

# ELECTRONIC EVIDENCE:

CAN YOU GET IT IN? CAN YOU PRESERVE IT?



**Friday, October 22, 2010**

**African American Performing Arts Center**

**New Mexico Expo**

310 San Pedro NE  
Albuquerque, NM

FREE PARKING

Drive through Gate 3 at the New Mexico Expo off San Pedro  
Performing Arts Center is immediately to the north

Presented by the



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### AGENDA

- 8:00 - 8:45 **REGISTRATION**
- 8:45 - 9:00 **WELCOME**  
**Shammara Henderson**  
President NMBLA
- 9:00 - 11:00 **GEOGRAPHIC INFORMATION SYSTEMS, A POWERFUL LITIGATION TOOL**  
**Kenny Calhoun**  
Manager, GIS Services  
Daniel B. Stephens & Associates, Inc.  
**Howard Thomas**  
Assistant U.S. Attorney
- 11:00 - 11:15 **BREAK**
- 11:15 - 12:15 **COURTROOM PRESENTATION**  
**Randi McGinn**  
Attorney at Law
- 12:15 - 1:15 **LUNCH** *On Your Own*
- 1:15 - 2:15 **ELECTRONIC EVIDENCE ISSUES OF ADMISSIBILITY AND PRESERVATION**  
**Justice Edward Chávez**  
New Mexico Supreme Court  
**Judge Robert Robles**  
New Mexico Court of Appeals  
**Judge Linda Vanzi**  
New Mexico Court of Appeals
- 2:15 - 2:30 **BREAK**
- 2:30 - 3:30 **ETHICAL ISSUES AND OVERWHELMING THE "LITTLE GUY"**  
**Regina York Moss**  
Associate, Keleher & McLeod Law Firm  
**Christine Long**  
Attorney, New Mexico Disciplinary Board
- 3:30 - 4:30 **PROFESSIONALISM IN THE ELECTRONIC AGE**  
**Michael Hoses**  
Assistant U.S. Attorney  
**Howard Thomas**  
Assistant U.S. Attorney

**TUITION \$189**

Please return registration  
with payment to:

**NMBLA**

P.O. Box 695

Albuquerque, NM 87103-0695

**CLE CREDIT**

**4 HOURS General**

**1 HOUR Professionalism**

**1 HOUR Ethics**

**Visit**

<http://www.newmexicoblacklawyersassociation.org/index.html>

**to learn more about the**

**New Mexico Black Lawyers Association**

# FACULTY

**JUSTICE EDWARD CHÁVEZ** a native New Mexican, was appointed to the New Mexico Supreme Court by Governor Bill Richardson in 2003 and was elected by the voters in 2004. He was also retained by the voters in his re-election in 2006. He served as Chief Justice of the New Mexico Supreme Court from January 2007 through early April 2010. After graduating from Eastern New Mexico University in 1978, he attended the University of New Mexico School of Law and received his Juris Doctor in 1981. He was committed to helping people throughout his 20 plus years in private practice, serving as President of the Legal Aid Society of Albuquerque and Chairman of the UNM Mental Health Center. He also chaired the Lawyer Disciplinary Board and has held memberships in numerous civic and professional organizations. His dedication to higher education afforded him the opportunity to teach at the National Institute of Trial Advocacy and at the UNM School of Law as an Adjunct Professor/Instructor, where he continues to teach Evidence and Trial Practice. Justice Chávez is listed in *Best Lawyers in America* and is a Fellow in the American College of Trial Lawyers and the International Academy of Trial Lawyers. The American College is by invitation only and is limited to not more than one percent of attorneys practicing in any given state. The International Academy is also by invitation only, and is limited to not more than 500 attorneys from the United States. He is also an elected member of the American Law Institute and serves on the Members Consultative Group for the Restatement of the Law Third, Torts, Liability for Physical and Emotional Harm.

**CHRISTINE LONG** a native New Mexican, graduated from both New Mexico State University and the University of New Mexico School of Law. After a brief stint as an oil and gas attorney, she moved to the Disciplinary Board where she has practiced since 1993. Ms. Long is active in various charities and a member of the Albuquerque Academy Parent Association Board.

**RANDI MCGINN** has been a New Mexico trial lawyer since 1980. Ms. McGinn was the first lawyer to use a PowerPoint presentation in a New Mexico courtroom. She is highly rated by her peers. Randi McGinn has tried over 100 jury trials in both state and federal court. She is frequent lecturer and teacher of trial skills, use of PowerPoint and other creative demonstrative exhibits around the country for the National Institute of Trial Advocacy (NITA); American Association for Justice (AAJ); the National Criminal Defense College (NCDC); local and state bar associations and as an adjunct professor at the University of New Mexico Law School. She is the UNM Women's Law Caucus Recipient of the 2005 Justice Mary Walters Award, and the UNM Distinguished Alumni Award recipient, 2007. Ms. McGinn is a member of the New Mexico Trial Lawyers Association (NMTLA), served as President from 1994-1995, has been on the Board of Directors from 1986 to present, and served as Amicus Chair from 2003 - 2007. She is a member of the American Association for Justice (AAJ), the International Academy of Trial Lawyers, the National Association of Criminal Defense Lawyers (NACDL), and the American Board of Criminal Lawyers (ABCL).

**JUDGE LINDA VANZI** was appointed by Governor Richardson to the New Mexico Court of Appeals in October 2008. Prior to her appointment to the Court of Appeals, Judge Vanzi served as a district court judge in the Second Judicial District Court. Her legal background before joining the bench consists of a broad general civil practice in the areas of civil rights, employment law, personal injury, child abuse and neglect, and commercial law. Judge Vanzi currently serves as the Chair of the Uniform Jury Instruction Committee. She is also the Chair of the Judicial Education Committee and Co-chair of the Alternative Disputes Resolution Committee.

**KENNY CALHOUN** is Manager of Geographic Information System (GIS) services at Daniel B. Stephens & Associates, Inc. (DBS&A) with 15 years of experience in GIS technologies specializing in GIS applications for land use, environmental, and water resources management. GIS related projects at DBS&A include the use of satellite imagery and historical aerial photography for general civil engineering support for various groundwater contamination litigation, water resource and water rights projects. Mr. Calhoun earned his M.A. and B.A. in geography from the University of New Mexico. Mr. Calhoun has served as Project Manager for many GIS projects, including a critical project for the State of Texas Water Development Board that used GIS to analyze sites within the state that would be suitable for groundwater banking. Mr. Calhoun also has served as GIS technical lead on numerous litigation projects. He is currently the project manager for a multi-year contract to develop a comprehensive web-accessible, GIS-based database management system for projects associated with habitat restoration, water management, and scientific investigations within the Middle Rio Grande basin for the U.S. Army Corps of Engineers and the Middle Rio Grande Endangered Species Collaborative Program. He is recognized as a qualified expert by the United States District Court and has been retained by the United States Attorney's Office to provide expert opinions on land trespass cases.

**REGINA MOSS** was born and raised in Albuquerque, New Mexico and attended the University of New Mexico where she earned her B.A. in Political Science. Ms. Moss earned her J.D. in Washington, D.C. at Howard University School of Law. She is currently an associate at Keleher & McLeod, P.A. with a primary practice area of civil litigation with an emphasis in medical and professional malpractice defense. Ms. Moss is a member of the New Mexico Defense Lawyers Association, New Mexico Christian Legal Aid, and currently serves as the Secretary for the New Mexico Black Lawyers Association. Additionally, she formerly served as a Board Member for the New Mexico Family Education Center, and as an appointed member of the New Mexico State Bar Commission on Professionalism.

**JUDGE ROBERT ROBLES** was appointed by Governor Richardson to the New Mexico Court of Appeals on October 24, 2008, and took the oath of office on December 29, 2008. Judge Robles' family has lived in New Mexico for many generations and was part of the Atrisco Land Grant. From 1962-64, Judge Robles' family resided in Lima, Peru, where his father served as Labor Attaché at the American Embassy. He also spent two years in Washington DC while his father served as Associate Inter-American Representative for the AFL-CIO. After returning to Albuquerque, Judge Robles graduated from the University of New Mexico in 1972 with a bachelor's degree in Business Administration from the Robert O. Anderson School of Business and a Juris Doctor from the University of New Mexico School of Law in 1975. After law school, Judge Robles began his legal career as a New Mexico Assistant Attorney General. In 1978, he moved to Las Cruces, where he practiced law for 13 years prior to being appointed by Governor Bruce King in May 1991 to the Third Judicial District Court. Judge Robles proudly served on the district court bench for more than 17 years, and was selected by his fellow judges to three, three-year terms as Chief Judge. During his tenure on the trial court, Judge Robles presided over all matters including domestic relations, criminal, children's court, and civil cases. In 1994, Judge Robles was appointed by President Clinton to the United States Commission on Child and Family Welfare, where he served as Vice-Chair. He also served as a member and Chair of the New Mexico Supreme Court Code of Judicial Conduct Committee, as a member of the New Mexico Supreme Court State Bar Joint Commission on Professionalism, and on the New Mexico District Court Judge's Committee of the Judicial Performance Evaluation Commission. Following his appointment to the Court of Appeals in 2008, Judge Robles and his wife, Karen, moved to Albuquerque. They are the proud parents of four adult children.

**HOWARD R. THOMAS** has practiced law for 30 years. He earned his B.A. from the University of New Mexico and his J.D. from the University of New Mexico School of Law. He is admitted to practice in New Mexico, Colorado, the District of Columbia and Texas. He was in private law practice for approximately 18 years, representing plaintiffs and defendants in a wide range of litigation including the areas of personal injury, wrongful death, design and construction, and insurance. For the past 12 years, Mr. Thomas has served as an Assistant United States Attorney. He has served on the New Mexico Community Development Council and the State Personnel Board, and is currently a member of the New Mexico Board of Bar Examiners.

**MICHAEL HOSES** was Chairman of the New Mexico Disciplinary Board from 2002-2004, and served on the Disciplinary Board for 8 years. He is an Assistant U.S. Attorney, Civil Division, District of New Mexico, specializing in employment discrimination. Mr. Hoses has been with the Office of the United States Attorney for 13 years. Prior to coming to work at the U.S. Attorney's Office, Mr. Hoses was a shareholder with the Miller Law Firm, where he worked as an associate and shareholder from 1983-1998. Michael graduated from the University of Michigan Law School in 1983. He is a former President of the New Mexico Black Lawyers Association. In June 2010, Mr. Hoses was appointed Chief of the Civil Division of the U.S. Attorney's Office.

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**REGISTRATION**

LAST NAME \_\_\_\_\_

FIRST NAME \_\_\_\_\_ MI \_\_\_\_\_

FIRM/ORGANIZATION \_\_\_\_\_

ADDRESS \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

PHONE NUMBER \_\_\_\_\_ BAR NUMBER \_\_\_\_\_

**Purchase Orders Welcome!!**

Questions? Call

**NMBLA Treasurer**

**505.450.1032**



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