Day #1: March 10

**The Structure of the Fourth Amendment**

7:30-8:00 am  **Registration**

8:00-8:30  **Welcome & Introduction**  
*Professor Thomas K. Clancy, Director, National Center for Justice and the Rule of Law*  
*William Brunson, National Judicial College*

8:30-9:15  **Interests Protected by the Fourth Amendment**  
*Professor Thomas K. Clancy, Director, National Center for Justice and the Rule of Law*

9:30-10:20  **What is a Seizure?**  
*Honorable Joseph Grasso, Massachusetts Appellate Court*

10:30-11:15  **What is a Search?**  
*Honorable Joseph Grasso, Massachusetts Appellate Court*

11:15-12:00  **breakout groups: applicability of the Fourth Amendment**

12:00-1:00  **lunch**

1:00-1:50  **Reasonableness Models**  
*Professor Thomas K. Clancy, Director, National Center for Justice and the Rule of Law*

2:00-2:50  **The Exclusionary Rule**  
*Professor Jack Nowlin*  
*University of Mississippi School of Law*

3:00-3:50  **breakout groups: Fourth Amendment satisfaction / remedies**

4:00-5:00  **Recent and Current Supreme Court Cases**  
*Professor Thomas K. Clancy, Director, National Center for Justice and the Rule of Law*  
*Honorable Joseph Grasso, Massachusetts Appellate Court*  
*Professor Jack Nowlin, University of Mississippi School of Law*
Day #2: March 11, 2010

**The Fourth Amendment Rights of Children and Juveniles**

**2010 Fourth Amendment Symposium**

2010 is the 25th anniversary of *New Jersey v. T.L.O.*, 469 U.S. 325 (1985), which broadly set out the framework for evaluating searches of students by school authorities. In *Safford School District v. Redding* (cert. granted 01/16/09), the Court revisited that issue in the context of a strip search of a student by school authorities looking for nonprescription drugs. Beyond the school setting, there are many unique aspects of the application of the Fourth Amendment to juveniles and younger children. Expected speakers and topical areas include:

**Introduction**

*Thomas K. Clancy*
Research Professor, University of Mississippi School of Law
Director, National Center for Justice and the Rule of Law

**Keynote Address**

*Samuel Davis*
Dean, University of Mississippi School of Law

**The Fourth Amendment Rights of Younger Children**

*Victor Streib*
Professor, Ohio Northern University School of Law

**T.L.O.’s Unanswered Questions**

*Barry C. Feld*
Professor, University of Minnesota School of Law

**The Reasonableness of Children’s Expectations of Privacy in Today’s {digital} World**

*Mary Graw Leary*
Associate Professor, The Catholic University of America
Columbus School of Law

**School Children and Parolees: Not So Special Any More**

*Edwin J. Butterfoss,*
Professor, Hamline University School of Law

**Strip Searching Students: The Supreme Court’s Latest Failure to Articulate a Sufficiently Clear Statement of Fourth Amendment Law**

*Martin R. Gardner*
Professor, University of Nebraska School of Law
Day #3: March 12

Digital Evidence Searches and Seizures

8:00-8:50  Introduction:  Sources, Types, & Locations of Digital Evidence; What is Cyber Crime?

* ways digital evidence used in crimes
* digital evidence is everywhere
* user created and computer created data
* introduction to forensics
*Child Pornography Cases

Don Mason, Associate Director, National Center for Justice and the Rule of Law

9:00-9:50  Fourth Amendment Applicability:  Expectations of Privacy / Private Searches

* voluntary exposure doctrine
* in & out of the box
* non-private computers:  common access
* deleted files
* private search doctrine and replication issues
* repairmen, hackers

Professor Thomas K. Clancy, Director, National Center for Justice and the Rule of Law

10:00-10:50  Breakout group:  Elements of Warrant for digital evidence / Objects Police Want to Seize at Digital Evidence Crime Scene:  Scope of desired seizure

11:00-12:00  Fourth Amendment Satisfaction:  search warrants

* “special” limitations of some courts
  -- including search strategies, limits such as file names, types, or dates
  -- CCIPS manual and federal search strategies
* particularity of description
  -- including comparison of data vs. equipment searches
* document searches

Professor Thomas K. Clancy, Director, National Center for Justice and the Rule of Law

1:00-2:00  Consent Searches, Search Incident to Arrest, and other Common Scenarios

Priscilla Adams, Senior Counsel, National Center for Justice and the Rule of Law

2:15-3:15  Selected Issues Outside the Box:  the Internet, Networks, and New Technologies

Don Mason, Associate Director, National Center for Justice and the Rule of Law

working with ISPs [statutory gap filer:  SCA]:  identifying the computer and the person at it
e-mail (delivered vs. non-delivered)
chat rooms & P2P
connecting to local networks

3:30-4:30  Electronic Exchange of Documents: The Ethics of Metadata

Hans Sinha, Clinical Professor, University of Mississippi School of Law

4:30-4:45  evaluations, wrap-up, and graduation