

2720 Airport Drive, Suite 100 Columbus, OH 43219

DEATH PENALTY SEMINAR NOVEMBER 16-18, 2011



Presents..

ANNUAL DEATH PENALTY SEMINAR

The seminar BY Defense Attorneys FOR Defense Attorneys

NOVEMBER 16-18, 2011

13.25 CLE HOURS

Due to the nature of this seminar,
Prosecuting Attorney's are not permitted to attend.

www.oacdl.org

The Westin Hotel 310 South High Street Columbus, OH 43215

DIRECTIONS TO THE THE WESTIN HOTEL

From the South:

Take I-71 North. Just before reaching the downtown area, exit I-70 East. Take the first exit, which is Front/High Street. Go straight to High Street and turn left. The Westin is approximately 3 blocks on your right. Parking entrance is on Main Street.

From the North:

Take I-71 South to I-670 West. Take 670 – Dayton/Airport exit, veer to right, merging with traffic in your left two lanes. Follow directions to Third Street. Take the Third Street exit and go 11 blocks to Mound Street and turn right on Mound. Go one block to High Street and turn right. The Westin is at the corner of High and Main Streets. Parking lot entrance is on Main Street.

From the West:

Take I-70 East to the Front/High Street exit. Go straight off the exit to High Street and turn left. Approximately 3 blocks you will see the Westin on your right at Main Street. Parking lot entrance is on Main Street.

From the East:

Take I-70 West to the Fourth Street exit. Stay in the middle lane. Proceed straight through the first light. Approximately 3 blocks turn right on to High Street. The Westin is at the corner of High and Main Streets. Parking lot entrance is on Main Street.

Westin Great Southern Hotel

310 South High Street Columbus, OH 43215 614.228.3800 www.westincolumbus.com

AGENDA

Wednesday, November 16, 2011

7:00 – 8:00 p.m. Overture: Capital Litigation in Ohio

What You Are Up Against, What Can Happen, and What To

Do About It

David Stebbins, Columbus John Parker, Cleveland

Thursday, November 17, 2011

8:00 – 8:30 a.m. Registration and Welcome

8:30 – 9:00 a.m. Recent Death Penalty Developments; Ohio Supreme

(APP) Court Update

David Stebbins, Columbus

9:00 – 9:30 a.m. Challenging How the State Kills Our Clients:

(APP) The Lethal Injection Wars

Allen Bohnert, Federal Public Defender's Office,

Capital Habeas Unit, Columbus

9:30 – 10:15 a.m. WINNING CASES – 2010-2011 Legal Developments

(APP) in the Last 12 Months

Supreme Court

Margery Koosed, University of Akron School of Law

10:15 – 10:30 a.m. Break

10:30 – 11:00 a.m. WINNING CASES – 2010-2011: Legal Developments in the

(APP) Last 12 Months Sixth Circuit

Sixui Circuit

Larry Komp, Manchester, MO

11:00 – 12:00 noon Crawford v. Washington; Melendez-Diaz:

Testimonial vs. Non-testimonial

Statements and Reports *Russ Bensing, Cleveland*

12:00 – 1:00 p.m. Lunch (provided)

UPCOMING SEMINARS

December 16, 2011 Sentencing: New Statues, New Cases & New Approaches, including

Substance Abuse, Ethics and Professionalism, Columbus

January 16, 2012 Current Issues in Criminal Law, Cincinnati

March 8-9, 2012 Advanced OVI Seminar, Columbus



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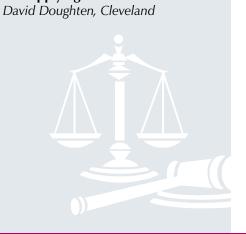
AGENDA

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GENERAL TRACK:	
1:00 – 1:45 p.m.	Legal, Financial and Other Assistance and Information from the Office of the Ohio Public Defender Tim Young, Ohio Public Defender, Columbus
1:45 – 2:45 p.m.	Litigating Daubert Challenges Paul Gianelli, Case Western Reserve University School of Law, Cleveland
2:45 – 3:00 p.m.	Break
3:00 – 4:00 p.m.	Systemic Voir Dire in Capital Cases Gerald G. Simmons, Columbus
APPELLATE TRACK:	
1:00 – 1:45 p.m.	Capital Appeals: New Approaches in Light of Pinholster and Richter Larry Komp, Manchester, MO
1:45 – 2:45 p.m.	State Post-Conviction Litigation in Light of Pinholster and Richter Kim Rigby, Office of the Ohio Public Defender, Columbus Rachel Troutman, Office of the Ohio Public Defender, Columbus
2:45 – 3:00 p.m.	Break
3:00 – 4:00 p.m.	Habeas – Ideas on Addressing Pinholster and Richter Randall Porter, Office of the Ohio Public Defender, Columbus Melissa Jackson, Capital Habeas Unit, Office of the Fed. Public Defender, Columbus
4:00 – 4:30 p.m.	Clemency; Last Minute Litigation; the Execution Process Erin Gallagher Barnhart, Capital Habeas Unit, Office of the Fed. P.D., Columbus, Robert Barnhart, Office of the

Ohio Public Defender, Columbus

Friday, November 18, 2011		
8:00 – 8:30 a.m.	Registration	
8:30 – 9:30 a.m.	Challenging Eyewitness Identification William R. Gallagher, Cincinnati	
9:30 – 10:30 a.m.	The Psychologist as Story Teller: Presenting Your Client's Life Story Sharon Pearson, Ph.D., Columbus Michael Benza, Case Western Reserve School of Law, Cleveland	
10:30 – 10:45 a.m.	Break	
10:45 – 12:00 noon	Why We Do What We Do? The Long and Winding Road to Freedom of Joe D'Ambrosio Jeffry R. Kelleher, Cleveland Joe D'Ambrosio, Cleveland	
12:00 – 1:00 p.m.	Lunch (provided)	
1:00 – 2:00 p.m.	The Anatomy of a Death Penalty Trial: Finding Mitigation Specialists and Litigating for Adequate Funding John Parker, Cleveland Rebecca Ohler, New Orleans, LA	
2:00 – 3:00 p.m.	Identifying and Addressing Problems in Ohio's Death Sentencing Laws Douglas A. Berman, Ohio State University, Moritz College of Law	

Break



What does It All Mean: The Rules and Applying Them to Your Trial

3:00 - 3:15 p.m.

3:15 – 4:15 p.m.



OACDL 2720 Airport Drive, Suite 100 Columbus, OH 43219 800.443.2626/fax 740.654.6097 www.oacdl.org The Westin Hotel 310 South High Street Columbus, OH 43215 614.228.3800 www.westincolumbus.com

REGISTRATION FORM

Na	ame	
Na	nme for Badge	
Ad	ldress	
Cit	ty	State Zip
Ph	one	Email
	Seminar Cost:	□ \$325.00 OACDL Member □ \$350.00 Walk-in Rate
		□ \$375.00 OACDL Non-Member □ \$400.00 Walk-in Rate
	Attending Wed	nesday evening session? ☐ Yes, I will ☐ No, I won't Attending Habeas section? ☐ Yes, I will ☐ No, I won't
		at www.oacdl.org and click on Seminars (to pay with credit card); or complete this registration form and mail either check made payable to OACDL or credit card information below. No telephone registrations accepted.
	Charge my □ V	isa □ MasterCard □ Discover in the amount of \$
	Card #	
	Expiration Date	3 Digit Security Code
	Signature	

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, 2011 – June 30, 2012) 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. 4, 2011. Space is limited to the first 50 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 50 people to apply. You will receive notification via email if your registration is one of the first 50.