murder Trial; 6 credits of CLE; Approved for Rule 801 Certification)

Saturday, February 4, 2006

Radisson Hotel Valley Forge

1160 First Ave.

King of Prussia, PA

Course Planners: Jules Epstein, Widener University School of Law and Bernard L. Siegel, Philadelphia

Moderator: Jules Epstein

Prosecution Team: Bernard L. Siegel, David Desiderio and Judith F. Rubino

Defense Team: Daniel Paul Alva, Merrill M. Spahn and Janis Smarro

Saturday, February 4, 2006 6 total Rule 801 credit hours

8:00 a.m. Registration and Continental Breakfast

9:00 a.m. - 12:00 p.m. **Introduction of Seminar & Fact Pattern**

Prosecution Opening Statement

Defense Opening Statement

Jury Feedback & Discussion of Opening Statements

Prosecution Direct Examination of Commonwealth Witnesses

Cross-Examination of Commonwealth Witnesses

Jury Feedback & Discussion of Cross-Examination Techniques

12:00 p.m. - 1:15 p.m. Lunch on your own

PACDL General Membership and Board of Director's Meeting

1:15 p.m. – 5:00 p.m. **Prosecution Direct Examination of Commonwealth Witnesses**

Cross-Examination of Commonwealth Witnesses

Jury Feedback & Discussion of Cross-Examination Techniques

Prosecution Closing Argument

Defense Closing Argument

Jury Feedback & Discussion of Closing Arguments

Discussion of Penalty Phase Problems

5:00 p.m.

Seminar Concludes

REGISTRATION INFORMATION

Search & Seizure (2/3/06) and/or ***Litigating The Tough Capital Case (2/4/06)***

Mail the completed Registration Form with payment no later than January 27, 2006. Only prepaid attendees are guaranteed seating. Door registrations are permitted only as space and material are available. The address is: PACDL, 115 State Street, Harrisburg, PA 17101. Telephone 717-234-7403. Fax 717-234-7462.

CANCELLATION POLICY - PACDL must guarantee payment for meals and materials in advance. There will be no refunds after 1/31/06. If you cannot attend, a colleague may take your place or your materials will be mailed to you. Cancellations made prior to that date will be subject to a \$50 cancellation fee.

SCHOLARSHIPS - There are a limited number of partial scholarships available to assist with the seminar fee for PACDL members whose dues are current. Hotel charges are not included. To apply, mail the completed seminar registration form along with a letter requesting financial assistance to PACDL no later than January 25, 2006. Scholarship applications received after that date will not be considered.

LOCATION - The Radisson Hotel Valley Forge is located at 1160 First Ave., King of Prussia, PA 19406. For overnight reservations call 610-337-2000 or 888-267-1500. PACDL has a block of rooms available for \$106 single or double/night, plus tax. Please call immediately and reserve your room. You must state you are with the Pa. Assoc. of Criminal Defense Lawyers to receive this rate.

Mark Your Calendar for future PACDL seminars

Capital Cases III

Saturday, March 25, 2006
Pittsburgh, PA

2006 Joint Annual Meeting

(includes a repeat of *Capital Cases III*)
Thursday, April 27, 2006 - Saturday, April 29, 2006
Harrisburg, PA

REGISTRATION FORM

SEARCH & SEIZURE - 2/3/06 - 6 credit hours

- | | |
|--|-------|
| <input type="checkbox"/> PACDL Members | \$275 |
| <input type="checkbox"/> PACDL Public Defender Members | \$225 |
| <input type="checkbox"/> PACDL Members in Practice Less than 5 Years | \$225 |
| <input type="checkbox"/> Public Defenders | \$315 |
| <input type="checkbox"/> All Other Criminal Defense Attorneys | \$375 |

LITIGATING THE TOUGH CAPITAL CASE - 2/4/06 - 6 Rule 801 Capital case training credit hours

- | | |
|--|-------|
| <input type="checkbox"/> PACDL Members | \$275 |
| <input type="checkbox"/> PACDL Public Defender Members | \$225 |
| <input type="checkbox"/> PACDL Members in Practice Less than 5 Years | \$225 |
| <input type="checkbox"/> Public Defenders | \$315 |
| <input type="checkbox"/> All Other Criminal Defense Attorneys | \$375 |

ATTEND BOTH SEMINARS and get a discount! - 12 credit hours

- | | |
|--|-------|
| <input type="checkbox"/> PACDL Members | \$475 |
| <input type="checkbox"/> PACDL Public Defender Members | \$375 |
| <input type="checkbox"/> PACDL Members in Practice Less than 5 Years | \$375 |
| <input type="checkbox"/> Public Defenders | \$550 |
| <input type="checkbox"/> All Other Criminal Defense Attorneys | \$650 |

10% Discount for groups of three or more from the same office

Please fill out the following portion as well:

_____ Desired Number of Credit Hours Reported to the CLE Board at \$1.50 per hour \$ _____
(no discount on CLE reporting fees)

TOTAL REGISTRATION and CLE REPORTING FEES \$ _____

Name _____ Attorney ID _____

Mailing Address _____

City _____ State _____ Zip _____

Phone Number _____ FAX _____

Please note any dietary needs or needs related to disabilities

Search & Seizure has been approved for 5 credit hours of substantive law and 1 hour of ethics by the Continuing Legal Education Board of the Supreme Court of Pennsylvania.

Litigating the Tough Capital Case has been approved for 6 Rule 801 Capital Case Training hours by the Continuing Legal Education Board of the Supreme Court of Pennsylvania.