

2022



9TH ANNUAL JOINT APPELLATE ADVOCACY TRAINING

September 29-30, 2022
National Defense University
Fort Leslie McNair
Washington, D.C.

** Service Uniform of the Day **

9TH ANNUAL JOINT APPELLATE ADVOCACY TRAINING

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Thursday, September 29, 2022

- 0800 – 0900 **Registration:**
Please check-in to receive training and evaluation materials.
Administrative brief given at 0830.
Location: Lincoln Hall Auditorium
- 0900 – 0920 **Welcoming Remarks**
Deputy Judge Advocate General, United States Navy
Code 46 Director and JAAT Chair
Location: Lincoln Hall Auditorium
- 0930 – 1030 **Plenary I: *ORAL ARGUMENT ON APPEAL***
Scott Meisler, Attorney, Appellate Section, Criminal Division, Dept.
of Justice
Location: Lincoln Hall Auditorium
- 1040 – 1140 **Plenary II: *RELIGION, DUTY, CRIME, AND COURTS-MARTIAL***
Lowell Sturgill, Attorney, Civil Division Appellate Staff, Dept. of
Justice; John Pellettieri, Attorney, Criminal Division Appellate Staff,
Dept. of Justice; Paul Clement, Partner, Clement Murphy; Bradley
Girard, Litigation Counsel, Americans United for Separation of
Church and State
Location: Lincoln Hall Auditorium
- 1140 – 1300 ***Lunch on your own***
- 1300 – 1400 **Breakout I**

**Government: *APPELLATE 101: THE BASICS AND THE APPELLATE
TOOLKIT***
CPT Tristan De Vega, USA; Maj Brittany Speirs, USAF; LCDR Jeff
Marden, JAGC, USN; LCDR Daniel Halsig, USCG
Moderator: LT Blake Royall, JAGC, USN

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Location: Lincoln Hall Auditorium (**Government Only**)

Defense: *APPELLATE BASICS AND ROUNDTABLE*

CAPT Marcus Fulton, USN (Ret.); Capt David Bosner, USAF; Mr. Thomas Cook (USCG); COL Michael Friess, USA

Moderator: Maj Matthew Blyth, USAF

Location: Room 155B-C (**Defense Only**)

Victims' Counsel: *AMICUS BRIEFS AS VICTIM ADVOCACY*

Meg Garvin, Executive Director, National Crime Victims Legal Institute

Location: 155A (**Victims' Counsel Only**)

1410 – 1510 **Breakout II**

Government: *RUNNING AN APPELLATE GOVERNMENT OFFICE—NUTS TO BOLTS.*

Eric Feigin, Deputy Solicitor General, Office of the Solicitor General

Location: Lincoln Hall Auditorium (**Government Only**)

Defense: *APPELLATE TACTICS AND STRATEGIES*

Jeffrey T. Green, Esq., Partner, Sidley Austin LLP; Jonathan Potter, USA, Defense Appellate Division

Location: Room 155B-C (**Defense Only**)

Victims' Counsel: *REPRESENTING VICTIMS DURING THE APPELLATE PROCESS*

Mr. Victor Stone, Chief, Appellate Division Victims' Attorney, Maryland Crime Victims' Resource Center, Inc

Location: Room 155A (**Victims' Counsel Only**)

1520 – 1620 **Plenary III:** *APPELLATE BRIEFWRITING: TIPS AND TRICKS*

Chief Judge Sri Srinivasan, D.C. Circuit Court of Appeals

Location: Lincoln Hall Auditorium

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Friday, September 30, 2022

- 0900 – 1000 **Plenary IV:** *FOURTH AMENDMENT AND THE DIGITAL WORLD*
Ryan Dickey, Senior Counsel, Department of Justice Computer
Crime and Intellectual Property Section
Location: Lincoln Hall Auditorium
- 1010 – 1110 **Breakout III**
- Government:** *WORKING WITH TRIAL COUNSEL: EX WRITS AND 6BS,
ARTICLE 62S, REMANDS, AND PREVENTATIVE APPELLATE LAW
OUTREACH*
MAJ Jennifer Sundook, USA; LT Greg Rustico, JAGC, USN; Maj
Morgan Christie, USAF; CPT Tim Emmons, USA
Location: Lincoln Hall Auditorium (**Government Only**)
- Defense:** *CONSTITUTIONAL ISSUES IN MILITARY JUSTICE*
Aditya Bamzai, Professor, University of Virginia School of Law;
Steven Levin, Professor, University of Maryland Carey School of Law
Location: Room 155B-C (**Defense Only**)
- Victims' Counsel:** *OFFENDER REHABILITATION PROGRAMS IN
MILITARY FACILITIES*
Dr. Lisa Harmon, Chief, Rehabilitation Division, US Disciplinary
Barracks and Joint Correctional Facility
Location: Room 155A (**Victims' Counsel Only**)
- 1120 – 1240 ***Lunch on your own***
- 1250 – 1350 **Breakout IV**
- Government:** *UNITED STATES CROSS-SERVICE JAM SESSION:
COORDINATING THE 2022-2023 CCA AND CAAF YEAR AHEAD*
COL Christopher Burgess, Chief, Government Appellate Division
(USA); Mary Ellen Payne, Associate Chief, Government Appellate
Operations (USAF); Brian Keller, Supervisory Appellate Counsel,
Appellate Government Division (N-MC)
Location: Lincoln Hall Auditorium (**Government Only**)

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Defense: *WRITS*

CAPT Brian Mizer, USN

Senior Appellate Defense Counsel, USAF Appellate Defense
Division

Location: Room 155B-C (**Defense Only**)

Victims' Counsel: *PETITIONS FOR EXTRAORDINARY RELIEF
WITHOUT THE HOW-TO OF AN RCM (WHAT IS THE RECORD AND
HOW DO SVC/VLCs GET IT?)*

Mr. Peter Coote, Attorney, Protect Our Defenders

Location: Room 155A (**Victims' Counsel Only**)

1400 – 1500 **Plenary V:** *APPELLATE ETHICS AND RULES OF PROFESSIONAL
CONDUCT*

Elizabeth Francis, Associate Legal Advisor (Ethics) DHS

Location: Lincoln Hall Auditorium

1510 – 1520 **Closing Remarks**
2023 10th JAAT Baton Passing
Evaluations

Location: Lincoln Hall Auditorium

9TH ANNUAL JOINT APPELLATE ADVOCACY TRAINING

Registration:

Provide attendee information in advance by email to tyler.w.blair.mil@us.navy.mil. All attendees must provide full name, service branch, and organization to attend, in advance, and sign-in daily at the table at the Auditorium entrance. Please also provide bar information if you intend to apply for CLE.

Security & Getting On Base:

- *Attendees with a DOD-issued Common-Access Card (CAC):* DOD personnel with a valid CAC can access base by presenting the CAC at the Ft. McNair gate. No further action is required.
- *Civilians with no DOD-issued CAC Card:* Attendees and presenters not possessing a CAC need to register with base security online at: <https://pass.aie.army.mil/jbmhh>. Attendees ***must register five business days in advance***, but no earlier than two weeks in advance. Once registering, the security office will provide a digital base pass for attendees to present at the gate.

Traveling to the JAAT: Fort McNair travel directions are [HERE](#)

National Defense University (NDU) is located at Fort Leslie McNair in Washington, DC, near the Nationals Stadium, and appears in most GPS systems. To get to the Lincoln Hall Auditorium, enter through the 2nd Street Gate (see map below) and find available parking using the parking map below.

Continue from the Base Entrance, at the intersection of Q St. and 2nd St., through the Security Gate, and the Fort McNair fitness center will be on your right followed by parking lot #1. Take the next right and the NDU entrance will be on your left.

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Fort McNair Entrance Map: The Lincoln Hall Auditorium hosts all plenary sessions. JAAT Staff will provide directions to Breakout Rooms.

FORT MCNAIR GATE MAP



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Parking at the JAAT: National Defense University has limited parking as classes are in session. We encourage attendees to carpool when possible. Parking is available in four locations noted on the Parking Map as **P1**, **P2**, **P3**, and **P4**.



9TH ANNUAL JOINT APPELLATE ADVOCACY TRAINING

Lunch & Food Accommodations:

“Installation Food” catering offers pre-ordered lunches Thursday and Friday. To order, you must do so no later than Monday, September 26th, at this link: [McNair - JAAT 2022 - Installation Food](#). Each meal includes a sandwich or salad, chips, bottle of water, and cookie or fruit. Installation Food will be on site for meal pickup during the JAAT.

On site vending machines also offer limited food options including snacks, soups, and salads.

Attendees have access to a microwave in NDU’s cafeteria.

A JAAT coffee mess will have refreshments available for purchase during morning sessions.

No other dining options are available on Fort McNair.

CLE Credit

We expect JAAT to provide 10.0 to 12.0 CLE credit hours depending on your state’s credit-hour rule. Please find LCDR Jamar Green outside the National Defense University Lincoln Hall Auditorium each morning to provide your name, rank, service, practice area, and state of licensure/bar number, and sign-in to receive CLE credit for the days’ sessions. LCDR Green will be available from Registration (0730-0830) until 1100 each day. Please email LCDR Green if you have any questions, concerns, or require special accommodations: jamar.q.green.mil@us.navy.mil.