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### **F45 Development of Small-Group Forensic Counsel in Greater Minnesota: Forensic Case Review in the Boonies**

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After attending this presentation, attendees will understand the basic requirements, goals, and benefits of the establishment of a small, geographic-centered, forensic criminal case-review program for defense counsel. In addition, attendees will understand how such a group fits within a larger-scale statewide forensic program for defense counsel.

This presentation will impact the forensic science community by demonstrating the importance of initial and immediate forensic case review. This presentation will also demonstrate the need for involvement by defense counsel at the commencement of representation and throughout trial. Finally, this presentation will show how working within a small forensic unit assists in providing effective assistance of counsel and improved client representation.

In Minnesota's Ninth Judicial District, the public defender's office has created a template whereby cases involving forensic evidence are being identified immediately and assigned to individual lawyers who are trained in forensic litigation. There are six lawyers in the Minnesota Ninth Judicial District public defender's office who are trained in forensic litigation and comprise the unit. These individual lawyers act as a supporting mechanism for the trial counsel and work together as a group to review the cases and are also able to take part in larger statewide forensic training.

Although there have been many calls for the education and training of legal counsel in forensic fields, the actual implementation of programs are, for many, still aspirational rather than actuality. The initiation of a small forensic counsel group to review, assist, and advise trial counsel in greater Minnesota has provided a client base located in a geographically large area with a benefit that was previously much more difficult provide.

The establishment of small forensic groups to assist in initial review and assistance to trial counsel is now a necessity, rather than an option, for representation. With the widespread expansion and access of prosecution offices for inclusion of the forensic analysis of evidence, it is incumbent for defense counsel to provide for knowledgeable review of case-specific forensic evidentiary issues.

The involvement of forensic counsel at the onset of a criminal case provides for better representation and trial preparation for the individual criminal defendant because forensic issues are not only being identified, but actually being reviewed for issues that may directly affect the outcome of a client's criminal case, while also providing feedback and information with regard to the number of forensic cases being seen in a particular jurisdiction and related benefits because of forensic counsel involvement.

The specific challenges of a large geographic area of responsibility and non-centralized forensic counsel provides challenges that have been countered through the use and application of several technological issues. From simply conducting meetings or communicating through video conferencing, to large file-sharing programs, to detailed computer review of raw forensic data, technology is a cornerstone to a forensic group and an area that will need continual updating and training.

In conclusion, ensuring review of forensic case files for criminal defendants is essential in providing effective legal defense services for individual clients. Absent such involvement and review of individual forensic case issues, clients cannot be assured an adequate and effective defense, to which each is entitled.

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#### **Trials, Training, DNA**