

2020 Appellate Training: New & Emerging Legal Issues

December 10, 2020 / 9:00 a.m. – 4:00 p.m.

Online Program - Zoom

This course focuses on new and emerging legal issues that are likely to come before the NC Court of Appeals. Coverage varies year to year but typically includes sessions on recent Supreme Court cases, criminal law, civil law, juvenile law, family law, and evidence. Additional information and materials are located at <https://www.sog.unc.edu/courses/appellate-training-new-emerging-legal-issues>.

CJE Credit: 6.00 Hours of General Credit

SPEAKERS

The Honorable Linda McGee, Chief Judge, N.C. Court of Appeals

Appointed to N.C. Court of Appeals in 1995 by Governor James B. Hunt, Jr. Judge McGee was elected to an eight-year term in 1996, and was re-elected in 2004 and in 2012. In August 2014, she was named Chief Judge of the Court of Appeals. Judge McGee was in private practice in Boone, NC for seventeen years, practicing in the law firm of di Santi, Watson & McGee from 1978 to 1995. She was the first Executive Director of N.C. Academy of Trial Lawyers (NC Advocates for Justice) from 1973 to 1978.

Sara DePasquale, Associate Professor of Public Law and Government

Sara DePasquale joined the School of Government in 2013. She specializes in child welfare law in North Carolina and teaches and consults with judges, social services attorneys, parent attorneys, and other law professionals. Her publications include *Abuse, Neglect, Dependency, and Termination of Parental Rights Proceedings in North Carolina*; *Fathers and Paternity: Applying the Law in North Carolina Child Welfare Cases* (2016); regular posts to the School's *On the Civil Side* blog and other School of Government publications. Her primer *Stages of Abuse, Neglect, and Dependency Cases in North Carolina: From Report to Final Disposition* earned the School's Margaret Taylor Writing Award in 2016.

Prior to joining the School of Government, she practiced for 17 years at Pine Tree Legal Assistance, the statewide civil legal services provider in Maine. She started at Pine Tree as a Skadden Fellow and spent her last nine years there as the directing attorney of KIDS LEGAL, Maine's first and only children's law program. She is a member of the North Carolina and Maine state bars. DePasquale received a BA with honors in history and sociology from Binghamton University, is a magna cum laude graduate of the University at Buffalo School of Law, and also earned a dual degree with an MSW in child welfare/family systems from the University at Buffalo School of Social Work.

Jacquelyn Greene, Assistant Professor of Public Law and Government

Jacquelyn "Jacqui" Greene joined the UNC School of Government's legal faculty in 2018 to focus on juvenile justice. She teaches, advises, and writes about juvenile law as it relates to the juvenile justice system. She authored the *Juvenile Justice Reinvestment Act Implementation Guide* in 2019 and trained juvenile justice stakeholders across North Carolina in this new law that raised the age of juvenile court jurisdiction. Before coming to the School, she provided national training and technical assistance on the intersection of juvenile justice, schools, and mental health. She came to that work following 15 years of New York State government service in juvenile justice, including as the Executive Director of the Governor's Commission on Youth, Public Safety, and Justice; and as Director of Juvenile Justice Policy at the New York State Division of Criminal Justice Services. Her work included shaping New York State's "Close to Home" juvenile justice reform initiative, designing fiscal incentives to foster the use of community-based services when appropriate, providing technical assistance to school-justice partnerships, and coordinating reentry system improvement planning. She also directly represented children in family court matters, beginning her legal career providing legal services to runaway and homeless youth and continuing to represent young people in a range of Family Court matters in New York State. Greene holds a bachelor's degree in psychology and political science from the University of North Carolina at Chapel Hill and a law degree from Harvard Law School.

McKinley Wooten, Director, N.C. Administrative Office of the Courts

While serving as deputy director, Wooten oversaw statewide services for courts, including language access, recovery treatment courts, a help desk for clerks of court, child custody and permanency mediation, the Guardian ad Litem program, and the Court Improvement Program. Additionally, he held an integral leadership role in the Judicial Branch's statewide eCourts initiative, a multi-year effort to modernize court technology and case management systems. He also serves on a number of government boards and committees, including the Chief Justice's Equal Access to Justice Commission, Wake County Human Services Board, UNC School of Government Foundation Board, and North Carolina State Employees' Credit Union, serving as chairperson from 2011-13.

Brad Fowler, Chief Business Officer, North Carolina Court System

After working with the American Red Cross for 7 years, he joined NCAOC in 2001. Fowler has worked with Guardian ad Litem; Research, Policy, and Planning; and currently Business Operations (which includes oversight of the eCourts Program Management Office). He earned his BA from the University of Tennessee and his Masters in Public Administration from the University of Georgia.

Jessica Smith, W. R. Kenan Jr. Distinguished Professor of Public Law and Government

Jessica Smith is Director of the School's Criminal Justice Innovation Lab (<http://cjil.sog.unc.edu/>). The Lab brings together a broad range of stakeholders to learn about criminal justice problems, implement innovative consensus solutions, and measure the impact of their efforts. It seeks to promote a fair and effective criminal justice system, public safety, and economic prosperity through an evidence-based approach to criminal justice policy. Smith has offered numerous courses for trial and appellate judges and has taught sessions for prosecutors, defenders, law enforcement officers, magistrates and others. Her many books, chapters, articles, and other publications deal with criminal procedure, substantive criminal law, and evidence. Smith came to the School of Government in 2000 after practicing law at Covington & Burling in Washington, D.C., and clerking for Judge W. Earl Britt on the U.S. District Court for the Eastern District of North Carolina and for Judge J. Dickson Phillips Jr. on the U.S. Court of Appeals for the Fourth Circuit. In 2006, she received the Albert and Gladys Hall Coates Term Professorship for Teaching Excellence; in 2013, she was named by the Chancellor as a W. R. Kenan, Jr. Distinguished Professor, one of the University's highest academic honors. Smith earned a BA, cum laude, from the University of Pennsylvania and a JD, magna cum laude, Order of the Coif, from the University of Pennsylvania Law School, where she was managing editor of the Law Review.

Emily Coward, Project Attorney, Public Defense Education

As project attorney for the School of Government's Racial Equity Network Project, Emily Coward works within the School's Public Defense Education Group to assist defense attorneys and other court actors in identifying and addressing issues of race and equity in the criminal justice process. She has worked for the School's Public Defense Education team since 2012. Prior to that, she worked as a staff attorney with North Carolina Prisoner Legal Services, representing clients in civil and post-conviction matters. She also served as a law clerk for Judge James Robertson of the United States District Court for the District of Columbia and for Justice Thembele Skweyiya of the Constitutional Court of South Africa. While a law student at Duke University, she was lead articles editor for *Law & Contemporary Problems* and received the faculty award for outstanding achievement in criminal law and procedure. She is coauthor of *Raising Issues of Race in North Carolina Criminal Cases*, which received the School's Margaret Taylor Writing Award in 2015. She earned a BA from Oberlin College and a JD *magna cum laude* from Duke University School of Law.

Tamara Nance, Chief Deputy Commissioner, NC Industrial Commission

Tammy Nance currently serves as Chief Deputy Commissioner at the North Carolina Industrial Commission. She was a Deputy Commissioner at the Commission from 1987 to 1995, when she entered private practice and spent the next 16 years representing employers and employees in workers' compensation matters. From 2011 to 2018, she served on the Full Commission at the Industrial Commission, and in 2019 was appointed as a Deputy Commissioner and Director of Claims Administration. She is a Fellow of the College of Workers' Compensation Lawyers and a certified mediator. Ms. Nance received her B.A. and J.D. degrees from Ohio State.

Shea Denning, Robert W. Bradshaw Jr. Distinguished Professor of Public Law and Government, and Director, North Carolina Judicial College

Shea Riggsbee Denning is not only a UNC School of Government faculty member; she is a double Tar Heel. After earning an AB with distinction in journalism and mass communication from the University in 1994, and a JD with high honors from the UNC School of Law in 1997, she began her legal career by clerking for the Honorable Malcolm J. Howard, US District Judge for the Eastern District of North Carolina, in Greenville. She then practiced law in Atlanta with the firm of King & Spalding before returning to North Carolina to work as a research attorney and then as an assistant federal defender for the Eastern District of North Carolina. She joined the SOG faculty in 2003. Denning's scholarship focuses on motor vehicle law and criminal law and procedure. She teaches and advises judges, magistrates, prosecutors, defense attorneys, and law enforcement officers. She has written extensively about North Carolina's motor vehicle laws, including a book on the law of impaired driving. She is a regular contributor to the North Carolina Criminal Law blog and a co-coauthor of *Pulled Over: The Law of Traffic Stops and Offenses in North Carolina*.

Dona Lewandowski, Teaching Associate Professor of Public Law and Government

Dona Lewandowski joined the faculty of the Institute of Government in 1985 and spent the next five years writing, teaching, and consulting with district court judges in the area of family law. In 1990, following the birth of her son, she left the Institute to devote full time to her family. She rejoined the School of Government in 2006. Lewandowski earned a BS and an MA from Middle Tennessee State University and a JD with honors, Order of the Coif, from the University of North Carolina at Chapel Hill. After law school, she worked as a research assistant to Chief Judge R.A. Hedrick of the NC Court of Appeals.