



2023 Jacksonville Conference
Re-Thinking Justice: Mitigation Impacting the U.S. Legal System
April 20 - 21 | DoubleTree Hotel (Jacksonville Airport)

Thursday, April 20

8:30 a.m. - 9:30 a.m. **Registration**

9:30 a.m. - 9:40 a.m. **Welcome / Announcements**

9:45 a.m. - 10:45 **Keynote: Mitigation, Innocence, and Working Towards Justice**
Herman Lindsey

Mitigation is not only related to sentencing evidence. At its core, it is about understanding and uplifting a full picture of a human being that society has judged based on accusations and limited information. Mitigation also focuses on the relationship with the client and places their history and potential at the center of the legal process.

Herman Lindsey will share both sides of the experience – as a capital client who was exonerated and now as a mitigation specialist who often works with defense teams to help them more effectively communicate with their clients. Mr. Lindsey will share his thoughts on why it is important for defenders to provide mitigation in ways that reach beyond their immediate clients and how strategic individual practice can affect systemic change.

11:50 a.m. - 1:00 p.m. **Coalition-Building: Exploring How Individual Practitioners Can Work with Others to Push Mitigation Forward** (Panel)

Maria Deliberato, Christine Henderson, and Cecelia Kappel

Mitigation investigation demonstrates how a person's life can be impacted by any number of communities (faith, education, health, etc.). To increase the reach and impact of our work, collaboration is necessary. Panelists will discuss the reciprocal relationship between mitigation and causes both in and outside of the legal system, as well as opportunities to network and collaborate to achieve common goals.

1:00 p.m. - 2:10 p.m. **Networking Lunch** (meal provided)

2:15 p.m. – 3:30 p.m. **Breakout Sessions A**

- **Effective Teamwork**
Samantha Kennedy

Mitigation is not a function of the defense that operates in a silo. As teams are increasingly more aware of the need for mitigation investigation, what are the ways the mitigation specialist is most capable of effectively conducting her/his work? What should attorneys expect of themselves and others? Participants will come away with tools and best practices to help ensure effective team communication that serves clients.

- **Conducting an Effective Mitigation Investigation**

Elizabeth Vartkessian

In order to effectively conduct a mitigation investigation, practitioners need to understand the theoretical, legal, and practical framework for the collection of such evidence. This session is an overview of the various components needed for an investigation and how they work together.

- **Working with Victims and Victim Survivors**

Lela Hubbard

Victim and victim-survivor outreach can occur in a number of ways. This session will offer insight into why defense practitioners may choose to engage with them and the best practices for doing so.

3:45 p.m. - 5:00 p.m. **Breakout Sessions B** (sessions above repeated)

5:00 p.m. - 5:10 *Break*

5:10 p.m. - 6:10 p.m. **The Path Toward Justice: Lessons from Killing States** (Panel)

Panelists: Ed Ungvarsky, Christian Lamar, Cecelia Kappel, Patrick Mulvaney; Moderator - Elizabeth Vartkessian

In July of 2021, Virginia became the first southern state to abolish the death penalty, yet there has been a significant drop in death sentences and executions in a number of highly active death penalty states, such as Georgia, South Carolina, Louisiana, and Texas. Panelists will discuss effective strategies for decreasing death sentences in high-use states and what lessons other southern states can take away from their experiences.

6:10 pm. - 6:15 p.m. **Wrap-up**

Friday, April 21

8:30 a.m. - 9:00 a.m. **Sign-in**

9:00 a.m. - 9:10 a.m. **Welcome / Announcements**

9:15 a.m. – 10:30 am **Mitigation and Decision Makers**

Beverly Martin and Liz Vartkessian

The purpose of mitigation is to provide the most information possible about clients as they embark on some of the most critical legal outcomes of their lives. Beverly Martin, former Judge of the United States District Court for the Northern District of Georgia and former judge on the U.S. Court of Appeals for the Eleventh Circuit, will share her experiences reviewing cases. Practitioners will gain further insight into what the presence or absence of mitigation can mean in a case from the perspective of a decision-maker.

10:35 a.m.- 11:40 am **The Impact of Court Decisions on Mitigation Practices**

Patrick Mulvaney

Court rulings can yield sudden and unexpected legal changes. This session examines how these changes might affect mitigation work and strategies practitioners can use to overcome these obstacles to continue providing effective advocacy.

11:40 a.m. - 11:50 a.m. **Break**

11:55 a.m. - 1:15 p.m. **Trauma and Resilience in Criminal Defense Work**

Dr. Tara Doaty and Zy Richardson

Practitioners are exposed to first-hand and vicarious trauma as part of their defense work. How can practitioners prioritize trauma-informed care for themselves and their colleagues while continuing the work? During this session, participants will discuss how to identify trauma the practitioners can take to implement systemic change that creates safe spaces and encourages true resilience.

1:15 p.m. – 2:30 p.m. **Lunch** (independently)

2:35 p.m. - 3:35 p.m. **Investigating Neighborhoods**

Samantha Kennedy

One's life story is largely impacted by the community in which they live. It is important to note the kind of environment created within a community and how to bring these details to light. During this session, practitioners will understand how to actively investigate neighborhoods as a part of a client's life story.

3:40 p.m. – 4:55 p.m. **Rehabilitation and Restoration** (Panel)

Panelists: Lela Hubbard, Kati Ross, Herman Lindsey, and Julio Collazo

From visitation protocol to hostile interactions with staff, rehabilitation is not prioritized in many facilities. This session will examine how practitioners can

utilize mitigation to yield more direct efforts toward a prison system that is more therapeutic and rehabilitative. This session will also include perspectives on the direct and indirect effects of incarceration.

4:55 p.m. - 5:15 p.m. **Closing Remarks**