

Judicial Proceedings Panel Subcommittee
May 7, 2015
Article 120, Uniform Code of Military Justice
Speaker Biographies

Article 120 from a Training Perspective

9:00 a.m. – 10:00 a.m.

Major Aimee M. Bateman, United States Army, is an Associate Professor, Criminal Law Department, The Judge Advocate General's School, U.S. Army. Major Bateman is the School's subject matter expert on crimes, defenses, and other matters of substantive law under the UCMJ. Her areas of emphasis are sexually-based offenses and mental responsibility. Prior to her current assignment, Major Bateman was Chief, Military Justice for the 10th Mountain Division and Regional Command-South, Kandahar, Afghanistan. Major Bateman also served as a trial counsel at Fort Drum, NY, prosecuting complex cases involving sexual assault, domestic violence, and crimes against children.

Trial Counsel Perspectives on Issues 1-11

10:00 a.m. – 11:00 a.m.

Lieutenant Colonel Christopher J. Thielemann, United States Marine Corps, is the Regional Trial Counsel (Chief Prosecutor) for the Western Region of the U.S. Marine Corps. His previous assignment was as a Military Judge in the Western Judicial Circuit of the Navy-Marine Corps Trial Judiciary. Lieutenant Colonel Thielemann served as a criminal court judge presiding over Special and General Courts-Martial at Navy and Marine Corps installations throughout the western half of the United States as well as Afghanistan. Lieutenant Colonel Thielemann attended Florida State University College of Law where he earned his Juris Doctor degree.

Lieutenant Colonel Alex Pickands, United States Army, is Chief, Trial Counsel Assistance Program. Lieutenant Colonel Pickands is a military trial specialist focused on litigating the U.S. Army's most challenging criminal cases and developing sexual assault and family violence training programs for Army investigators and prosecutors. His areas of special training, experience, and professional interest include criminal trial practice, trial assistance, case collaboration, formal training, and law enforcement investigation and prosecution support. Lieutenant Colonel Pickands holds a Juris Doctor degree from the College of William and Mary and two Master of Laws degrees, one from the University of Virginia School of Law and another from The Judge Advocate General's School, U.S. Army.

Major Mark Rosenow, United States Air Force, is the Chief of Policy and Coordination, Special Victims Unit, assigned to the Air Force Legal Operations Agency, Joint Base Andrews, MD. He provides litigation support to staff judge advocates and local trial counsel worldwide through initial consultation on investigation and charging of sexual crimes as well as training for prosecutors and investigators. Additionally, he serves as the primary liaison between the Government Trial and Appellate Counsel Division and the Air Force Office of Special Investigations, focusing on the investigation of serious crimes including sexual assault and child sexual abuse. Major Rosenow is also a Senior Trial Counsel in the Special Victims Unit and continues to represent the government as lead trial counsel in the prosecution of complex courts-martial. Major Rosenow received his Juris Doctor from The University of Texas School of Law.

Lieutenant Commander Stuart Kirkby, United States Navy, Judge Advocate General's Corps, is the Branch Head for Military Justice at the Criminal Law Division of the Office of the Judge Advocate General. He provides legislative analysis and implementation recommendations to the Navy's Judge Advocate General and is a member of the working group for the Joint Service Committee on Military Justice. His previous assignment was as Senior Trial Counsel for Navy Region Southeast in Jacksonville, FL. Lieutenant Commander Kirkby has also served as defense counsel, trial counsel and Deputy Staff Judge Advocate for Commander, Navy Region Southeast. Lieutenant Commander Kirkby holds a Juris Doctor Degree from Seton Hall University School of Law, and a Masters of Law from Temple University Beasley School of Law.

Defense Counsel Perspectives on Issues 1-11

11:00 a.m. – 12:00 p.m.

Colonel Terri R. Zimmermann, United States Marine Corps Reserve, is the Reserve Counterpart to the Chief Defense Counsel of the Marine Corps/Officer-in-Charge, Defense Services Organization. She graduated from the University of Texas in 1989 and Georgetown University Law Center in 1992. Colonel Zimmermann served as a Marine Corps judge advocate on active duty from 1993-1996, serving two years as a trial counsel. In 1996, she left active duty and began practicing law as a criminal defense lawyer. Since 1996, Colonel Zimmermann has been active as a drilling Reservist, serving in a variety of assignments to include many years as an appellate defense counsel and as a Judge on the Navy-Marine Corps Court of Criminal Appeals. In her civilian practice, Colonel Zimmermann represents citizens accused of violating state, civilian federal, and military law at the trial, appellate, and post-conviction levels, and handles other military matters such as administrative separation proceedings and discharge upgrades.

Lieutenant Colonel Julie Pitvorec, United States Air Force, is currently assigned as the Chief Senior Defense Counsel, Air Force Legal Operations Agency, Joint Base Andrews, MD. She supervises 36 defense counsel, including 29 Area Defense Counsel and seven Senior Defense Counsel with an average workload of over 10,000 clients per year. She is responsible for the provision of comprehensive defense services to Air Force members on the East Coast, in Europe and in the Central Command Area of Responsibility. Lieutenant Colonel Pitvorec earned her law degree from University of Pacific, McGeorge School of Law in Sacramento, CA.

Major Frank E. Kostik, Jr., United States Army, is a Senior Defense Counsel for the United States Army Trial Defense Service at Fort Leavenworth, KS. Major Kostik has practiced as a prosecutor, defense counsel, and appellate attorney and has supervised both trial counsel and defense counsel. He is currently defending or supervising the defense of over 25 Service members in various stages of prosecution for allegedly violating Article 120. Major Kostik was awarded a Masters of Law in military law with a criminal law specialty from The Judge Advocate General's School, U.S. Army.

Lieutenant Commander Richard Federico, United States Navy, JAG Corps, currently serves as the Officer in Charge of Defense Service Office Southeast, Detachment Mayport/Branch Office Jacksonville, FL. Lieutenant Commander Federico is designated as a Specialist II in the Navy's Military Justice Litigation Career Track. Lieutenant Commander Federico has served his entire 12 year career in the Navy in litigation jobs, as both a prosecutor and a defense counsel. In a prior tour at the Office of Military Commissions, he was detailed defense counsel to a Yemeni client charged in a joint, capital trial for plotting the 9/11 attacks and counsel to an Afghan client charged with providing material support to terrorism. Lieutenant Commander Federico holds a Juris Doctor degree from the University of Kansas School of Law and a Master of Laws degree from the Georgetown University Law Center.

Appellate Counsel Perspectives

1:00 p.m. – 2:00 p.m.

Colonel Mark Jamison, United States Marine Corps, assumed his current billet as Director, Appellate Government Division, Navy-Marine Corps Appellate Review Activity, on 25 August 2014. His past assignments include: Appellate Judge, U.S. Navy-Marine Corps Court of Criminal Appeals; Deputy Director, Judge Advocate Division, Headquarters, U.S. Marine Corps; Staff Judge Advocate to Commanding General, Marine Corps Installations West; Officer-in-Charge, Legal Services Support Section, 1st Marine Logistics Group; Instructor, Criminal Law Department, U.S. Army JAG School; Staff Judge Advocate to Commanding General, 1st Marine Logistics Group; Officer-in-Charge, Legal Services Support Team-Iraq and Legal Services Support Team Echo, 1st Marine Logistics Group; Appellate Government Counsel, Navy-Marine Corps Appellate Review Activity; trial and defense counsel. Colonel Jamison is a graduate of the U.S. Army War College, the U.S. Army JAG School Graduate Course (LL.M., 2002), the U.S. Marine Corps Command and Staff College, and the Amphibious Warfare School. His civilian education includes the University of Nebraska-College of Law (J.D., 1990) and the University of Nebraska (B.A., 1987).

Major John Stephens, United States Marine Corps, is the Branch Head at the Appellate Defense Section, Navy-Marine Corps Appellate Defense Division, where he represents Navy and Marine Corps appellants before the Navy-Marine Corps Court of Criminal Appeals, the United States Court of Appeals for the Armed Forces, and the U.S. Supreme Court. In addition, Major Stephens represents appellants before the Navy Clemency & Parole Board. His past assignments include: Senior Trial Counsel, Regional Defense Counsel-Eastern Region, and Senior Trial Counsel. He has handled and supervised cases ranging from drug offenses to sexual assaults and attempted murder as both a defense counsel and a prosecutor. Major Stephens received his Juris Doctor from Catholic University's Columbus School of Law.

Major Mary Ellen Payne, United States Air Force, is an Appellate Counsel with the Government Trial and Appellate Division at Joint Base Andrews, MD. She represents the United States in cases before the United States Court of Criminal Appeals and the United States Court of Appeals for the Armed Forces. Major Payne has previously served as Deputy Chief of Military Justice, Area Defense Counsel and Senior Trial Counsel. Major Payne attended New York University School of Law and passed the July 2006 New York State Bar Examination.

Major Tom Smith, United States Air Force, Defense Appellate Division, is currently an Appellate Defense Counsel at Joint Base Andrews, MD. He is responsible for representing Air Force members before the Air Force Court of Criminal Appeals, the United States Court of Appeals for the Armed Forces, and the United States Supreme Court. Prior to his assignment as an appellate defense counsel, Major Smith practiced as a military prosecutor for four years before representing Airmen as a military trial defense counsel for two years.

Captain Jihan Walker, United States Army, serves as an Appellate Attorney in the United States Army Government Appellate Division. Currently, a senior military justice practitioner, she has previously held positions as senior defense counsel, defense counsel, and trial counsel. Throughout her years in military justice, Captain Walker has litigated complex sexual assault cases and provided training to defense counsel in her region. Captain Walker received her B.A. in Political Science and Spanish from Emory University and received her commission upon graduation through the Reserve Officers' Training Corps at Georgia Institute of Technology. She received her J.D. from Vanderbilt University Law School. Captain Walker is admitted to practice before the U.S. Court of Appeals for the Armed Forces, the U.S. Army Court of Criminal Appeals, and the bar of Georgia.

Civilian Counsel Perspectives on Issues 1-11

2:00 p.m. – 3:00 p.m.

Mr. John Wilkinson, Attorney Advisor with AEquitas: The Prosecutors' Resource on Violence Against Women, presents on trial strategy, legal analysis and policy, and ethical issues related to violence against women at the local, state, national and international level. He conducts research; develops training materials, resources, and publications; and provides case consultation and technical assistance for prosecutors and allied professionals. Mr. Wilkinson has presented extensively on the investigation and prosecution of domestic violence, sexual violence, stalking and human trafficking both in the United States and abroad. Mr. Wilkinson's international work includes developing and implementing trainings for police, prosecutors, judges and allied professionals in national and international conferences in Cameroon, South Africa, Fiji, and France. From 1998 through 2005, Mr. Wilkinson served as an Assistant Commonwealth's Attorney in Fredericksburg, VA, prosecuting cases involving intimate partner violence and sexual assault, including cases of campus sexual assaults and domestic violence homicide. He also served on the Fredericksburg Area Sexual Assault Response Team and prosecuted child sexual and physical abuse and neglect cases and infant homicides. He assisted in the development of the Mary Washington Hospital Sexual Assault Nurse Examiner (SANE) Program.

Mr. Zachary Spilman, Attorney at Law, graduated from the Isenberg School of Management at the University of Massachusetts Amherst in 2003, and from Suffolk University School of Law in Boston in 2006. He served on active duty in the Marine Corps as a judge advocate from 2007 to 2014. He remains a commissioned officer in the Marine Corps Reserve. Mr. Spilman's legal experience includes prosecuting and defending service members in courts-martial. He was also a Special Assistant United States Attorney in the Eastern District of North Carolina. Mr. Spilman has worked on hundreds of military and federal criminal cases involving a wide variety of criminal offenses, including property, financial, drug, violent, sexual, and child-exploitation crimes. Mr. Spilman is the lead contributor to the military justice blog CAAFlog (www.CAAFlog.com) where he analyzes developments in military law. Additionally, Mr. Spilman's analysis of military justice issues has been published by the Columbia Law Review Sidebar and by LexisNexis, and he has been quoted in numerous media outlets.

Colonel Don Christensen, United States Air Force (Retired), President, Protect our Defenders, served as chief prosecutor for the United States Air Force between 2010 and 2014. He served as a trial counsel, defense counsel or military judge for every year of his 23-year career in the United States Air Force. Mr. Christensen has served as an Assistant Staff Judge Advocate, Area Defense Counsel, Circuit Defense Counsel, Deputy Chief Circuit Defense Counsel, and Deputy Staff Judge Advocate, as a deployed Staff Judge Advocate, Chief Circuit Trial Counsel, and Staff Judge Advocate and as a Military Judge. He has tried over 150 courts-martial as a trial and defense counsel and has presided over 100 trials as a military judge.