

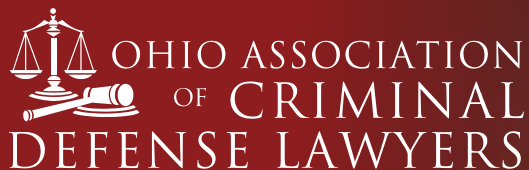


713 South Front Street, Columbus, OH 43206

## **HOT TOPICS IN CRIMINAL LAW**

2.5 hours of Attorney Professional Conduct

**FRIDAY, DECEMBER 11, 2015**



**HOT TOPICS IN CRIMINAL LAW**  
**Friday, Dec. 11, 2015**

2.5 HOURS of  
ATTORNEY  
PROFESSIONAL CONDUCT

**[www.oacdl.org](http://www.oacdl.org)**

OCLC Conference Center • 6600 Kilgour Place • Dublin, OH 43017 • 614-764-6000



# HOT TOPICS IN CRIMINAL LAW

## Friday, Dec. 11, 2015

### AGENDA

- 8:30 – 9:00 a.m. **Registration and Welcome**
- 9:00 – 9:45 a.m. **How OLAP can help with mental health issues**  
Scott Mote, OLAP
- 9:45 – 10:30 a.m. **Is it just stress? Helping colleagues through possible mental health issues**  
Brian Davis
- 10:30 – 10:45 a.m. **Break**
- 10:45 – 11:45 a.m. **Disciplinary measures that must be taken when your client is an attorney**  
Scott Drexel, Disciplinary Counsel
- 11:45 – 12:45 p.m. **Lunch** (provided)
- 12:45 – 1:30 a.m. **Digital Trouble – juvenile sexting/facebook etc. Defending Puberty in the Social Media Era**  
Brooke Burns, Ohio Public Defender Office, Columbus
- 1:30 – 2:15 p.m. **Creative Defense of Digital Trouble: Panel on digital trouble to include judge and attorney**  
Jeff Liston
- 2:15 – 2:30 p.m. **Break**
- 2:30 – 3:15 p.m. **Shaken Baby Trial: A Case Study; State v. Pratt**  
Bernard Davis
- 3:15 – 4:30 p.m. **Spotting Faulty Forensics & Strategies to Challenge or Limit Their Use**  
Carrie Wood

### UPCOMING SEMINARS

- January 18, 2016** **Current Issues in Criminal Law**  
Cincinnati Law School, Cincinnati
- March 10-12, 2015** **Advanced OVI**  
Westin Hotel, Columbus

### DIRECTIONS TO THE CONFERENCE CENTER AT OCLC

**Important:** When you approach the intersection of Route 161/33 and Frantz Road from I-270, the street signs may be misleading. To go to OCLC, be sure to turn north (left) toward Post Road and then make an immediate right and you will be on Kilgour Place.

**From the North:** Take I-71 South to I-270 West. Take 270 to exit 17A (Dublin/161 Exit). Follow 161/Rt. 33 to Frantz Road. Turn Left toward Post Road and then make an immediate right and you will be on Kilgour Place. Follow the signs that say Conference Center.

**From the South:** Take I-71 North to I-270 West. Take 270 to exit 17A (Dublin/161 Exit). Follow 161/Rt. 33 to Frantz Road. Turn Left toward Post Road and then make an immediate right and you will be on Kilgour Place. Follow the signs that say Conference Center.

**From the West:** Take I-70 East to I-270 North. Take 270 to exit 17A (Dublin/161 Exit). Follow 161/Rt. 33 to Frantz Road. Turn Left toward Post Road and then make an immediate right and you will be on Kilgour Place. Follow the signs that say Conference Center.

**From the East:** Take I-70 West to I-270 North. Take 270 to exit 17A (Dublin/161 Exit). Follow 161/Rt. 33 to Frantz Road. Turn Left toward Post Road and then make an immediate right and you will be on Kilgour Place. Follow the signs that say Conference Center.

# Speaker Biographies

## **Scott Mote**

Scott is the executive director of the Ohio Lawyers Assistance Program (OLAP) which provides confidential help to lawyers, judges and law students suffering from alcohol abuse/addiction, drug abuse/addiction or other addictions or mental illness. Through OLAP, judges, attorneys and law students receive confidential advice about their individual problems, help in arranging and implementing formal interventions, help in deciding between outpatient, inpatient and other treatment options, and monitoring and aftercare services. Mote also practices law with the Columbus firm of Harris, McClellan, Binau & Cox P.L.L. in the areas of civil litigation, family law and probate. Scott earned his law degree from the Capital University Law School, his undergraduate degree from Wright State University and a graduate degree from the University of Dayton. He is admitted to practice in Ohio and Florida, as well as before the United States Supreme Court. Scott speaks approximately 35 times per year at Ohio law schools, and continuing legal education seminars for lawyers and judges on the topics of substance abuse, addiction and mental illness. He is a member of the Ohio State Bar Association, where he serves on the Council of Delegates, the Estate Planning, Trust and Probate Law Section, and the Lawyers Assistance Committee. He is also a member of the American Bar Association, Florida Bar Association, the Columbus Bar Association, Franklin County Trial Lawyers Association, Central Ohio Association of Criminal Defense Lawyers, the Ohio State Bar Foundation, and the Columbus Bar Foundation.

## **Brian Davis**

Brian earned his Master of Social Work degree from The Ohio State University and holds a Substance Abuse Professional (SAP) credential. He is the Executive Director and co-founder of Directions Counseling Group, founder of New Directions Substance and Behavioral Services, and has 20 years of clinical experience. Brian specializes in the assessment and treatment of substance use disorders, men's issues, and works with teens and young adults. Brian provides alcohol and drug assessments (in-person & online at ndsbs.com) and treatment for a variety of situations including: DUI/substance related legal charges, abuse of painkillers, workplace substance problems (DOT/SAP), and school/college substance use incidents. He also evaluates first class commercial pilots in need of an FAA compliant substance abuse evaluation and regularly speaks at local and national HIMS conferences for aviation professionals, seminars for attorneys, and provides presentations for local corporations seeking substance abuse information for the workplace. Brian also enjoys counseling men in the areas of work stress, parenting and sexual problems, and helping teens and young adults with the difficult aspects of the transition to adulthood.

## **Scott Drexel**

Scott is the new Disciplinary Counsel for The Ohio Supreme Court appointed by the Board of Commissioners on Grievances & Discipline. As one of the three affiliated disciplinary offices, the Office of Disciplinary Counsel investigates and prosecutes allegations of misconduct against lawyers and judges throughout the state before the Board of Commissioners on Grievances & Discipline. The third entity is the Clients' Security Fund, which provides assistance to clients who have been financially harmed by the dishonest conduct of a licensed Ohio attorney. Under Rule V(3)(B)(1) of the Rules for the Government of the Bar, the Board of Commissioners on Grievances & Discipline appoints the head of the Office of Disciplinary Counsel subject to the approval of the Ohio Supreme Court. Scott has "dedicated almost my entire 37-year legal career to the regulation of the practice of law and to issues of legal ethics and professional responsibility.

## **Brooke Burns**

Brooke is an Assistant State Public Defender in the Juvenile Division of the Office of the Ohio Public Defender where she specializes in post-disposition advocacy, representing juveniles in appeals, post-conviction actions, and in release and re-entry proceedings. A significant portion of Brooke's work focuses on representing juveniles who are charged with sexually oriented offenses and challenging Ohio's juvenile sex offender registration and notification statutes to them. Brooke is a member of a national working group dedicated to reform in the area of juvenile sex offender registration and trains defense attorneys at the state and national level on issues related to juvenile justice and she is an adjunct professor at Capital University Law School.

## **Jeff Liston**

Jeff is a past president of the Ohio Association of Criminal Defense Lawyers. He received his Law Degree from Case Western Reserve University Law School. He is admitted to practice law in the U.S. District Southern District of Ohio and the U.S. Supreme Court. In addition to speaking at numerous Juvenile Justice seminars, Jeff serves on the Ohio Public Defender Commission, the Governor's Task Force on the Investigation and Prosecution of Child Abuse, and the National Juvenile Defender Center. Jeff is Co-Author of Justice Cut Short: An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings in Ohio.

## **Carrie Wood**

Carrie is currently an Assistant Public Defender in the Appeals and Post-Conviction section of the Office of the Ohio Public Defender. Carrie joined the Ohio Public Defender after working at the Ohio Innocence Project as a full-time staff attorney from 2010 to 2013. During her three years at the Ohio Innocence Project, Carrie evaluated and litigated cases involving DNA evidence, arson, gunshot residue, bite mark evidence, and more, all of which are addressed by the 2009 National Academy of Sciences Report: Strengthening Forensic Science in the United States: A Path Forward. Carrie is a member of the Complex DNA Working Group of the Innocence Network. Carrie completed her undergraduate studies at Cornell University, where she majored in Engineering and received her law degree from the University of Cincinnati College of Law. After law school, she worked in the Criminal Defense Practice of the Legal Aid Society in New York City in the Bronx trial office from 2005-2010, representing indigent defendants at the trial level.

## **Bernard Davis**

Bernie is a graduate of Miami University, and received his law degree from the Ohio State University College of Law. He was admitted to the bar in 1972. His practice is limited to criminal trial work. He has tried hundreds of criminal cases. Bernie has been a presenter at many seminars. The case he will be discussing at this OACDL seminar is State v. Pratt. The jury found Ms. Pratt not guilty on charges of murder, endangering children, felonious assault and involuntary manslaughter in this shaken baby case.



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Conduct with Substance Abuse  
FRIDAY, DECEMBER 11, 2015

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Dublin, OH 43017  
614-764-6000  
www.oclc.org/conferencecenter

# REGISTRATION FORM

Name \_\_\_\_\_

Name for Badge \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

# PAYMENT

## Seminar Cost:

☐ \$190 OACDL MEMBER

☐ \$215 WALK-IN RATE

☐ \$210 NON-MEMBER

☐ \$235 WALK-IN RATE

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. Phone registrations are not accepted.

Charge my ☐ Visa ☐ MasterCard ☐ Discover in the amount of \$ \_\_\_\_\_

Card # \_\_\_\_\_

Expiration Date \_\_\_\_\_ 3 Digit Security Code \_\_\_\_\_

Signature \_\_\_\_\_

(Cancellation must be received by the OACDL by 5:00 p.m. on Tuesday, December 8 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 are 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, 2015 – June 30, 2016) 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 December 2, 2015. All applications are on a first come first serve basis.

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 30 people to apply. You will receive notification via email if your registration is one of the first 30.