

## ABOUT THE SPEAKERS

**Anne Elmakis** comes to the newly created position of Community Corrections Alternative Program (CCAP) Supervisor by way of an extensive background in community mental health, the medical field, juvenile corrections and adult corrections. She has experience with adults with intellectual disabilities from her positions at Community Service Boards in VA as a Residential Aide and Residential Skills Technician. She served as an Emergency Medical Technician in the United States Air Force. She became interested in corrections through volunteer work at the Los Angeles Police Department mentoring children considered high risk. She was a Juvenile Correctional Officer at Hanover Juvenile Correctional Center and worked as a Rehabilitation Counselor at the same facility. She went on to serve as a Probation Officer in the 13th Judicial District working with juveniles and their families. She then moved to the Department of Corrections, District One, where she served as a Probation/Parole Officer with violent and serious offenders. Her most recent position with the Department of Corrections, District One, was as a Senior Probation/Parole Officer supervising the Sex Offender Unit. Anne earned a BA in Criminal Justice from Chapman University in California and a Master of Public Administration from Virginia Tech.

**Cary S. Greenberg** has practiced law for 30 years and has experience in criminal law and civil litigation. He received his BA from UCLA and his JD from American University. He was an Assistant Commonwealth's Attorney for the City of Alexandria and has defended those accused of crimes in both state and federal courts. He has experience representing individuals before the Virginia Court of Appeals, the Supreme Court of Virginia, including the defendant in *Commonwealth v. Starrs*, 287 Va. 1 (2018), and the United States Court of Appeals for the Fourth Circuit. Mr. Greenberg is a co-founder of GreenbergCostle, PC. He is a member of the ACLU legal advisory panel and participates with the George Mason Inn of Court. He was appointed to the Virginia Bench-Bar Committee and is a member of the 5-1 disciplinary Committee. He is a member of NACDL and VACDL. He has appeared on MSNBC, local cable stations, and radio to discuss legal issues related to those accused of crimes. Mr. Greenberg regularly participates as a "mock" justice for Langley High School's Case Day.

**David M. Lee** earned his B.A. from Colgate University in 1987, his JD from William and Mary in 1994, and went into practice as a criminal defense attorney shortly thereafter. Following his term as president of the Williamsburg Bar Association, he developed his teaching skills coaching the Jamestown High School Mock Trial Team, turning a group of (predominantly) young women into fearsome warriors. Over the course of four years his teams won the state championship on two occasions and his students earned Best Attorney awards on two others. He has also served as a board member and president of the Virginia Association of Criminal Defense Lawyers. He joined the Indigent Defense Commission in 2013 and presently manages the Juvenile trial team in Newport News.

**Joyvan Malbon-Griffin**, Esq. is a Regional Director and claims attorney with Minnesota Lawyers Mutual. She received her undergraduate degree from Virginia Commonwealth University in Richmond, VA and her Juris Doctor degree from North Carolina Central University School of Law in Durham, NC. Prior to joining MLM, Joy practiced complex civil litigation in state and federal court. She was also an adjunct professor at Bryant & Stratton College where she taught Contracts Law and vast array of other legal classes. She is the 2016 Hampton Roads Gazetti Exemplar Award Recipient, a member of the James Kent Inns of Court and a CLE Committee member of the Norfolk Portsmouth Bar Association. She is also the Regional Legal Advisor for Sigma Gamma Rho Sorority, Incorporated and a member of First Baptist Church, Bute Street in Norfolk, Virginia. She resides in Hampton Roads with her husband and daughter.

**H. Eugene Oliver, III**, is a partner at Evans Oliver, PLC in Harrisonburg, Virginia and focuses his practice on criminal defense and family law. Mr. Oliver has handled numerous bench trials, jury trials, and probation violations across the Commonwealth of Virginia. He has been qualified by the Virginia Indigent Defense Commission as Capital Trial Co-Counsel in addition to felonies, misdemeanor and juvenile cases. Prior to entering private practice in 2011, he worked as a prosecutor and for the Office of the Attorney General. Mr. Oliver graduated from the College of William and Mary and George Washington University Law School. He is currently a member of the Board of Directors and Executive Committee for the VACDL. Mr. Oliver lives in Harrisonburg with his wife, Cody, and their two children.

**Shawn Stout** is a criminal defense attorney with The Irving Law Firm in Manassas, Virginia. Mr. Stout has represented hundreds of clients in the courts of Northern Virginia and continues to represent people in cases ranging from traffic violations to murder, both as court-appointed counsel and as appropriately-compensated counsel. Prior to joining The Irving Law Firm, Mr. Stout helped build and run a small criminal defense firm that he started with classmates fresh out of George Mason University School of Law, where he graduated in 2010. Mr. Stout takes a great amount of pride and joy in defending people against the government.

**Judge Gene A. Woolard** is a Norfolk and Virginia Beach native, graduating from Granby High School, Old Dominion University, and Washington and Lee University School of Law. Prior to going on the bench he was Deputy Commonwealth's Attorney for the City of Norfolk, a criminal defense attorney, a general practice attorney, a plaintiff attorney, and an insurance defense attorney (Nationwide). He served as a Deputy Commissioner of the Virginia Workers' Compensation Commission from 1998 – 2004. He was an Adjunct Assistant Professor at Old Dominion University and Christopher Newport University until 2016. Judge Woolard was appointed to the Virginia Beach General District Court bench on June 1, 2004, and continues to serve as an active judge. He was elected Chief Judge on July 1, 2008, and served in that capacity until June 30, 2018. He recently attended the National Computer Forensics Institute week-long course for judges, sponsored by the Secret Service and the Department of Homeland Security. He is also a graduate of the National District Attorneys College and the National Judicial College.

Virginia Association of Criminal Defense Lawyers  
3126 W Cary Street, #615  
Richmond, VA 23221



Virginia Association of Criminal Defense Lawyers presents:  
Fall 2018 Annual Meeting and CLE

# Winning the Unwinnable Case



October 25-26, 2018

The Renaissance Portsmouth-Norfolk Waterfront Hotel  
425 Water Street, Portsmouth VA 23704

Thursday, October 25, 2018  
Board Meeting and Reception

Friday, October 26, 2018  
Annual Meeting and CLE

6 CLE credits (pending) – including 1 Ethics Hour



**VACDL Annual Meeting and Fall 2018 CLE Schedule  
Portsmouth, Virginia**

**THURSDAY, OCTOBER 25, 2018**

- 4:00 p.m. to 6:00 p.m. Board of Directors Meeting**  
(open to all VACDL members)  
**Location:** Jefferson Room, Renaissance Portsmouth
- 6:00 p.m. to 8:00 p.m. Cocktail Reception and Presentation of Awards**  
**Location:** Admiral Boardroom/Terrace,  
*Please make a special effort to attend as VACDL will be presenting the inaugural B. Leigh Drewry, Jr. Defender of Justice Award*

**FRIDAY, OCTOBER 26, 2018**

- 8:00 a.m. Registration and Continental Breakfast**  
**Location:** CMP Break Area, Renaissance Portsmouth
- 8:45 a.m. Opening Remarks and Commencement of Annual Meeting**  
**Location:** Holley Ballroom, Renaissance Portsmouth  
Seth C. Weston, Esq., VACDL President
- 9:00 a.m. Discovery: Rules, Bills and Brady**  
The Honorable Gene A. Woolard  
(Judge, Virginia Beach General District Court)
- 10:00 a.m. Lamb v. Lion: How to Effectively Hunt Facts for Your Case**  
David M. Lee, Esq. (Newport News Public Defender's Office)
- 11:00 a.m. Break** (Refreshments provided)
- 11:15 a.m. Arguing for the Deferred Disposition**  
Cary S. Greenberg, Esq. (GreenbergCostle, PC)
- 12:15 p.m. Luncheon**  
**to 1:15 p.m.** (included in registration fee for attendees)
- 1:15 p.m. Probation Violations: How to Advocate, Mitigate and Sometimes Even Win**  
H. Eugene Oliver, III, Esq. (Evans Oliver, PC)
- 2:15 p.m. Break** (Refreshments provided)
- 2:30 p.m. ETHICS HOUR: Ethical Malpractice and Prevention for Criminal Defense Attorneys**  
Joyvan Malbon-Griffin, Esq.  
(Minnesota Lawyers Mutual Insurance Company)
- 3:30 p.m. Community Corrections Alternative Program (CCAP): How It Works and Why It's Working**  
Anne Elmakis (CCAPRU Supervisor, Atmore) and Shawn Stout, Esq.  
(The Irving Law Firm, PC)
- 4:30 p.m. Adjournment**  
Glen Franklin Koontz, Esq., VACDL President-Elect

**Registration Information:**

**CLE Credits:** This course is pending approval for six (6) CLE credits –including one (1) ethics hour.

**Complete and Return:** Mail your completed registration form with your payment no later than October 12, 2018. Address it to: VACDL, 3126 W Cary Street, #615, Richmond, VA 23221. Registration is also available online at [www.vacdl.org/events](http://www.vacdl.org/events), with payment by credit card. Only prepaid attendees are guaranteed seating. At-the-door registrations are permitted if space and materials are available, but walk-in availability is not guaranteed.

Online registration will close on October 23, 2018. To register after October 23, 2018, you must contact [vacdlawyers@gmail.com](mailto:vacdlawyers@gmail.com)

**Late Fees and Notices:** The seminar fee increases by \$25.00 for all registrations received after October 12, 2018. Mailed late registrations must be post-marked by October 17, 2018 and include the \$25 fee. If you do not include the additional \$25 in your payment at the time of registration, you will be required to pay the fee when checking in on the day of the seminar.

**This seminar is open to full and part-time criminal defense lawyers, and their staff, only. No interns, part-time or full-time prosecutors, or members of the Judiciary will be allowed to attend.**

**Cancellation Policy:** All cancellation and refund requests must be made in writing, via email only to [vacdlawyers@gmail.com](mailto:vacdlawyers@gmail.com) before 5:00 p.m. on October 23, 2018 to receive a refund of the full conference fee less a \$25 administrative fee. There are no refunds granted for requests submitted after October 23, 2018.

**Consent to Use of Photographic Images:** Registration, attendance, and participation in VACDL courses and events constitutes an agreement by the registrant to the use and distribution of the registrant's image in photographs, brochures, magazines, its website, and social media (i.e. Facebook, Twitter and Instagram) of such events by VACDL without further written permission. No names or personal identifying information will be used without written approval of the photographed subject. By participating you agree to release, defend, hold harmless, and indemnify VACDL from any and all claims involving the use of your photograph or likeness.

**Professor Robert E. Shepherd, Jr. Scholarships:** We are pleased to offer scholarships to the Fall CLE seminar. For scholarship application forms, please contact [vacdlawyers@gmail.com](mailto:vacdlawyers@gmail.com). Submissions will be due by September 14, 2018 and winners will be notified by September 21, 2018.

**Hotel Accommodations:** VACDL has reserved a block of rooms at the Renaissance Portsmouth-Norfolk Waterfront Hotel for Thursday, October 25, 2018 at a special rate of \$129.00 (plus tax) for a standard guest room. Please be sure to book your room through the designated VACDL page, which can be accessed through our website. If you'd prefer to make a reservation by phone, please dial 1-888-839-1775 (the Renaissance is a Marriott hotel). You must reference group "Virginia Association of Criminal Defense Lawyers" in order to receive our room rate. **The room block will close on September 25, 2018.** There will be a discounted overnight parking rate for VACDL Fall seminar attendees.

**Questions:** Contact VACDL's Executive Director Danielle Payne at [vacdlawyers@gmail.com](mailto:vacdlawyers@gmail.com)

**Registration Form for the VACDL Annual Meeting and Fall 2018 CLE**

Mail your information with check payment to:  
VACDL, 3126 W Cary St., #615, Richmond, VA 23221

Or, register and pay by credit card online at [www.vacdl.org/events](http://www.vacdl.org/events)

Name \_\_\_\_\_  
 Firm Name \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone Number (\_\_\_\_\_) \_\_\_\_\_ ext. \_\_\_\_\_  
 Fax Number (\_\_\_\_\_) \_\_\_\_\_  
 Email \_\_\_\_\_

**Registration Fees**

VACDL Regular Member Tuition	\$ 175.00	\$ _____
Non-member Tuition*	\$ 225.00	\$ _____
VACDL Public Defender Member Tuition	\$ 100.00	\$ _____
Public Defender Non-member Tuition*	\$ 155.00	\$ _____
Non-attorney Staff Tuition (must attend seminar with a VACDL member)	\$ 125.00	\$ _____
LATE FEE (For registrations received by VACDL after October 12, 2018)	\$ 25.00	\$ _____
Total		\$ _____

I will attend the reception on Thursday, October 25, 2018 YES  NO   
(included for seminar registrant and 1 guest) **Please make a special effort to attend the reception as VACDL will be presenting the inaugural B. Leigh Drewry, Jr. Defender of Justice Award.**

Become a member of VACDL and receive discounted tuition!  
**VACDL membership is not open to full or part-time prosecutors.**

**Select one:**

- Regular Membership \$175
- Public Defender Membership \$50
- New Practitioner Membership (in practice for less than 3 years) \$75  
I was admitted to the Bar on \_\_\_\_\_ (date)

**Additional membership information:**

- Please add my email address to the VACDL List Serv
- I am willing to serve as a volunteer mentor to a less experienced criminal defense attorney
- I wish to have access to the Member's Only section of the VACDL website
- I wish to receive The Virginia Champion:  
by mail \_\_\_ by email \_\_\_ by mail and email \_\_\_