

# DEATH PENALTY SEMINAR NOVEMBER 16-17, 2023

OACDL | 6724 PERIMETER LOOP ROAD | DUBLIN, OH 43017 | 800.443.2626 FAX 380.219.2705 | WWW.OACDL.ORG

## REGISTRATION FORM

PLEASE NOTE: If you are applying for a scholarship for this seminar, please complete bottom form.

Name \_\_\_\_\_ Attorney Reg. # \_\_\_\_\_  
 Company \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Email Address \_\_\_\_\_

**SEMINAR COST:**  \$375.00 OACDL Member  \$425.00 OACDL Non-member  
 \$325.00 OACDL Public Defender Member  \$400.00 OACDL Non-member Public Defender  
**REQUIRED SELECTION: I WILL BE ATTENDING**  **In-person at Nationwide** (Per the Commission, in person attendance is required for Certification. Virtual participation will not be an option.)

I will attend the Appellate track Thursday  Yes  No

Register online at [www.oacdl.org](http://www.oacdl.org) and click on Seminars (to pay with credit card); or complete this registration form and mail to OACDL with either check made payable to OACDL or credit card information below. No telephone registrations accepted.

Charge my  Visa  MasterCard  Discover  American Express in the amount of \$ \_\_\_\_\_  
 Card # \_\_\_\_\_ Expiration Date \_\_\_\_\_ 3 Digit Security Code \_\_\_\_\_  
 Billing Address \_\_\_\_\_ Billing Zip \_\_\_\_\_  
 Signature \_\_\_\_\_

(CANCELLATIONS MUST BE RECEIVED BY MONDAY, NOVEMBER 13 TO RECEIVE A REFUND)

### SERVICES FOR PERSONS WITH DISABILITIES

If special arrangements are required for individuals to participate in this seminar, please contact the OACDL at least 3 days prior to the course date at 800.443.2626.

### PUBLIC DEFENDER/PRO BONO FUNDING PROVIDED BY THE OFFICE OF THE OHIO PUBLIC DEFENDER

If you have represented at least one client on a Pro Bono basis during the past year, you may be entitled to attend this seminar FREE of CHARGE. You may not have used that case to attend any other seminar on a PRO BONO basis. However, any attorney, private or public defender, is limited to 2 seminars per fiscal year (July 1, 2023 – June 30, 2024) on this basis.

#### PRO BONO REPRESENTATION WAS PROVIDED IN THE FOLLOWING:

This is to certify that the attorney named at right provided representation for an indigent person charged with a criminal offense in my court. Further, the attorney did not submit a bill for payment for any services involved in that representation and represented the defendant on an appointed basis at no cost to the state.

All Pro Bono and Public Defenders MUST Be Pre-registered by Nov. 1, 2023. Space is limited to the first 25 people to apply.

State/City \_\_\_\_\_ vs. \_\_\_\_\_

Case # \_\_\_\_\_ County \_\_\_\_\_

Date Representation Provided \_\_\_\_\_

Offense Charged \_\_\_\_\_

Judge's Name \_\_\_\_\_

Judge's Signature (required) \_\_\_\_\_

OR Public Defender Information (do not complete if pro bono portion is filled out)

Name of Director or County Public Defender \_\_\_\_\_

County in which you serve as a public defender \_\_\_\_\_

County Public Defender's Signature (required) \_\_\_\_\_

There is limited scholarship money for Pro Bono and Public Defenders. Space is limited to the first 25 people to apply. You will receive notification via email if your registration is one of the first 25.



## OHIO ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

6724 Perimeter Loop Road, Ste 231  
 Dublin, OH 43017

# THE ANNUAL DEATH PENALTY SEMINAR

NOVEMBER 16-17, 2023

The Seminar BY Defense Attorneys FOR Defense Attorneys



## OHIO ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

PRESENTS

# THE ANNUAL DEATH PENALTY SEMINAR

NOVEMBER 16-17, 2023

12.75 CLE HOURS  
 6.25 APPELLATE HOURS

Nationwide Hotel and Conference Center 100 Green Meadows Drive Lewis Center, OH 43035

[nwhotelandconferencecenter.com](http://nwhotelandconferencecenter.com)

Due to the nature of this seminar, Prosecuting Attorneys are not permitted to attend.  
 Ohio Supreme Court Appt. Coun. R. 4.02(C)

COST

PAYMENT

## SEMINAR AGENDA

### THURSDAY, NOVEMBER 16, 2023

|                  |   |
|------------------|---|
| 8:00 - 8:30 am   | Registration  |
| 8:30 – 8:45 am   | Introduction - Recent Death Penalty and Method of Execution Litigation Developments<br>David Stebbins - Columbus  |
| 8:45 – 9:45 am   | Caselaw Update - Ohio and US Supreme Courts<br>Russ Bensing - Cleveland   |
| 9:45 – 10:45 pm  | A View From the Trial Bench<br>Judge Amy Corrigan-Jones, Retired<br>Summit County Court of Common Pleas   |
| 10:45 – 11:00 am | <b>BREAK</b>  |
| 11:00 – 12:30 pm | Investigating and Proving Intellectual Disability Claims: Record Collection; Testing; Adaptive Deficits<br>Bob Stinson, Psy.D., J.D., LICDC-CS, ABPP - Columbus<br>Rivka (Randy) Olley, PhD. - Baltimore, Maryland<br>James Crates - Columbus |
| 12:30 – 1:30 pm  | <b>LUNCH (PROVIDED)</b>   |
| 1:30 – 2:30 pm   | Death Penalty 101 - Review and Revisit the Basics<br>Paul Kuzmin - Cuyahoga County Public Defender's Office - Cleveland .   |
| 2:30 - 2:45 pm   | <b>BREAK</b>  |

## APPELLATE BREAKOUT

### THURSDAY AFTERNOON, NOVEMBER 16, 2023

|                |  |
|----------------|--|
| 2:45 – 3:45 pm | Effective Brief Writing and Oral Argument in the Supreme Court of Ohio in Capital Cases<br>Jeff Gamso - Cleveland<br>Kim Rigby - Office of the Ohio Public Defender - Columbus   |
| 3:45 – 4:45 pm | State v Bethel and other Developments in Litigating Post-Conviction Claims in State Court<br>Melissa Jackson - Office of the Ohio Public Defender - Columbus<br>Justin Thompson - Capital Habeas Unit (CHU) - Columbus |

## TRIAL BREAKOUT

### THURSDAY AFTERNOON, NOVEMBER 16, 2023

|                |   |
|----------------|---|
| 2:45 – 3:45 pm | Aggressive and Meaningful Motion Practice at Trial<br>Richard Cline - Office of the Ohio Public Defender - Columbus<br>Don Malarcik - Akron<br>Noah Munyer - Akron  |
| 3:45 – 4:45 pm | Best Practices for Capital Trials: Guidelines and Supplemental Guidelines; and as Adopted by Ohio Supreme Court Commission on Appointment of Counsel in Criminal Cases<br>Natalie Olmstead - CHU - Columbus<br>Adam Rusnak – CHU - Columbus |

## SEMINAR AGENDA

### FRIDAY, NOVEMBER 17, 2022

|                  |   |
|------------------|---|
| 8:30 – 9:30 am   | Integrating the Mitigation Theme Into Counsel's Arguments at Trial.<br>Diane Menashe - Columbus<br>Freidman, Menashe, Nemecek, and Long LLC   |
| 9:30 – 9:45 am   | <b>BREAK</b>  |
| 9:45 – 10:45 pm  | Using Pretrial Motion Practice to Recognize and Fight Racial Bias and Make a Record.<br>Lisa Lagos - Capital Habeas Unit - Columbus<br>Julie Roberts - Capital Habeas Unit - Columbus   |
| 10:45 – 12:00 pm | Ohio's Serious Mental Illness Exemption: Litigation Strategies; Additional Evaluations, Discovery, Preparing for and Conducting an Evidentiary Hearing; Negotiations; Appeals<br>Tim Sweeney - Cleveland<br>Lisa Lagos - CHU - Columbus |
| 12:00 – 1:00 pm  | <b>LUNCH</b>  |
| 1:00 – 2:00 pm   | His Journey from Death Row to Freedom: Why We Do This Work.<br>Lamont Hunter - Cincinnati<br>Erin Barnhart - CHU - Columbus<br>Justin Thompson - CHU - Columbus   |
| 2:00 – 3:00 pm   | Representing Veterans: Unique Challenges in Representation and Record Collection<br>Art Cody USN (Retired) Director of the Center for Veteran Criminal Advocacy   |
| 3:00 – 3:15 pm   | <b>BREAK</b>  |
| 3:15 – 4:15 pm   | What's Race Got to Do With It? Voir Dire and Trial Strategy in Today's Political Atmosphere<br>Fred Benton, Jr. - Columbus  |

## SCHUMACHER/KETCHAM AWARD

The Schumacher-Ketcham Lifesaver Award honors the late Don Schumacher and Rick Ketcham for their long service to the OACDL and their significant contributions to the defense of indigent defendants facing capital charges.

This annual award is designed to recognize outstanding achievements in avoiding the imposition of the death penalty through trial excellence, mitigation investigation and presentation, as well as appellate and post-conviction litigation, and education – either lifetime achievements or for significant achievements in the past year. The committee is looking for nominations from across the state. Please submit a paragraph or two explaining the nomination and why the nominee is deserving of this important award.

Past winners include Linda Pudvan Richter, Jerry Simmons, Karen Roberts, David Doughten, John Parker, Randall Porter, Rick Ketcham, David Stebbins, Kate McGarry, Allen Bohnert, Carol Wright, Alan Rossman, Dorian Hall, William Kluge, Jeff Gamso, Timothy Sweeney, James Crates.

### Nationwide Hotel Reservations

Our block rate is \$143.00/night. The link for online reservations can be found on our website – [www.oacdl.org](http://www.oacdl.org) and click on the Death Penalty Seminar tab. or call 1.866.233.9333

This seminar has been approved by the Commission on Appointment of Counsel in Capital Cases for 12.75 hours of training including 6.25 of Appellate training.

**CLE Credit Hours:** Pursuant to Rule X of the Government of the Bar, the Sponsor has requested 12.75 hours of credit from the Supreme Court Commission on Continuing Legal Education. Participants must apply through the CLE Seminar Sponsor for credit. All attorney registrants must indicate their Ohio Registration Number (as issued by the Ohio Supreme Court) on the registration form. All attendees must return complete CLE forms to OACDL at the end of the seminar.