



KENTUCKY DEPARTMENT OF PUBLIC ADVOCACY'S
KENTUCKY PUBLIC DEFENDER COLLEGE PRESENTS



40TH ANNUAL PUBLIC DEFENDER EDUCATION CONFERENCE

JUNE 17-19, 2013
THE SEELBACH HILTON LOUISVILLE



50th Anniversary:
Gideon v. Wainwright
40th Anniversary: DPA



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CLE FOR KENTUCKY

SPONSOR:	KY DEPT. OF PUBLIC ADVOCACY
ACTIVITY TITLE:	40 th ANNUAL KY PUBLIC DEFENDER CONFERENCE
LOCATION:	LOUISVILLE, KY
DATE:	06/17/2013
ACTIVITY #:	139222
TOTAL CLE CREDITS:	10.25
ETHICS:	UP TO 6.5 HOURS

Ethics credits are INCLUDED in the TOTAL number of credits

DPA EMPLOYEES: CLE Hours for those that Attended KBA

You fill out two CLE forms: one for DPA (Mon through Wed) and one at KBA (Wed).

GENERAL CONFERENCE INFORMATION

SMOKING POLICY: The Seelbach Marriott is a non-smoking hotel. There are smoking locations outside the building.

FAMILY: If you are bringing your family, they are welcome to drop in on any or all of the Conference programs if they're interested. If you have small children who would disrupt any of the learning, we ask that you not bring them to any Conference program.

EVALUATIONS: Please evaluate each session you attend. You can do the evaluations on your computer/pad/smartphone at tinyurl.com/dpa-eval (see info box on page 6). Hardcopy evaluation forms will be also available if requested. We need your evaluative thoughts.

SOCIAL GATHERINGS: A Public Service Recognition Lunch will be Tuesday at Noon, in the Seelbach Medallion Rooms. During lunch will be presentations of *Professionalism and Excellence*, *In Re Gault*, *Rosa Parks*, *Furman*, *Anthony Lewis Media*, *Gideon*, *National Innocence Project*, and the *Public Advocate* recognitions; with remarks by **W. Douglas Myers**, KBA President, and the keynote address by **Amy Bach**, author of *Ordinary Injustice*. Your family is welcome. If your family would like to eat this meal, please pay at the DPA Registration Desk.

CLE CREDITS: There are a total of 10.25 KBA CLE credits available, including up to 6.5 hours of KBA CLE Ethics credits offered throughout the Conference to choose from. You can receive your CLE form or an Investigator form at the CLE table. Please fill out the form and return to the CLE table before the close of the Conference. You need to know your Bar Number. If you do not know your number, ask at the DPA Registration Desk and they can give it to you. There will also be out-of-state CLE information available at the Registration Desk for Tennessee, Indiana, and Ohio. If you need credit from another state, you will need to mail your program and the KBA letter to that state. The KBA letter is at the CLE table. All CLE forms are due to Lisa Blevins 25 days after the conference. If your CLE form is not given to KBA by July 30, the only way they will accept it is if it is accompanied by \$10.00. Conference attendees are responsible for that \$10.00. See SCR 3.665(5)(e).

KBA CONVENTION: Please note: You will pick up your KBA name badge on Wednesday morning at DPA'S Reistration Table, 8am-11am. Wednesday, June 19, the 350 DPA Attorneys registered for KBA will be able to attend KBA's conference from at 10:50 a.m. through 5:00 p.m. KBA's convention is held at the Galt House, located at 140 North Fourth St. This will enable you to receive your yearly required amount of CLEs. DPA is paying KBA to enable those DPA attorneys to attend their conference.

Distance Learning: If you need extra CLEs, DPA is offering Distance Learning through June 30, 2013. See our website.



40TH ANNUAL KENTUCKY PUBLIC DEFENDER EDUCATION CONFERENCE
Seelbach Hotel, Louisville, Kentucky
June 17-19, 2013

Monday, June 17, 2013

10:00 a.m. - 1:00 p.m.

CONFERENCE REGISTRATION (Registration is located in the Medallion Foyer)

ANNUAL '12	Medallion A Rounds 160	Medallion B Rounds 160	Medallion C Rounds 160	Medallion D Rounds 160	Mezzanine A/B Special set up	Mezzanine C/D Classrm 75	Walnut Room Theatre 50	Green Room (2 nd Floor) Theatre 50	Medallion E/F Theatre 35
1:00 – 1:45 p.m. CLE .75	Opening – The History and Future of the Right to Counsel: The Public Value of Indigent Defense Jeff Adachi Ed Monahan								
15 minute break									
2:00 – 3:00 p.m. CLE 1.0	Tying it All Together: How To Give An Effective Closing Argument Dehlia Umunna	Bayonets In The Trenches: Exposing and Combatting Prosecutorial Misconduct Leo Smith Jay Lambert	Raising Federal Claims Tim Arnold Angela Elleman	Resources for Conflict Attorneys Scott West Glenda Edwards	People in Crisis: An Interactive Program: Understanding Poverty	Evidence Susan Balliet Euva May David Neihaus Teresa Whitaker	Westlaw Next Susan Reale	CLEAR Roger Madore	Vicarious Trauma for Social Workers Lori James-Townes
15 minute break									
3:15 – 4:15 p.m. CLE 1.0	Checklists Ethics Jeff Adachi	Negotiation Principles for Systemic Change Ray Ibarra Ashley Graham	Post Trials Consequences of Winning Ethics Tim Arnold Cicely Lambert	Representing co-defendants Ethics Jay Barrett Mike Lemke	Peter Anderson Gina Pruski	Fundamentals-Death Penalty Representation in Kentucky Ernie Lewis	Westlaw Next Susan Reale		Ethical Dilemmas for Social Workers Ethics Lori James-Townes Glenda Edwards Robert Walker
15 minute break									
4:30 – 5:30 p.m. CLE 1.0	New Pretrial Release System B. Scott West Mark Heyerly Charlotte McPherson Public Defenders Only	Daubert Challenges To Pattern & Impression Forensic Science Evidence Chris Fabricant	Legislative Update Damon Preston	Kentucky Case Law Review John Landon Bruce Hockett Jason Hart		Evidence Susan Balliet Euva May David Neihaus Rodney Barnes	Transcending Race, Class and Culture on Capital Defense Teams: Watani Tyehimba	New Developments in Juvenile Law Practice Pete Schuler	

Tuesday, June 18, 2013 BUFFET BREAKFAST in Medallion Ballroom

ANNUAL '13	Medallion A Rounds 160	Medallion B Rounds 160	Medallion C Rounds 160	Medallion D Rounds 160	Mezzanine A/B Classroom 200	Mezzanine C/D Classrm 75	Walnut Room Theatre 50	Green Room (2 nd Floor) Classroom 48	Medallion E/F Theatre 35	Rose Room (2 nd Floor)
9:00 -10:15 a.m. CLE 1.25	Risk Assessments for Sentencing: LS/GWI Glenn McClister Damon Preston	Tools Used in Making Parole Board Decisions Shannon Jones	Theory Formulation and The Role of Scenarios and Timelines Robert Walker	Beyond DNA Basics: Current Issues in DNA Cases Andrea Kendall Shanin Lohdi	Life on the Streets: Cross of the Lead Homicide Detective Dehlia Umunna	Guilty Pleas, Ineffective Assistance and Post-Conviction 1.25 Ethics Glenda Edwards Melanie Foote Amy Staples	Principled Negotiation: What it is and why it works Peter Anderson Gina Pruski	Westlaw Next Susan Reale	Telling the Client's Story SWS Lori James-Townes	10 am - Noon Commission Meeting
15 minute break										
10:30 – 11:30 a.m. CLE 1.00		Forensic Firearms Evidence Watani Tyehimba	Communicating with Clients and Third Parties Angela Rea Krsna Tibbs		The New DSM-5 Eric Drogin Stephanie McKeenan	Evidence Susan Balliet Euva May David Nelhaus Teresa Whitaker	Immigration Dan Kesselbrenner Kate Benward		Hot Issues in Capital Mitigation Lori James-Townes	
30 minute break	<i>Medallion Ballroom</i>									
12:00 - 2:00	Recognition Banquet									
15 minute break										
2:15 – 3:15 p.m. CLE 1.00		Recent Developments in Ethics 1.0 Ethics B. Scott West	Safety in the Field Watani Tyehimba		U.S Supreme Court Review Allison Connelly	"Objection Your Honor" – now what do I say? (and do?) Patti Echsner Amy Hannah	Field Sobriety Tests Nathan Miller	School to Prison Pipeline Rebecca DiLoreto Amy Swann Londa Adkins	Stand Your Ground Greg Coulson Susan Ballet	202 A Roundtable and Brainstorming Facilitated by Robert Friedman
3:30– 4:15 p.m. CLE .75	Identification of High Functioning Impairment .75Ethics Justice Bill Cunningham Yvette Hourigan (KYLAP)									
4:30 – 5:30 p.m. CLE 1.0	Vicarious Trauma – Taking Care of Yourself Lori James-Townes	Lawyers and Depression James D. Clines	Addiction as Disease Jerod Thomas		Lawyers, Stress and Anger Karen E. Sheets-Mobley	Recognizing The Risks Of Suicide Among Lawyers 1.0 Ethics Yvette Hourigan	Humana Vitality Craig Vaughn			

Wednesday, June 19, 2013 CONTINENTAL BREAKFAST In Medallion Ballroom

ANNUAL '13		Medallion Ballroom Rounds 640	
8:30 a.m. – 10:00 a.m.	Ordinary Injustice Amy Bach Ed Monahan		
CLE 1.5	Collateral Consequences in Kentucky .5 Ethics Glenn McClister Michaela Beloiu		
10:30 a.m – 5:00 p.m.	DPA ATTORNEYS ATTEND KBA AT THE GALT HOUSE		

To determine your KBA CLE credits, divide the number of minutes of programs you attend which qualify for CLE credits by 60 minutes.

Information for the KBA CLE:

Sponsor: KY Dept. of Public Advocacy
Activity: 40th Annual Public Defender Conference
Location: Louisville, KY
Date: 06/17/2013
Activity Number: 139222
Total Credits: 10.25 Hours

Ethics Credits: up to 6.50 Hours

(Ethics credits are INCLUDED in the TOTAL number of credits.)

ETHICS SESSIONS

MONDAY, JUNE 17, 2013

3:15 - 4:15 PM	Checklists
Medallion A	Jeff Adachi, Public Defender, City and County of San Francisco
CLE: 1.00 CLE: 1.00 Ethics	Objectives: <i>See Presentation Summary Section</i>

TUESDAY, JUNE 18, 2013

3:15 - 4:15 PM	Post-Trials Consequence of Winning
Medallion C	Tim Arnold, Post Trial Division Director Cicely Lambert, Assistant Appellate Defender, Louisville-Metro Public Defender's Office
CLE: 1.00 CLE: 1.00 Ethics	Objectives: <i>See Presentation Summary Section</i>

3:15 - 4:15 PM	Representing Co-Defendants
Medallion D	Jay Barrett, Directing Attorney, Morehead Mike Lemke, Chief of the Capital Trial Division, Louisville-Metro Public Defender's Office
CLE: 1.00 CLE 1.00 Ethics	Objectives: <i>See Presentation Summary Section</i>

3:15 - 4:15 PM	Ethical Dilemmas for Social Workers
Medallion E/F	Lori James-Townes, Chief of Social Work Services, Maryland Office of Public Defenders Glenda Edwards, Trial Division Director Robert Walker, M.S.W., L.C.S.W., UK Center on Drug and Alcohol Research
CLE: 1.00 CLE: 1:00 Ethics	Objectives: <i>See Presentation Summary Section</i>

9:00 - 10:15 AM	Guilty Pleas, Ineffective Assistance of Post Conviction
Mezzanine C/D	Glenda Edwards, Trial Division Director Melanie Foote Hollingsworth, Attorney, Elizabethtown Office Amy Staples, Post-Conviction Branch Manager
CLE: 1.25 CLE: 1.25 Ethics	Objectives: <i>See Presentation Summary Section</i>

2:13 - 3:15 PM	Recent Developments in Ethics
Medallion B	B. Scott West, General Counsel
CLE: 1.00 CLE: 1.00 Ethics	Objectives: <i>See Presentation Summary Section</i>

3:30 - 4:15 PM	Identification of High Functioning Impairment
Medallion	Justice William Cunningham, Kentucky Supreme Court Yvette Hourigan, Director, Kentucky Lawyer's Assistance Program
CLE: .75 CLE: .75 Ethics	Objectives: <i>See Presentation Summary Section</i>

4:30 - 5:30 PM	Recognizing the Risks of Suicide Among Lawyers
Mezzanine C/D	Yvette Hourigan, Director, Kentucky Lawyer's Assistance Program
CLE: 1.00 CLE: 1:00 Ethics	Objectives: <i>See Presentation Summary Sectio</i>

WEDNESDAY, JUNE 19, 2013

8:30 - 10:00 AM	Ordinary Injustice/Collateral Consequences in Kentucky
Medallion	Amy Bach , President and Executive Director, Measures for Justice Ed Monahan , Public Advocate Glenn McClister , Attorney, Education Branch (Collateral Consequences in Kentucky) Mihaela Beloiu , Shepherdsville Trial Office (Collateral Consequences in Kentucky)
CLE: 1.5 CLE: .5 Ethics	Objectives: See Presentation Summary Section

RECOMMENDATIONS BY JOB TYPE AND TOPIC AREAS

These are *not* mandatory tracks but just a listing of sessions that will be relevant to your work.

INVESTIGATOR

- CLEAR
- Transcending Race, Class and Culture on Capital Defense Teams
- Beyond DNA Basics: Current Issues in DNA Cases
- Theory Formulation and the Role of Scenarios and Timelines
- Life on the Streets: Cross of the Lead Homicide Detective
- Forensic Firearms Evidence
- Safety in the Field
- Daubert Challenges To Pattern & Impression Forensic Science Evidence

SOCIAL WORKER

- Vicarious Trauma for Social Workers
- Ethical Dilemmas for Social Workers
- Telling the Client's Story for Social Workers
- The New DSM-5
- Safety in the Field

JUVENILE

- New Developments in Juvenile Law Practice
- The New DSM-5
- Advocates for DPA Clients under 18: The Front Line Challengers; Committed to Blowing up the School to Prison Pipeline and Breaking Our Addiction for Incarceration

CAPITAL

- Fundamentals of Death Penalty Representation in Kentucky
- Transcending Race, Class and Culture on Capital Defense Teams
- Hot Issues in Capital Mitigation
- The New DSM-5

APPEALS AND POST CONVICTION

- Raising Federal Claims
- Post Trials - Consequences of Winning
- Tools Used in Making Parole Board Decisions

FORENSICS

- Forensic Firearms Evidence
- Daubert Challenges To Pattern & Impression Forensic Science Evidence
- Beyond DNA Basics: Current Issues in DNA Cases

IMMIGRATION AND COLLATERAL CONSEQUENCES

- Immigration
- Collateral Consequences in Kentucky

EVALUATIONS!

You can now evaluate all your sessions online. Go to the following and complete the evaluation for each session you attend. It works on your computer, pad, or smartphone.

tinyurl.com/dpa-eval

(We still have paper forms available if requested)

PRESENTATION SUMMARY

Following is a listing of our presentations including Learning Objectives for each session.

MONDAY, JUNE 17, 2013

1:00 - 1:45 PM	Opening - The History and Future of the Right to Counsel: The Public Value of Indigent Defense
Medallion	Jeff Adachi , Public Defender, City and County of San Francisco Ed Monahan , Public Advocate
CLE: .75	Objectives: This year marks both the 50th anniversary of the landmark <i>Gideon v. Wainwright</i> and the 40th anniversary of Kentucky's Department of Public Advocacy. Public defenders provide important public value to society. Public defenders insure that the rights guaranteed by our Constitution are protected and insure that no one's liberty is taken unless and until they are proven guilty. Public defenders lower costly incarceration rates by advocating for pretrial release and alternate or reduced sentences. Public defenders prevent overcharging and wrongful convictions. In this session, Jeff Adachi explores the progress made toward implementing the promise of the <i>Gideon</i> decision and the challenges facing us today and in the future.
2:00 - 3:00 PM	Tying It All Together: How to Give an Effective Closing Argument
Medallion A	Dehlia Umunna , Deputy Director of Harvard Law School's Criminal Justice Institute, Boston, MA
CLE: 1.00	Objectives: A discussion on how to effectively prepare and present a persuasive closing argument. Presentation includes a discussion on the purpose of closing, organization, arguing the law (BRD), arguing the facts, structure, use of exhibits, etc. The presentation concludes with a demonstration of an actual closing.
2:00 - 3:00 PM	Bayonets in the Trenches: Exposing and Combatting Prosecutorial Misconduct
Medallion B	Leo Smith , Deputy Chief Public Defender, Louisville-Metro Public Defender's Office Jay Lambert , Director of Training and Performance Evaluation, Louisville-Metro Public Defender's Office
CLE: 1.00	Objectives: A review of caselaw, relevant standards and tactical tips on meeting the legal and factual challenges posed to defense counsel by prosecutorial misconduct. The session will include discussion of effective avenues for recognizing and ferreting out misconduct, the applicable judicial standards necessary for a finding of misconduct, typical scenarios for when and how it arises and discussion of appropriate remedies available to defense counsel.
2:00 - 3:00 PM	Raising Federal Claims
Medallion C	Tim Arnold , Post Trial Division Director Angela Elleman , Louisville-Metro Public Defender's Office
CLE: 1.00	Objectives: <ol style="list-style-type: none"> 1. The importance of raising federal issues both in trial and on appeal or in post-conviction; 2. How to ensure that your federal issue is properly preserved for review on appeal; 3. How to ensure that a preserved (or even unpreserved) federal claim can be considered properly exhausted in state court, to enable litigation in federal court; and 4. Cases and authority to cite when litigating common federal claims

2:00 - 3:00 PM	Resources for Conflict Attorneys
Medallion D	Scott West , General Counsel Glenda Edwards , Trial Division Director
CLE: 1.00	Objectives: Conflict Attorneys attending this session will learn how to maximize use of the KRS 31.185 "special account" for necessary expenses directly related to representing indigents, and, learn about insurance coverages available when facing a suit by an indigent client alleging professional liability. The new conflict contracts will also be discussed. This will be followed by a Q&A session where the Trial Division Director and General Counsel will attempt to answer any and all questions about representing indigents.

2:00 - 5:30 PM	People in Crisis: An Interactive Program - Understanding Poverty
Mezzanine A/B	Peter Anderson , Training and Development, Wisconsin State Public Defender's Office Gina Pruski , Training Director, Wisconsin State Public Defender's Office
CLE: 3.00	Objectives: <ol style="list-style-type: none"> 1. Appreciate how it might feel to live with limited resources. 2. Increase empathy towards those living in poverty. 3. Understand the choices people living in poverty sometimes make. 4. Consider ways to help other players in the criminal justice system understand the choices people living in poverty sometimes make.

2:00 - 3:00 PM	Evidence
Mezzanine C/D	Susan Balliet , Attorney, Appeals Branch Euva May , Attorney, LaGrange Post-Conviction David Neihaus , Deputy Appellate Defender, Louisville-Metro Public Defender's Office Teresa Whitaker , Bluegrass Regional Manager
CLE: 1.00	Objectives: Introduction to the 2013 DPA Evidence Manual, including: new developments in Kentucky evidence law over the past five years, including developments in penalty phase evidence, relevance in severed handgun proceedings, confessions, witness competency, new cases on habit evidence, new case allowing cross-examining witnesses on facts underlying misdemeanor convictions, the new sniffer dog qualification rule, how really to preserve an evidence objection, and the lowdown on what evidence rules apply on retrials.

2:00 - 3:00 PM	Westlaw Next
Walnut Room	Susan Reale , Attorney, Westlaw Government Account Manager, West, Thomson Reuters
CLE: 1.00	Objectives: Attendees will learn how to use WestlawNext to do legal research, find legal documents and update their documents through KeyCite. They will also learn how to copy text from WestlawNext with the proper Kentucky citation format. Finally, they will learn how to annotate documents as well as save these documents in permanent WestlawNext Research Folders.

2:00 - 4:15 PM	Clear
Green Room (2nd Floor)	Roger Madore , Senior Consultant, Client Education, Fraud Prevention & Investigations, Thomson Reuters
CLE: 2.00	Objectives: Need an effective way to investigate a party of interest? CLEARSM is the next generation research tool that can help. With a robust collection of both public and proprietary records, CLEAR makes investigations easier by giving you: <ol style="list-style-type: none"> 1. A thorough source of public and proprietary records, with real-time data to bring you the most current information 2. Graphical connections between people, addresses, and phone numbers to help verify identity 3. Integrated Web searching, including social network sites, providing information not found in public records 4. Customized reports to create and save for later use or share with necessary parties 5. You can start your search with any information you have available, such as an individual or business name, SSN, or tax ID, and get reliable results quickly.

2:00 - 3:00 PM	Vicarious Trauma for Social Workers
Medallion E/F	Lori James-Townes , Chief of Social Work Services, Maryland Office of Public Defenders
CLE: 1.00	<p>Objectives:</p> <ol style="list-style-type: none"> 1. Learn how to protect your emotional stability 2. Learn how to stay emotionally, physically and intellectually healthy 3. Review the balance and self-care or lack thereof 4. Recognize vicarious trauma and what it is 5. Discover what your strengths are 6. Understand the Pillars of Balance Exercise 7. Understand ways to promote pillars of balance 8. Examine Personal Balance and Self Care 9. Understand why it is unethical not to address self-care and vicarious trauma in your staff

3:15 - 4:15 PM	Checklists
Medallion A	Jeff Adachi , Public Defender, City and County of San Francisco
CLE: 1.00 CLE: 1.00 Ethics	<p>Objectives: Knowledge is power, or so they say. But it is also, increasingly, a source of complexity and overload. The irony is that the more information we have at our disposal, the more likely it becomes that we will overlook the obvious and forget the routine. Very often, the mistakes we make are not mistakes of ignorance (made because we don't know enough) but mistakes of ineptitude (made because we do not make proper use of what we already know). In some occupations, this can be a matter of life or death. The alarmingly simple answer to this problem is a well-devised checklist. Airline pilots use them, so do surgeons, and construction engineers. San Francisco Public Defender Jeff Adachi talks about how using high level checklists can help you win your cases. Applying concepts from Dr. Atul Gawande's best-selling book "The Checklist Manifesto" Adachi shows how defenders can to use checklists to improve the quality of representation and case outcomes. Adachi also provides a hand-out booklet of over thirty checklists, covering a variety of topics, and discusses how defenders can set up a checklist project in their office to improve case outcomes. The use of checklists can help to meet ethical obligations such as the duty to be diligent and competent, as well as the obligations we have to others in the profession and in the public, beyond our own clients themselves. During this session, we will look to the ethics rules and performance guidelines in the design of checklists relevant to the participants.</p>

3:15 - 4:15 PM	Negotiations Principles for Systemic Change
Medallion B	Ray Ibarra , Covington Trial Office Ashley Graham , Covington Trial Office
CLE: 1.00	<p>Objectives:</p> <ol style="list-style-type: none"> 1. Label and describe each of the phases in any negotiation and apply those labels to your own negotiation practice. 2. Improve your preparation for negotiation and negotiation results by focusing on a principled basis for negotiation, client objectives, and information control. 3. Identify opportunities to negotiate favorable courtroom procedures with judges and prosecutors in the areas of plea negotiations, pre-trial release, and appointment of counsel. 4. Spot prosecution attempts to avoid a fair negotiation and leverage this knowledge to coerce fairer prosecution practices.

3:15 - 4:15 PM	Post-Trials Consequence of Winning
Medallion C	Tim Arnold , Post Trial Division Director Cicely Lambert , Assistant Appellate Defender, Louisville-Metro Public Defender's Office
CLE: 1.00 CLE: 1.00 Ethics	Objectives: This ethics session is intended particularly for Post-Trials attorneys, both on direct appeal and in post-conviction. In this session, we will focus on the attorneys role as an advisor under Rule 2.1 in rendering candid advice "not only to law but to other considerations such as moral, economic, social and political factors" as well as the duty of communication under Rule 1.4 to keep the client informed and communicate proffered offers. Participants will learn: 1. What issues do not carry a risk of retrial; 2. What can happen in a retrial which might be worse result for your client then what they got after the original trial; 3. How to evaluate an issue on appeal to determine whether the benefits of prevailing on the issue outweigh the risks of a retrial; 4. When a change of circumstances on retrial might result in a finding of vindictive prosecution; and 5. What kind of advice is required under the Kentucky Rules of Professional Responsibility prior to permitting a client to forgo a valid claim for relief on appeal or in post-conviction.

3:15 - 4:15 PM	Representing Co-Defendants
Medallion D	Jay Barrett , Directing Attorney, Morehead Mike Lemke , Chief of the Capital Trial Division, Louisville-Metro Public Defender's Office
CLE: 1.00 CLE 1.00 Ethics	Objectives: Representing co-defendants can take many forms and present serious ethical challenges. What kind of waivers of multiple representation are adequate to ensure ethical representation? When is a conflict so far clear that representing co-defendants simultaneously is prohibited? When, if ever, can multiple co-defendants be represented by different attorneys in the same office? What part of the defense attorney representation can be shared between multiple defense attorneys without endangering client confidentiality? What difference might it make if the theories of defense are compatible or not? When should defense requests for severance among co-defendants be made? This session will explore these and other questions from the perspective of the rules of professional conflict governing conflicts, Kentucky Ethics Opinions on conflict issues, and opinions of the United States Supreme Court, Sixth Circuit, and Kentucky Courts.

3:15 - 4:15 PM	Fundamentals - Death Penalty Representation in Kentucky
Mezzanine C/D	Ernie Lewis , Attorney, Frankfort, KY
CLE: 1.00	Objectives: This one hour session is directed at newer trial lawyers who are contemplating working on a capital case, or who are now handling a case as a second or third chair in a capital case. It will focus on fundamental concepts needed to be successful as a team member in a capital case. These concepts will include mitigation, the reasoned moral response, the ABA Guidelines, the process involved in a capital trial, the client, and many others. 1. To expose newer lawyers to the fundamentals of capital litigation. 2. To track the trial of a Kentucky case from the time of Gregg to today. 3. To familiarize newer lawyers with both the ABA Guidelines and the Kentucky Death Penalty Manual. 4. To ensure that newer lawyers understand the concept of mitigation and its importance to capital litigation. 5. To demonstrate to newer lawyers the complex process used in a capital trial.

3:15 - 4:15 PM	Westlaw Next
Walnut Room	Susan Reale , Attorney, Westlaw Government Account Manager, West, Thomson Reuters
CLE: 1.00	Objectives: Attendees will learn how to use WestlawNext to do legal research, find legal documents and update their documents through KeyCite. They will also learn how to copy text from WestlawNext with the proper Kentucky citation format. Finally, they will learn how to annotate documents as well as save these documents in permanent WestlawNext Research Folders.

3:15 - 4:15 PM	Ethical Dilemmas for Social Workers
Medallion E/F	Lori James-Townes , Chief of Social Work Services, Maryland Office of Public Defenders Glenda Edwards , Trial Division Director Robert Walker, M.S.W., L.C.S.W. , UK Center on Drug and Alcohol Research
CLE: 1.00 CLE: 1:00 Ethics	Objectives: Social workers have their own set of ethical rules and obligations. This is complicated when they work as part of a legal defense team because attorneys have a set of ethical obligations as well, some of which do not exactly correspond to those of social workers. This session will concentrate on those differences, addressing the ethical obligations of social workers to follow attorney ethics when part of a defense team, issues of client confidentiality and the duty to report incidents of abuse, and issues surrounding the unauthorized practice of law.

4:30 - 5:30 PM	New Pretrial Release System [PUBLIC DEFENDERS ONLY]
Medallion A	B. Scott West , General Counsel Mark Heyerly , AOC Pretrial Services Charlotte McPherson , Manager, AOC Pretrial Services
CLE: 1.00	Objectives: Limited to public defenders only (DPA, Louisville-Jefferson Public Defender Corp., anyone having a contract with either of these entities to handle public defender cases), this session will introduce the new risk assessment tool that will soon be used by AOC's Pretrial Services Division to make bail recommendations, and the new Kentucky Pretrial Release Manual, available now on-line and on disc.

4:30 - 5:30 PM	Daubert Challenges To Pattern & Impression Forensic Science Evidence
Medallion B	Chris Fabricant , Director, Strategic Litigation, Innocence Project, Inc, New York, NY
CLE: 1.00	Objectives: Litigation strategies for Daubert challenges to pattern & impression evidence, e.g., tool marks, tire treads, fingerprints; including expanding the relevant scientific community beyond the practitioners themselves, using statistics and probabilities to demonstrate the lack of a validated hypothesis in pattern/impression evidence disciplines, exposing foundational flaws in forensic science jurisprudence to argue against decades of established precedent and using fallback strategies to exclude or narrow the admissibility of such evidence.

4:30 - 5:30 PM	Legislative Update
Medallion C	Damon Preston , Deputy Public Advocate
CLE: 1.00	Objectives: No landmark legislation relating to Criminal Law resulted from the 2013 "short session" of the General Assembly, but significant bills were passed that criminal defense litigators will need to know as they advise their clients. In this session, participants will learn about legislation that passed, or did not pass, this year's session and possible challenges and strategies litigators will face in dealing with the new laws. We will also preview what legislation is likely to be proposed again next year.

4:30 - 5:30 PM	Kentucky Case Law Review
Medallion D	John Landon , Attorney, Lexington Trial Office Bruce Hackett , Chief Appellate Defender, Louisville-Metro Public Defender's Office Jason Apollo Hart , Attorney, Appeals Branch
CLE: 1.00	Objectives: The Kentucky Law Update teaches participants about the changes to Kentucky case law during the previous year. We examine several areas, with special emphasis to significant changes in the appellate court's stance on certain issues. This program will also touch on areas where the appellate courts have left open questions to be resolved by later litigation.

4:30 - 5:30 PM	Evidence
Mezzanine C/D	Susan Balliet , Attorney, Appeals Branch Euva May , Attorney, LaGrange Post-Conviction David Neihaus , Deputy Appellate Defender, Louisville-Metro Public Defender's Office Rodney Barnes , Northern Regional Manager
CLE: 1.00	Objectives: Introduction to the 2013 DPA Evidence Manual, including: new developments in Kentucky evidence law over the past five years, including developments in penalty phase evidence, relevance in severed handgun proceedings, confessions, witness competency, new cases on habit evidence, new case allowing cross-examining witnesses on facts underlying misdemeanor convictions, the new sniffer dog qualification rule, how really to preserve an evidence objection, and the lowdown on what evidence rules apply on retrials.

4:30 - 5:30 PM	Transcending Race, Class and Culture on Capital Defense Teams
Walnut Room	Watani Tyehimba , Tyehimba Services, Inc, Investigative & Protective Services, Decatur, GA
CLE: 1.00	Objectives: There is a set of academic and interpersonal skills needed to allow individuals to increase their understanding and appreciation of cultural differences and similarities within, among, and between groups. Cultural sensitivity can also be thought of as a process of learning that leads to an ability to effectively respond to the challenges and opportunities posed by the presence of social-cultural diversity in a defined social system. It helps people avoid stereotypes and biases and promotes a focus on the positive characteristics of diverse cultural groups. This session is designed to allow participants to express the ways in which they identify themselves in relation to their racial, ethnic, and/or cultural heritage. Session will allow participants to understand, appreciate and discuss the following: <ol style="list-style-type: none"> 1. How do stereotypes, bias, etc. enhance or hinder the relationships? 2. What are barriers to the effective communication? 3. What works? 4. What's universal to relationship and team building? 5. What communication tactics work? <ol style="list-style-type: none"> a. Paraphrasing b. Listening c. Acknowledging pain d. Acknowledging differences in our culture, race, background, hipness, etc. e. Removing the elephants in the room Session Objectives: <ol style="list-style-type: none"> 1. Identify ways to embrace diversity 2. Learn effective cross racial / cultural communication 3. Identify and correct negative stereotypes 4. Build stronger defense teams with a greater understanding of Race, Class, Gender and Culture

4:30 - 5:30 PM	New Developments in Juvenile Law Practice
Green Room (2nd Floor)	Pete Schuler , Chief, Juvenile Trial Division, Louisville-Metro Public Defender's Office
CLE: 1.00	Objectives: To acquaint the juvenile court practitioner with the most significant recent developments in Kentucky case law and statutory/administrative changes pertaining to public, youthful and status offenders.

TUESDAY, JUNE 18, 2013

9:00 - 10:15 AM	Risk Assessments for Sentencing: LS/CMI
Medallion A	Glenn McClister , Attorney, Education Branch Damon Preston , Deputy Public Advocate
CLE: 1.25	Objectives: HB 463 included a provision, codified into KRS 532.007(3)(a) and KRS 532.050 and effective July 1, 2013, that judges shall consider the results of a defendant's risk and needs assessment included in the presentence investigation report. Defense attorneys need to understand what that means. The risk and needs assessment to be incorporated into the presentence investigation report is called the Level of Service/Case Management Inventory (LS/CMI). This session will review the LS/CMI so you will understand what the scores mean and what is in the report given to the judge and what is also missing.

9:00 - 10:15 AM	Tools Used in Making Parole Board Decisions
Medallion B	Shannon Jones , Acting Chair, Kentucky Parole Board
CLE: 1.25	Objectives: <ol style="list-style-type: none"> 1. History of Parole 2. Statutes Governing the Parole Process 3. Parole Board Statistics 4. Questions/Answers

9:00 - 10:15 AM	Theory Formulation and The Role of Scenarios and Timelines
Medallion C	Robert Walker, M.S.W., L.C.S.W. , UK Center on Drug and Alcohol Research
CLE: 1.25	Objectives: This workshop will examine the ways defense teams can develop more meaningful theories of their cases by careful re-construction of the timelines leading up to and following a crime. One of the purposes of this process is to clear away prosecution and law enforcement presentation of 'facts' in order to arrive at a fresh view of the events. In addition, the role of behavioral health professionals is stressed as a way of adding complexity to the understanding of characteristics of defendants, victims, and other participants in the crime scene. By the end of the program, the participant will: <ol style="list-style-type: none"> 1. Have a larger context within which to think about collecting crime history information. 2. Have working knowledge of the importance of client language and construction of defense information. 3. See how details of client and witness re-construction can shape the theory of a case.

9:00 - 10:15 AM	Beyond DNA Basics: Current Issues in DNA Cases
Medallion D	Andrea Kendal , Attorney, DPA Boone Co. Office Shanin Lodhi , Forensic Consultant, Odeix Forensic Consulting
CLE: 1.25	Objectives: Participants will thoroughly examine a DNA mixture case learning how to read reports, interpret jargon, and understand steps in DNA testing. We will also discuss testing recently adopted by KSP and learn the limitations of mixture interpretation and Y-STR testing.

9:00 - 10:15 AM	Life on the Streets: Cross of the Lead Homicide Detective
Mezzanine A/B	Dehlia Umunna , Deputy Director of Harvard Law School's Criminal Justice Institute, Boston, MA
CLE: 1.25	Objectives: This presentation provides tips on how to prepare, organize, and execute an effective cross examination of the lead detective in a homicide case. Areas of discussion include, defense theory, purpose of cross examination, issues to consider, organization, among other topics.

9:00 - 10:15 AM	Guilty Pleas, Ineffective Assistance of Post-Conviction
Mezzanine C/D	Glenda Edwards , Trial Division Director Melanie Foote Hollingsworth , Attorney, Elizabethtown Office Amy Staples , Post-Conviction Branch Manager
CLE: 1.25 CLE: 1.25 Ethics	Objectives: Recent Supreme Court cases have again highlighted the possibility that counsel may be acting ineffectively even if the client wants to take the plea and settle the case. What the attorney has told the client about the possible outcomes of a trial, about the existence of a plea offer, and about all aspects and implications and collateral consequences of taking a guilty plea have all come under greater scrutiny. These issues also effect basic considerations of competency, communication, and scope of representation. When is the attorney's communication of any offer and the client's ethical right to make an informed decision not only ineffective representation but unethical as well?

9:00 - 11:30 AM	Principled Negotiation: What It Is and Why It Works
Walnut Room	Peter Anderson , Training and Development, Wisconsin State Public Defender's Office Gina Pruski , Training Director, Wisconsin State Public Defender's Office
CLE: 2.25	Objectives: 1. Recognize the different ways people negotiate. 2. Understand why traditional methods of negotiation don't always work. 3. Grasp the four-step method of principled negotiation. 4. Apply the four-step method of principled negotiation to mock case scenarios.

9:00 - 10:15 AM	Westlaw Next
Green Room (2nd Floor)	Susan Reale , Attorney, Westlaw Government Account Manager, West, Thomson Reuters
CLE: 1.25	Objectives: Attendees will learn how to use WestlawNext to do legal research, find legal documents and update their documents through KeyCite. They will also learn how to copy text from WestlawNext with the proper Kentucky citation format. Finally, they will learn how to annotate documents as well as save these documents in permanent WestlawNext Research Folders.

9:00 - 10:15 AM	Telling the Client's Story (for Social Workers)
Medallion E/F	Lori James-Townes , Chief of Social Work Services, Maryland Office of Public Defenders
CLE: 1.25	Objectives: Every client has a story which needs to be told. Telling the client's story is the most powerful way of making judges and juries understand the client as another human being. This session will focus on the important role of social workers in helping attorneys identify and relate the client's story. Social workers are uniquely qualified to explain the role intellectual disability, drug addiction, homelessness, and other deficits play in developing client habits, preferences, and decision-making.

10:30 - 11:30 AM	Forensic Firearms Evidence
Medallion B	Watani Tyehimba , Tyehimba Services, Inc, Investigative & Protective Services, Decatur, GA
CLE: 1.00	<p>Objectives: This session will cover forensic firearms evidence, nomenclature, operation and ballistics as it applies to your cases.</p> <p>Topic material will cover:</p> <ol style="list-style-type: none"> 1. Interior Ballistics 2. Exterior / Terminal Ballistics 3. Basic types of firearms and how they operate 4. Firearms identification 5. Basic shooting incident evidence and reconstruction 6. Shooting Reconstruction Checklist <p>Session Objectives:</p> <ol style="list-style-type: none"> 1. Help recognize critical questions and issues in cases involving firearms when talking to defendant and or witnesses. 2. Facilitate intelligent discussions with forensic experts such as criminalists, firearms examiners and medical examiners. 3. Assist in the reading of police and medical examiner reports. 4. Understand and recognize the basic reconstruction of shooting scenes from forensic firearms evidence.

10:30 - 11:30 AM	Communicating with Clients and Third Parties
Medallion C	Angela Rea , Division Chief, Adult Trial Division, Louisville-Metro Public Defender's Office Krsna Tibbs , Division Chief, Adult Trial Division, Louisville-Metro Public Defender's Office
CLE: 1.00	<p>Objectives: We will discuss, using hypothetical situations, the complexities of communicating effectively with clients, prosecutors, and other interested parties while vigilantly guarding client confidentiality. This session is especially oriented toward less experienced attorneys, but all are welcome.</p>

10:30 - 11:30 AM	The New DMS-5
Mezzanine A/B	Eric Drogin, J.D., Ph.D. , ABPP, Louisville, KY Stephanie McKeenan , Attorney, London Office
CLE: 1.00	<p>Objectives: In May 2013, the American Psychiatric Association published the new "DSM-5," the latest edition of the "Diagnostic and Statistical Manual of Mental Disorders" that has been the foundation of psychiatric diagnosis since 1952. The DSM-5 contains many changes that will significantly affect the representation of indigent criminal defendants with mental illness. Learning objectives for this presentation include:</p> <ol style="list-style-type: none"> 1. understand new DSM-5 criteria for mental disorders most commonly encountered in criminal practice 2. learn how diagnoses for persons with more than one disorder will be listed per the DSM-5 3. review how changes in diagnostic criteria have already begun to influence current criminal cases 4. address how counsel may decide request--or avoid--re-evaluation in light of changes in diagnostic criteria

10:30 - 11:30 PM	Evidence
Mezzanine C/D	Susan Balliet , Attorney, Appeals Branch Euva May , Attorney, LaGrange Post-Conviction J. David Niehaus , Deputy Appellate Defender, Louisville-Metro Public Defender's Office Teresa Whitaker , Bluegrass Regional Manager
CLE: 1.00	<p>Objectives: Introduction to the 2013 DPA Evidence Manual, including: new developments in Kentucky evidence law over the past five years, Including developments in penalty phase evidence, relevance in severed handgun proceedings, confessions, witness competency, new cases on habit evidence, new case allowing cross-examining witnesses on facts underlying misdemeanor convictions, the new sniffer dog qualification rule, how really to preserve an evidence objection, and the lowdown on what evidence rules apply on retrials.</p>

10:30 - 11:30 AM	Immigration
Green Room (2nd Floor)	Dan Kesselbrenner , Executive Director, National Immigration Project of the National Lawyers Guild, Boston Kate Benward , Attorney, LaGrange Trial
CLE: 1.00	<p>Objectives:</p> <ol style="list-style-type: none"> 1. The session will address the criminal defense attorney's duty to advise clients on the immigration consequences of a conviction after <i>Padilla v. Kentucky</i>. 2. Training on immigration concepts and resources that will enable defense attorneys to provide non-citizen clients with effective advice on the immigration consequences of a criminal conviction.

10:30 - 11:30 AM	Hot Issues in Capital Mitigation
Medallion E/F	Lori James-Townes , Chief of Social Work Services, Maryland Office of Public Defenders
CLE: 1.00	<p>Objectives: Mitigation, also referred to as "mitigating factors" or "mitigating evidence," is evidence the defense can present in the sentencing phase of a capital trial to provide reasons why the defendant should not receive a death sentence. This evidence, which can include mental problems, remorse, youth, childhood abuse or neglect, a minor role in the homicide, or the absence of a prior criminal record, may reduce the culpability of the defendant in the killing or may provide other reasons for preferring a life sentence to death. The Supreme Court has ruled that in deciding between the death penalty and a lesser penalty, the jury may consider any mitigating evidence a juror finds relevant.</p> <p>This session explores current trends in investigation and presentation of mitigation evidence.</p>

2:13 - 3:15 PM	Recent Developments in Ethics
Medallion B	B. Scott West , General Counsel
CLE: 1.00 CLE: 1.00 Ethics	<p>Objectives: In the past year or so, there have been significant case decisions impacting the way that many of us practice law. After this session, participants will be aware of the Supreme Court's decisions concerning:</p> <ol style="list-style-type: none"> 1. Ex parte discussions involving bench/arrest warrants; 2. "Entering an appearance" and thereafter withdrawing from a case; 3. Court decorum; and 4. Much more. <p>Attendees will have an open forum to discuss the "grey areas" that these opinions do not quite discuss, and will be offered guidance on how to use these opinions to govern one's own actions in and out of the courtroom.</p>

2:13 - 3:15 PM	Safety in the Field
Medallion C	Watani Tyehimba , Tyehimba Services, Inc, Investigative & Protective Services, Decatur, GA
CLE: 1.00	<p>Objectives: We will discuss basic safety protocols and tips for Sentencing Advocates, Mitigation Specialists and Investigators while working in the field.</p> <p>Topic material will cover:</p> <ol style="list-style-type: none"> 1. What to do in preparation for the outing 2. How to travel to and from the location 3. How to handle concerns on the street and at the location

2:13 - 3:15 PM	US Supreme Court Review
Mezzanine A/B	Allison Connelly , Professor & Clinic Director, University of Kentucky College of Law
CLE: 1.00	Objectives: Reflections on the most significant decisions in the past year from the US Supreme Court. New ideas about how to use these appellate cases to assist clients at the trial and appeal and post-conviction level.

2:13 - 3:15 PM	"Objection Your Honor" - Now What Do I Say? (And Do?)
Mezzanine C/D	Patti Echsner , Division Chief, Adult Trial Division, Louisville-Metro Public Defender's Office Amy Hannah , Division Chief, Adult Trial Division, Louisville-Metro Public Defender's Office
CLE: 1.00	Objectives: 1. Present review of relevant and applicable law regarding objections and preservation of error 2. Discuss tactical considerations when making objections 3. Provide trial scenarios to illustrate and discuss specific preservation issues that occur in different stages of the trial

2:13 - 3:15 PM	Field Sobriety Tests
Walnut Room	Nathan Miller , Attorney, DPA Morehead Office
CLE: 1.00	Objectives: This session is intended to highlight the basic unfairness and unreliability of the three "standardized" field sobriety tests: 1) Horizontal Gaze Nystagmus, 2) Walk-and-Turn, and 3) the One-Leg Stand. After the session, attorneys should be able to better: 1) identify issues with these tests in their own cases, 2) cross examine officers on the tests, and 3) create themes at trial that will get jurors to question the tests' basic fairness, hopefully resulting in more NOT GUILTY verdicts for our clients.

2:13 - 3:15 PM	Advocates for DPA Clients under 18: The Front Line Challengers; Committed to Blowing up the School to Prison Pipeline and Breaking Our Addiction for Incarceration
Green Room (2nd Floor)	Rebecca DiLoreto , Litigation Director, Children's Law Center Amy Swann , KIDS COUNT Coordinator, Kentucky Youth Advocates Londa Adkins , Attorney, Frankfort Trial Office
CLE: 1.00	Objectives: A one hour jam and jammed session devoted to the exciting world of numbers, evidence based studies and practical applications to use in your legal arsenal to blow up the pipeline feeding children into our juvenile and criminal justice systems. Learn how your county compares to others in Kentucky in its penchant to charge and lock up children for status, public, violent and non-violent offenses. Pick up a cheat sheet for evidence-based studies that can meet the Daubert standard and be admitted in court at trial and on appeal to expose the harm of prosecution and incarceration and support your motions to dismiss, remand for diversion, probate and retain children in the community and out of juvenile jail. Strategize with public defender colleagues, private attorneys and community advocates about how to take this information back to your judges, prosecutors and legislators to end Kentucky's addiction to incarceration for young people. 1. Learn the numbers on charging and locking up children in the counties you cover 2. Consider how to use evidence-based studies and experts to support your in-court arguments against prosecution, incarceration, commitment to YDCs and use of VCOs and VCO terms 3. Strengthen arguments against sanctions that harm children 4. Develop a plan for taking the numbers, studies by criminologists, sociologists and psychologists back to those in your community who impact juvenile justice policy in Kentucky 5. Learn the basics of special education law and its interplay with juvenile court prosecutions 6. Think through how to preserve the trial record to strengthen appellate arguments to seek relief for your clients 7. Think through how to make even more persuasive appellate arguments to convince appellate judges to protect the civil rights of DPA clients under 18 8. Make connections with colleagues who are battling the same claims on behalf of their clients

2:13 - 3:15 PM	Stand Your Ground
Medallion E/F	Susan Balliet , Attorney, Appeals Branch Greg Coulson , Attorney, Cynthiana Office
CLE: 1.00	<p>Objectives:</p> <ol style="list-style-type: none"> Understand the structure of Kentucky's self-protection immunity statute including: <ol style="list-style-type: none"> Immunity provisions The use of physical force The use of deadly physical force The duty to retreat in Kentucky Develop strategy in the use of the Kentucky statutory self-protection immunity provisions including: <ol style="list-style-type: none"> When to file for immunity What evidence to get in front of the court and how When taking a writ is appropriate Preservation of the issue Integrating the immunity statute into the trial defense

2:13 - 3:15 PM	202A Roundtable and Brainstorming
Rose Room (2nd Floor)	Facilitated by Robert Friedman , Lexington Trial Office
CLE: 1.00	<p>Objectives:</p> <ol style="list-style-type: none"> To bring one another up to date about what has been happening with involuntary commitment and forced treatment litigation in our respective jurisdictions and statewide. To give participants the opportunity to brainstorm 202A issues or cases that are especially problematic. Determine how we can best use Justware to improve our representation of our 202A clients.

3:30 - 4:15 PM	Identification of High Functioning Impairment
Medallion	Justice William Cunningham , Kentucky Supreme Court Yvette Hourigan , Director, Kentucky Lawyer's Assistance Program
CLE: .75 CLE: .75 Ethics	Objectives: To promote methods of practice and risk management techniques which reduce the stress of practice and assist attorneys in recognizing impairment in other attorneys and judges, and how to respond; thereby reducing the impact on the KBA of addiction, depression and suicide.

4:30 - 5:30 PM	Vicarious Trauma - Taking Care of Yourself
Medallion A	Lori James-Townes , Chief of Social Work Services, Maryland Office of Public Defenders
CLE: 1.00	<p>Objectives:</p> <ol style="list-style-type: none"> Learn how to protect your emotional stability Learn how to stay emotionally, physically and intellectually healthy Review the balance and self-care or lack thereof Recognize vicarious trauma and what it is Discover what your strengths are Understand the Pillars of Balance Exercise Understand ways to promote pillars of balance Examine Personal Balance and Self Care Understand why it is unethical not to address self-care and vicarious trauma

4:30 - 5:30 PM	Lawyers and Depression
Medallion B	James D. Clines, LMFT , The Innerview Counseling and Consultation, Louisville, KY
CLE: 1.00	Objectives: This educational program is geared towards teaching the legal professional how to recognize signs of depression in themselves, their colleagues and clients. The program will guide the individual attorney through the signs and symptoms of depression and learn how to respond if these symptoms present themselves.

4:30 - 5:30 PM	Addiction as Disease
Medallion C/D	Jerod M. Thomas , Deputy Administrator, Westcare, Inc., Boyle County Detention Center SAP Program
CLE: 1.00	Objectives: In 1956, the American Medical Association recognized addiction as an illness and in 1966, the AMA recognized alcoholism was a "disease." Finally, in a major breakthrough in medical thinking, during June 1987, the AMA declared that "drug dependencies, including alcoholism, are diseases, and that their treatment is a legitimate part of medical practice." This program will teach the individual lawyer the disease concept of addiction as well as proven recovery methodology.

4:30 - 5:30 PM	Lawyers, Stress and Anger
Mezzanine A/B	Karen E. Sheets-Mobley , LCSW LMFT, The Innerview, Louisville, KY
CLE: 1.00	Objectives: The field of criminal defense litigation is perhaps the highest-stress area of practice, in one of the already most stressful professions - the practice of law. This educational program will teach the lawyer how to recognize signs of chronic stress, anxiety and anger-management issues in themselves and their colleagues. Attorneys will be taught coping skills for dealing with chronic stress and anxiety, and how to manage anger issues.

4:30 - 5:30 PM	Recognizing the Risks of Suicide Among Lawyers
Mezzanine C/D	Yvette Hourigan , Director, Kentucky Lawyer's Assistance Program
CLE: 1.00 CLE: 1:00 Ethics	Objectives: The recent number of suicides by attorneys in Kentucky has been recognized nationally as an alarming statistic. The program will educate the individual attorney how to recognize severe stress and chronic depression in their colleagues, empower the helping attorney to address the issue with the lawyer in distress, and teach them how to help the individual find immediate help and hopefully long-term treatment.

4:30 - 5:30 PM	Humana Vitality
Walnut Room	Craig Vaughn , Humana
CLE: 1.00	<p>Objectives: The health care insurer for Kentucky state employees, Humana, offers a free wellness program. You can sign up for the program through the Humana web page and quickly earn enough points to receive a free pedometer. Once you have the pedometer or log workouts with their smart phone apps, you can earn points to spend in their online mall. Members who work out regularly, do preventative doctor's visits and watch some of their education videos can expect earn enough points to trade in for at least \$150 in Amazon or iTunes gift cards or other online products.</p> <p>This session provides the opportunity to sign up for the program and do Humana Vitality Health Assessment... Employees that complete their Health Assessment will receive a FREE dry fit t-shirt.</p> <p>After completion of their Health Assessment, employees will be able to:</p> <ol style="list-style-type: none"> 1. Learn their Vitality Age to see if your body is living younger or older than your actual age 2. Get recommended health goals based on employee's current health 3. Choose fitness programs that are right for employees 4. Earn Vitality Points to increase your Vitality Status 5. Earn Vitality Bucks to spend on great rewards

WEDNESDAY, JUNE 19, 2013

8:30 - 10:00 AM	Ordinary Injustice/Collateral Consequences in Kentucky
Medallion	Amy Bach , President and Executive Director, Measures for Justice Ed Monahan , Public Advocate Glenn McClister , Attorney, Education Branch (Collateral Consequences in Kentucky) Mihaela Beloiu , Shepherdsville Trial Office (Collateral Consequences in Kentucky)
CLE: 1.5 CLE: .5 Ethics	Objectives (Ordinary Injustice): This talk will tell stories about how groups of well-intentioned prosecutors, judges and defense attorneys can stop performing their jobs when one part of the system malfunctions. It will explain how measurement can be used to spot lagging and leading performance and give everyone a foothold to demand improvement. Objectives (Collateral Consequences in Kentucky): Since the United States Supreme Court declared that failure to inform a client of the consequences of a criminal conviction may be ineffective assistance of counsel in <i>Padilla v. Kentucky</i> , criminal defense attorneys have struggled to understand how extensive this legal and ethical responsibility may be. The Department of Public Advocacy has responded to this challenge by surveying the Kentucky Revised Statutes and Administrative Regulations for the collateral (indirect) consequences of criminal convictions. This session is designed to introduce the latest learning materials produced by the department.

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FACULTY BIOS

Jeff Adachi is the Public Defender of the City and County of San Francisco. Before being elected in March 2002, Mr. Adachi spent two years in private practice and nearly fifteen years as a deputy public defender. Working his way up from misdemeanors to felonies, Mr. Adachi has tried over 100 jury trials and has handled over 3,000 criminal matters throughout his career, including some of the Bay Area's highest profile cases. From 1998-2001, he served as the Chief Attorney of the office. As the only elected Public Defender in California, and one of few elected public defenders in the United States, Mr. Adachi oversees an office of approximately 100 lawyers and 65 support staff. His office represents over 25,000 people each year who are charged with crimes and unable afford a lawyer. The office has a \$26.8 million dollar budget and provides a panoply of innovative programs to its clients, including Drug Court, Clean Slate expungement services, and a full-service juvenile division. The office also has one of the country's top intern programs for law students and graduates. Mr. Adachi has been a certified criminal law specialist since 1991 and a member of the National Board of Trial Advocacy since 2002. He recently served on the American Bar Association's Standing Committee on Legal Aid and Indigent Defense, which oversees the quality of legal representation for poor people. Mr. Adachi is a past president of the Asian American Bar Association of the Greater Bay Area and the San Francisco Japanese American Citizen's League. He is also a past board member of the California Attorneys for Criminal Justice and the San Francisco Bar Association. Mr. Adachi's success is by no means limited to his law practice. Beginning with his work on the case of Chol Soo Lee, a Korean immigrant on death row who was wrongfully convicted of murder, Mr. Adachi has continued to advocate on issues affecting minority and disenfranchised communities and collaborate with community based organizations. In 2004, Mr. Adachi founded Bayview MAGIC, a collaboration of youth and family agencies that works with disadvantaged youth. The MAGIC program was recently expanded to include the Western Addition as "Mo Magic." Mr. Adachi also co-chairs the San Francisco Safe Communities Re-entry Council, which provides education, employment and educational re-entry services to persons recently released from prison. In 1995, Mr. Adachi founded the Asian American Arts Foundation, which produced the Golden Ring Awards from 1995-1999 — the Asian "Oscars" which honored artists such as Chow Yun-fat, John Woo, Ming-Na Wen, Oliver Stone and others, and provided critical arts funding to emerging Asian American artists and arts organizations. He also served as chairperson of the Asian American Theater Company. Recently, Mr. Adachi wrote, produced, and directed *The Slanted Screen*, an award-winning documentary film confronting Asian American stereotypes in American cinema. The film, which aired nationally on PBS in May 2006, garnered top awards at the New York International Independent Film & Video Festival and the Berkeley Film Festival. Mr. Adachi himself was featured in the film *Presumed Guilty*, a nationally broadcast PBS special about public defenders and the criminal justice system, and is frequently featured as a legal commentator on Court TV, CBS, NBC and ABC. For over 15 years, Mr. Adachi has also taught with BAR/BRI bar review course and has published five books in this area. He is the co-author of *Chapter 25: Immunity for Testimony*, in the California Criminal Law Procedure and Practice book. Awards and honors earned by Mr. Adachi include: the California State Bar Association's prestigious Hufstедler Award for public service (1992); the Asian American Bar Association's Joe Morozumi Award for exceptional legal advocacy (1997); Mayor's Fiscal Advisory Committee's Managerial Excellence Award (2000); Asian American Bar Association of the Silicon Valley, honoree (2003); the California Public Defender Association's Program of the Year Award (2006); the American Bar Association's Dorsey Award for excellence in public defense (2006); the American Bar Association's national award for outstanding public defender (2006); *California Lawyer* Attorney of the Year for his efforts in the field of prisoner reentry (2007); California Public Defenders Association Program of the Year Award for the office's innovative Children of Incarcerated Parents program (2009); and the National Legal Aid & Defender Association's Reginald Heber Smith Award

for outstanding achievement and dedicated service providing indigent defense services (2012). Mr. Adachi graduated from Hastings College of the Law in 1985 and attended undergraduate studies at U.C. Berkeley. He lives in San Francisco with his wife Mutsuko and daughter Lauren.

Londa Adkins is a graduate of the University of Tennessee, Knoxville and received her J.D. from the University of Dayton College of Law. She joined the Kentucky Department of Public Advocacy in 2002 with the Juvenile Post Disposition Branch. The Juvenile Post Disposition Branch represents children in the state's residential treatment facilities and detention centers both on appeal and on fact, duration or condition of confinement issues. Londa's main focus concentrated on girls' issues and how they enter the delinquency system. In 2007, Londa became the Frankfort Trial Office Juvenile Specialist representing children in 5 counties. In 2010, Londa joined the Juvenile Justice Center at Barry University in Orlando, Florida where she was the sole staff attorney. She returned to DPA in 2011 and is currently a member of the Frankfort Trial Office.

Peter Anderson has worked as a Training Officer in the Wisconsin State Public Defender's Office of Training and Development (OTD) since 2000. His responsibilities with the Public Defenders' OTD include working with the Division team in the planning and coordination of agency training events, coordinating the agency's Leadership Development Program and the development and administration of the agency's on-demand training website, training.wisspd.org. Peter holds a B.S. in Education from the University of Wisconsin-Stevens Point.

Tim Arnold graduated from Knox College in Galesburg, IL, in 1993. He graduated from the University of Kentucky College of Law in 1996. In 1996, Tim became employed with the Juvenile Post Disposition Branch of DPA in the Frankfort office. He is currently the Post Trial Division Director.

Amy Bach, MFJ President and Executive Director, founded Measures for Justice in April 2011 as a follow-up to her acclaimed book, *Ordinary Injustice: How America Holds Court*, which won the 2010 Robert F. Kennedy Book Award. In June 2011, Echoing Green, a premier seed investor for social entrepreneurs, selected Amy as a Fellow out of 3,000 candidates worldwide to support the launch of Measures for Justice. For her work on *Ordinary Injustice*, Amy received a Soros Media Fellowship, a special J. Anthony Lukas citation, and a Radcliffe Fellowship. She was a Knight Foundation Journalism Fellow at Yale Law School, and she is a graduate of Stanford Law School. She lives in Rochester, NY.

Before she moved to Kentucky, **Susan Jackson Balliet** put in 15 years litigating class actions for various civil legal aid offices in California, and served for three years as the first director of Stanford Law School's clinical training office. In 1992, Balliet switched her practice to criminal appellate work, joining the Department of Public Advocacy's Appeals Branch in 1998. She supervised in the Capital Post Conviction Branch before moving back into the Appeals Branch. Balliet's interest in expert opinion evidence began with her arguing *Fugate v. Commonwealth*, 993 S.W.2d 931 (Ky. 1999) (acknowledging the validity of DNA testing). Since then she has contributed to DPA's Evidence Manual, and presented numerous times on issues involving experts.

Jay Barrett is a 1979 graduate of the University of Connecticut School of Law and its criminal legal clinic. He joined DPA in 1982 as directing attorney of the Stanton office through 1988 and attended the National Criminal Defense College in 1983. After three years with New Hampshire Public Defenders, Jay returned to Kentucky in private practice in Prestonsburg. His litigation experience focused on criminal, civil rights and employment discrimination cases, in both state and federal trial and appellate courts. Jay rejoined DPA in 2001 in the Paintsville office and served as Trial Division Director from 2004 – 2007. He is currently the Directing Attorney for the Morehead office and has served as faculty at

DPA's Public Defender College, Litigation Persuasion Institute ("Faubush") and Death Penalty Institutes..

Mihaela Beloiu is a 2012 Graduate from Golden Gate University School of Law where she obtained her Juris Doctorate along with a specialization in Criminal Law and one in Public Interest Law. She started with the Department of Public Advocacy in July 2012. She moved to Kentucky at that time from San Francisco, California to start as a Public Defender Corps Fellow. She currently works in Bullitt County as a Staff Attorney. She loves being a defense attorney and could not imagine doing anything else.

Kate Benward obtained B.A. degrees in comparative literature, French, and philosophy from the University of Washington, Seattle. She was awarded a Fulbright Fellowship to study literature at the University of Montreal, and thereafter obtained an M.A. in comparative literature from New York University. She received her J.D. from the University of Washington, Seattle in 2010. She worked a public defender in Washington State before joining the DPA in 2011 as a Public Defender Corps Fellow.

James D. Clines, LMFT, graduated from Bellarmine University with a degree in Philosophy and received his Masters in Marriage and Family Therapy from The Louisville Presbyterian Theological Seminary. He is a Licensed Marriage and Family Therapist and Founding Partner of The InnerView Counseling and Consultation. At the InnerView, Jim provides therapy services to individuals, couples, families and groups, as well as serving as Director of Employee Care Partnership services.

Allison Connelly, clinical professor of law, joined the University of Kentucky College of Law faculty in 1996 as the first Director of the College's Legal Clinic. Prior to joining the law school, she spent 13 years as a state public defender providing direct representation, including death penalty representation, to needy individuals at all levels of the criminal justice system. She rose through the ranks to become the first female Kentucky Public Advocate, the head of Kentucky's statewide public defender system, and has more than twelve published appellate decisions to her credit. She received her B.A. degree from the University of Kentucky and her J.D. degree from the University of Kentucky College of Law. Professor Connelly teaches litigation skills, criminal procedure and criminal trial process, and is the Director of the Kentucky Legal Education Opportunity (KLEO) Summer Institute. She is the founder of the Kentucky Intrastate Mock Trial Competition, and is also the coach of the College's highly successful trial teams, which include nine nationally ranked trial teams in the last thirteen years. She has received numerous awards including the Chancellor's Outstanding Teaching Award in 2001, the 2006 Chief Justice's Special Service Award for her distinguished service to the Court of Justice as a legal educator, and the 2008 Citizen-Lawyer Award from the Fayette County Bar Association. Most recently, she was one of six professors recognized for outstanding teaching and honored with the 2009 UK Alumni Association Great Teacher Award. Nominations are made by students for this award, the oldest continuous award to recognize teaching at UK.

Greg Coulson began with the Department of Public Advocacy as an attorney in the Owensboro office. He is currently with the Cynthia Trial Office.

Justice Bill Cunningham was elected to the Supreme Court of Kentucky in November 2006 to serve the 1st Supreme Court District. Before becoming a member of the state's highest court, Justice Cunningham served as a circuit court judge for 15 years. He was elected to the Circuit Court Bench in November 1991 to serve the 56th Judicial Circuit, which consists of Caldwell, Livingston, Lyon and Trigg counties. He was re-elected in 1999 and served as circuit judge until January 2007. Justice Cunningham served the court system in several capacities before entering his judicial career. He was the Eddyville City Attorney from 1974 to 1991 and the Public Defender for the Kentucky State Penitentiary from 1974 to 1976. He served as Commonwealth's Attorney for the 56th Judicial District from 1976 to 1988. During his tenure in that position, he was voted the

Outstanding Commonwealth Attorney of Kentucky by his peers. Justice Cunningham also served as a hearing officer for the Kentucky Board of Claims from 1981 to 1985 and as a trial commissioner for Lyon County District Court from 1989 to 1992. Justice Cunningham earned his bachelor's degree from Murray State University in 1962 and his juris doctor in 1969 from the University Of Kentucky College Of Law. He is a veteran of the U.S. Army, having served in Vietnam, Korea and Germany.

Rebecca Ballard DiLoreto is the Litigation Director for the Children's Law Center. Rebecca served with the Department of Public Advocacy from the summer of 1984 until June 2008. During her first year of practice, Rebecca represented a thirteen year old girl charged with murder of the local provider of non-licensed, distilled liquors in Estill County, Kentucky. During her second year as a trial lawyer in Richmond, Kentucky, the Kentucky Juvenile Code was enacted and Rebecca was assigned the task of developing materials to educate DPA lawyers on the new Code. She authored the first Juvenile Law Manual for DPA in 1993. Rebecca's career included appellate, trial and post-conviction work. She was the first staff attorney for the newly opened Richmond Public Defender Office, the first half-time DPA Recruiter, first juvenile trial attorney for the newly opened Franklin County Public Defender Office, first manager of the Juvenile Post Disposition Branch, first Post Trial Division Director, and first supervisor of the Lexington Public Defender's Office. She has represented young people in juvenile, family and circuit courts across the Commonwealth. Past president of KACDL, Rebecca is currently co-chair of the Central Kentucky Council for Peace and Justice, serves on the boards of Partners for Youth, and the Catholic Diocese of Lexington's Diocesan Review Board for the Protection of Children and Young People. Rebecca has served for the past seven years as chairperson of the KBA Committee for Children's Rights, Child Protection and Domestic Violence. She and her husband Don, share domestic tranquility with occasional visits from their two sons and a daughter and Rebecca is busily feeding chipmunks and rabbits from her spring to summer garden while doing Tai Chi, Yoga and Chi Kung so that she can get out of bed in the morning. Rebecca's most notable accomplishment in life to date is that she has been a runner for over 41 years.

Eric Y. Drogin J.D., Ph.D., ABPP is a Fellow of the American Academy of Forensic Psychology, a Diplomate and former President of the American Board of Forensic Psychology, and a Diplomate of the American Board of Professional Psychology. He currently holds faculty appointments with the Harvard Medical School (in the Program in Psychiatry and the Law) and the Harvard Longwood Psychiatry Residency Training Program (as a course instructor and supervisor), and lectures regularly for the *Prifysgol Aberystwyth* (formerly "University of Wales") as an Honorary Professor of Psychology and also as an Honorary Professor of Law. Additional positions have included Chair of the American Psychological Association's Committee on Professional Practice and Standards, Chair of the APA's Committee on Legal Issues, and President of the New Hampshire Psychological Association. Dr. Drogin is a Fellow of the American Bar Foundation. His current American Bar Association roles include Chair of the Behavioral and Neuroscience Law Committee and Member of the ABA Advisory Panel. Additional ABA positions have included Chair of the Section of Science & Technology Law, Chair of the Committee on the Rights & Responsibilities of Scientists, and Commissioner of the Commission on Mental and Physical Disability Law. Dr. Drogin teaches on the adjunct faculty of the University of New Hampshire School of Law and as an Instructor in the Harvard Law School Trial Advocacy Workshop. Having served as the Editor in Chief of the *Journal of Psychiatry and Law* and currently serving as the Co-Editor in Chief of *Psychological Injury and Law*, Dr. Drogin has authored or co-authored over 200 legal and scientific publications to date, including the books *Criminal Law Handbook on Psychiatric and Psychological Evidence and Testimony* (2000), *Civil Law Handbook on Psychiatric and Psychological Evidence and Testimony* (2001), *Mental Disability Law, Evidence, and Testimony* (2007), *Science for Lawyers* (2008), *Evaluation for Guardianship* (2010), and *Handbook of Forensic*

Assessment (2011). He has lectured extensively throughout North America and in Europe, Asia, and Australia on such topics as forensic assessment, ethics, and professional development. Dr. Drogin's multidisciplinary practice encompasses mental health law, expert witness testimony, and trial consultation.

Patricia L. Echsner is currently a Division Chief in the Adult Trial Division at the Louisville Metro Public Defender's Office. Prior to that, she spent seven years as a Deputy Chief in the Juvenile Trial Division. She began her career at the office in May 1991 as a law clerk after earning a BA from the University of Kentucky in 1985 and her JD from the Louis D. Brandeis School of Law in 1992. She was selected to attend the National Criminal Defense College in Macon, Georgia in 1995. She is an experienced trial attorney in the district and circuit courts, representing both juveniles and adults. In July 1998 she represented a juvenile client facing the death penalty who was acquitted of murder and robbery first degree. In February 2001 she represented an adult client facing the death penalty for two intentional murders who received a penalty of life without the possibility of parole for twenty-five years. In June 2002 Ms. Echsner received the Department of Public Advocacy's *In re: Gault Award* "for specially advancing the quality of representation of juveniles in Kentucky." She is a former member of the Louis D. Brandeis American Inn of Court and a former member of the Jefferson County Juvenile Delinquency Prevention Council.

Glenda Edwards received her B.A. from Campbellsville University and her J.D. from the University of Louisville. She began her career with DPA as a staff attorney with the trial branch in the Columbia Field Office in 1999. She has served as Directing Attorney for the Columbia Office since 2003, became the Central Regional Manager for the Trial Division in 2010, and became the Trial Division Director in 2012.

Angela Elleman is a Staff Attorney assigned to the Capital Trial Division of the Louisville Metro Public Defender's office. Ms. Elleman has spent her entire career defending those charged or convicted of capital crimes. Prior to her 2012 return to her hometown of Louisville, she was an Assistant Federal Defender in the Capital Habeas Unit of the Philadelphia Federal Public Defender's office representing death row inmates on Philadelphia, Delaware and Federal Death Rows. She started her career in indigent capital defense at the Georgia Resource Center in Atlanta. Ms. Elleman was a 2000 graduate of Emory University's Law and Religion program. Upon graduation she was a recipient of an Equal Justice Works Fellowship (then, NAPIL) aimed at enforcing Georgia's prohibition against executing mentally retarded offenders prior to the United States Supreme Court ruling in *Atkins v. Virginia*.

M. Chris Fabricant is the Joseph Flom Special Counsel, Director of Strategic Litigation. He leads the Strategic Litigation Unit, whose attorneys use the courts strategically to address the leading causes of wrongful conviction, including eyewitness misidentification and the misapplication of forensic sciences. Before joining the Innocence Project, he was a clinical law professor and the director of the Criminal Justice Clinic at the Pace University School of Law. Mr. Fabricant has over a decade of criminal defense experience at the state and federal, trial and appellate levels with The Bronx Defenders and Appellate Advocates. He began his career as a pro se law clerk in the Southern District of New York, where he focused on prisoners' rights and post-conviction litigation. Mr. Fabricant received his J.D. with honors and a Corpus Juris Secundum distinction in criminal law from The George Washington University in 1997.

Melanie Foote Hollingsworth received her B.A. from the University of California, San Diego and her J.D. from Brooklyn Law School. She began her career with DPA as a staff attorney in the Post-Conviction Branch, in 2007. She began working for the Kentucky Innocence Project in 2009 and focused on DNA-based claims of innocence. Since 2010, she has been with the Elizabethtown Trial Office.

Bob Friedman was born at George Washington University Hospital a long time ago, and grew up across the Potomac River in Annandale, Virginia. He graduated from Annandale High School, where all the teams were called the Atoms. (It was the cold war era. But they're still the Atoms, 41 years after Bob graduated.) Of course, Bob was a nerd, so his teams were the math team, the debate team and the model U.N. He went to college and grad school at the University of Virginia, got a Ph.D. in philosophy, and was an academic for a number of years, publishing articles on Aristotle's philosophy of biology—a rare and obscure interest. He opted for a mid-life career change, and started practicing law at the age of 40. After four years as a plaintiff's attorney, Bob became a public defender in Lexington, and has been one since 1998. While much of his practice consists of felony cases, he has a special interest in representing clients with mental illnesses, intellectual disabilities and traumatic brain injuries. As a result, he practices involuntary commitment and forced medication cases at Eastern State Hospital, and serves as a liaison to the local NAMI chapter. He also enjoys assisting other attorneys with competency and criminal responsibility issues. Bob is married to Vondah Vanderhorst, a SIS assessor with the Human Development Institute, and has a 29-year-old stepdaughter. He is hard of hearing, and serves as Vice Chair of the Advisory Committee on the Need for Services for Individuals who are Deaf or Hard of Hearing. He is a former masters division powerlifter (and record-holder) and powerlifting coach. He is also a hard-core home cook and food writer.

Ashley Graham graduated from Emory University School of Law in May 2010. Upon graduation, she worked at *Maloy Jenkins Parker*, a private law firm in Atlanta, Georgia specializing in white collar and international criminal litigation. In August 2011, Ashley began a fellowship with the Public Defender Corps and started her public defender career with the Kentucky Department of Public Advocacy. She works in the Covington Office and represents adults and juveniles with felony and misdemeanor cases in Kenton County, Kentucky.

Bruce Hackett graduated from the University of Louisville and the Brandeis School of Law at the University of Louisville. After two years as a staff attorney with the Government Law Center at the Brandeis School of Law, he joined the Louisville-Jefferson County Public Defender as an appellate attorney. In 1982, he accepted a commission in the Judge Advocate General Corps of the United States Navy, where he initially served for three years as a defense attorney and four years as a prosecutor. Concurrently, he served as a Special Assistant United States Attorney for the District of Maryland. After seven years of active duty naval service, he returned to the Louisville Public Defender Office in 1989, where he held the position of Deputy Appellate Defender before assuming his current assignment as Chief Appellate Defender. He has served as counsel in death penalty cases at trial, on appeal, in post-conviction, in collateral civil litigation and in federal habeas corpus proceedings. He has taught criminal procedure as an adjunct instructor at the Brandeis School of Law.

Jason Apollo Hart is a staff attorney with DPA Appeals. He was a trial attorney with DPA for three and a half years and has been in the Appellate division for over a year.

Amy Hannah is currently a Division Chief in the Adult Trial Division. She has been with the Louisville Metro Public Defender's Office since June 2004. She graduated from American University in Washington, DC in 1996 with a Bachelor of Arts degree in Political Science. While at AU, she spent a semester living and studying in Merida, Venezuela. Ms. Hannah graduated from the University of St. Thomas School of Law in 2004. While at UST, Ms. Hannah worked in the Immigration Clinic representing clients seeking asylum. Ms. Hannah also worked as a law clerk at the Hennepin County Public Defender's Office where she worked on both juvenile and adult cases. Ms. Hannah was a Summer Intern in the Alexandria, Virginia Public Defender's Office. Ms. Hannah's experience with the Louisville Metro Public Defender's Office includes representing adult clients in both district and circuit court. Prior to becoming a Division Chief, Ms. Hannah

was in the Capital Trial Division where she successfully represented clients facing the death penalty. In 2009, Ms. Hannah was awarded the *Clarence Darrow Prodigy Award* from the Kentucky Association of Criminal Defense Lawyers. She is also the recipient of two *Walker Awards* for excellence in advocacy that resulted in jury trial acquittals for clients charged with felony offenses.

Mark Heyerly is the Project Specialist for Kentucky Pretrial Services, where his work includes data analysis, grant writing and research in evidence-based practices. He graduated from ECU's College of Justice and Safety in 1995, and has previously worked as a juvenile probation officer in Indianapolis, an ABC Police Officer in southeastern Indiana, and a Program Manager for the Indiana Criminal Justice Institute; his nonlinear career path also included stints with the IRS Collections Division and as an Executive Recruiter specializing in lateral-hire, corporate attorney search. He joined Kentucky Pretrial Services and the Administrative Office of the Courts in 2007 as a Pretrial Officer serving statewide. When he isn't glued in front of an Excel spreadsheet, he enjoys reading, training for half marathons, and officiating high school basketball. He resides in Russell, KY (Greenup Co.) with his wife and teenage son.

Yvette Hourigan was born in Louisville, Kentucky and is the Director of the Kentucky Lawyer Assistance Program. She is a graduate of Murray State University and the University of Kentucky College of Law. Upon graduation, she was a law clerk for the Honorable Chief Justice Joseph Lambert in the Kentucky Supreme Court. She began her legal career in Lexington, Kentucky, where she practiced primarily in automobile product liability defense. In 1998, she opened the Law Office of Yvette Hourigan, also in Lexington. Her practice was focused primarily on plaintiff's personal injury work, including nursing home negligence, automobile wrecks, family law and other civil litigation. As the Director of the Kentucky Lawyer Assistance Program, her duties include providing intervention services; creating peer support networks for lawyers with addiction issues; locating and implementing short and long-term treatment for recovery from all types of substances, and mental health disorders; and providing long-term after-care accountability. Her professional duties include assisting law students who have alcohol or drug-related histories to meet the qualifications and requirements of the Character and Fitness Committee of the Office of Bar Admissions. She assists practicing attorneys and judges in resolving disciplinary and ethical issues with the Office of Bar Counsel which are related to impairment, including mental health issues, substance abuse and addiction.

Ray Ibarra has been a staff attorney with the Covington Trial Office since 2011. He is an Equal Justice Works Public Defender Corps Fellow with an assigned specialty of pretrial release litigation. Graduating from Georgetown Law in Washington, DC at the height of the recession in 2009, Ray has worked previously at public defender offices in San Diego, Los Angeles, Santa Barbara County, California, and Montgomery County, Maryland.

Lori James-Townes is the Chief of Social Work Services for the Maryland Office of Public Defenders; where she supervises, oversees, and plans all of social work services. In addition she supervises the social workers, and the intern program throughout the state of Maryland. The social workers and interns provide litigation support and forensic services to every division throughout the agency, including, Appellate, Juvenile, CINA, and the Mental Health Departments. She is the current Chair of National Alliance of Sentencing Advocates and Mitigation Specialist (NASAMS), Executive Committee. Lori's commitment to the criminal justice field is evident by the passion she displays while serving clients, providing training, and advocating for equal access to justice through effective sentencing, policy, and program development. Lori is also a past member of the NLADA's Board of Directors. Where she served on the Defender and Client Policy Groups, and as Chair of NLADA'S Annual Conference, and as Vice-Chair of the Personnel Committee. She has achieved a wide variety

of skills throughout her career. However, her experiences have been framed by the values and experiences gained when working in the community and serving the prison population. Growing up as a young child in East Baltimore she was exposed to the socio-economic and justice issues affecting her own childhood neighborhood. As a private mitigation expert she provides forensic services, expert testimony, consultation, and clinical trainings. Her career in the criminal justice field has been extensive. I have worked as an expert on cases in both the state and federal jurisdictions. In 2012 she was honored by Morgan State University when she received *The Presidential Award* in recognition of her outstanding achievements and accomplishments. In 2005, she was honored as one of NLADA's National Gideon's Heroes. In 2007, she was given the Mitigation Life Time Achievement Award by NLADA. In 2002, the Alumni Association of University of MD School of Social Work named me Alumni of the Decade (90's).

Shannon Jones was appointed to the Kentucky Parole Board on July 1, 2010, and is currently serving as Acting Chairperson for the Board. She was recently appointed to serve as the Southern Regional Vice President for Association of Paroling Authorities International. Ms. Jones is active in many initiatives and organizations in Kentucky including the Governor's Reentry Task Force, Kentucky Council on Crime and Delinquency, Kentucky Victims Advocate Association, Parole Revocation Committee, as well as assisting with the accreditation process for the Parole Board. She is a resident of Lexington, Kentucky and a graduate of Eastern Kentucky University with a degree in Psychology. Ms. Jones has served as a Child/Adult Protection Investigative Supervisor as well as a Rapid Response Investigator for the Commonwealth of Kentucky. She has also served on multidisciplinary task force teams in Southeastern and Central Kentucky. Ms. Jones has conducted joint investigations with the Lexington Police Department and Kentucky State Police. She has acted as a liaison and provided training regarding child abuse/fatality investigations for Kentucky Coroners, Commonwealth Attorneys, Judges, University of Kentucky Hospital Child Abuse Task Force Team and other agencies.

Andrea M. Kendall is a Staff Attorney with DPA's Boone County Trial Office. Andrea graduated from Georgetown University Law Center in 2009 and has worked as a public defender in Montgomery County, Maryland and Santa Barbara County, California. Andrea joined DPA in 2011 as a Public Defender Corps Fellow specializing in Forensics.

Dan Kesselbrenner is the Executive Director of the National Immigration Project of the National Lawyers Guild and the co-author of *Immigration Law and Crimes*. Since 2011, he has worked with DPA on implementing the Supreme Court's decision in *Padilla v. Kentucky*.

Cicely Jaracz Lambert is an Assistant Appellate Defender with the Office of the Louisville Metro Public Defender. Previous work experience includes the Kentucky Administrative Office of the Courts (Director and General Counsel); Kentucky Court of Appeals (Staff Attorney); Kentucky Attorney General (Assistant Attorney General, Criminal Appeals); and private practice (Lambert and Lambert).

Jay Lambert is a 1983 graduate of the University of Kentucky School of Law. He came to work for the Office of the Louisville-Jefferson County Public Defender upon graduation and worked in the Adult Trial and Major Litigation Divisions until 1993, when he left to establish his own firm concentrating in the areas of criminal law and civil rights litigation. Mr. Lambert returned to the Office of the Louisville-Jefferson County Public Defender in 2000 as an Adult Trial Division Chief. From 2003 until 2013 he was the Capital Trial Division Chief. In January, 2013 he was named Director of Training and Performance Evaluation. During his years of practice, Mr. Lambert has tried more than ninety Circuit Court jury trials. He is admitted to practice in Kentucky state courts, the United States District Court for the Eastern and Western Districts of Kentucky and the Sixth Circuit. He has served as an instructor in criminal procedure at the Louis D. Brandeis School of Law at the University of Louisville and has taught various criminal

law topics and trial techniques at numerous seminars and workshops throughout Kentucky for the Department of Public Advocacy, the Louisville Bar Association, the Kentucky Association of Criminal Defense Lawyers and the American Trial Lawyers Association. Mr. Lambert was the recipient of the 2005 *Gideon Award* presented by the Department of Public Advocacy, and also received the 2009 *Frank E. Haddad, Jr. Award* from the Kentucky Association of Criminal Defense Lawyers.

John Gerhart Landon graduated from Lafayette College in Easton PA and attended the University of Kentucky Law School. John has worked as a trial attorney with the Lexington Office and as an appellate attorney.

Michael C. Lemke is the Chief of the Capital Trial Division of the Louisville-Jefferson County Public Defender's office. He is a 1982 graduate of the University of Louisville Brandeis School of law and is admitted to practice in Kentucky, federal courts for the Western District of Kentucky and the Sixth Circuit Court of Appeals. After a position as law clerk to Kentucky Supreme Court Justice Marvin Sternberg, Mr. Lemke came to the Public Defender's Office in 1983. During a six-year period, he handled appeals, misdemeanor and felony trials, civil commitment defense, and several capital cases. Mr. Lemke attended the National Criminal Defense College in Macon, Georgia in 1985 and the Clarence Darrow Death Penalty Defense College in Ann Arbor, Michigan in 2008. From 1989 until 2004, he was in the private practice of law that included securities fraud litigation, criminal trial work, criminal appeals, and various other matters. In 2004, he returned to the Louisville Metro Public Defender's Office to take a position in the Capital Trial Division. He has been on the faculty or served as mentor for Department of Public Advocacy training programs for several years. Mr. Lemke has been recognized numerous times for the successful defense of felony cases at trial, as well for the successful representation of defendants in capital trials. Additionally, in 2009, Mr. Lemke received the *Furman Award* from the Kentucky Department of Public Advocacy for "courageous representation of capital clients". He was named Deputy Chief of the Capital Trial Division that same year, and Chief of the Capital Trial Division in 2012.

Ernie Lewis grew up in Missouri, the son of a Baptist minister and a school teacher. He has a son, Ben, who is a public defender with the Charleston Public Defender's Office in Charleston, South Carolina. He also has a daughter, Rachel, who recently graduated from Washington University in St. Louis, a step-son who is an aspiring actor and a step-daughter who lives in Austin, Texas. He lives in Frankfort, Kentucky, with his wife Margaret Townsley who is the International Marketing Director with the Enterprise Division of Kentucky Educational Television. Ernie received his undergraduate degree from Baylor University in 1969, a Masters of Divinity from Vanderbilt University in 1973, and a *Juris Doctoris* (J.D.) from Washington University in 1977. He was a VISTA Volunteer in Minnesota. He was with the Department of Public Advocacy from 1976 until 2008 in several different capacities, including appellate lawyer, local assistance branch manager, directing attorney of the Richmond Trial Office, and Regional Manager for the Central Kentucky Region. He was appointed Kentucky Public Advocate in 1996, overseeing the statewide public defender system, and served in that capacity until 2008 when he retired from state government. Since 1985, he has been on the faculty of the National College of Criminal Defense located at Mercer Law School in Macon, Georgia. He has been on the faculty of the National Defender Leadership Institute as well as the NLADA's Nuts and Bolts of Defender Leadership. He served for two years as Chair of the American Council of Chief Defenders from 2006-2007. He has worked on indigent defense issues with various groups in Georgia, North Carolina, Minnesota, Texas, Ohio, Indiana, and Louisiana. In 2000, he was named Outstanding Lawyer by the Kentucky Bar Association. In 2007, he was given the Champion of Indigent Defense Award by the National Association of Criminal Defense Lawyers. In 2008, he was given the Chief Justice's Special Service Award. He received the Department of Public Advocacy's Professionalism and Excellence Award in 2003 and the Nelson Mandela Award in 2009. He is

now active in teaching public defenders, consulting, representing an occasional client, and advocating for the Kentucky Association of Criminal Defense Lawyers before the Kentucky General Assembly.

Shanin Lodhi, M.S., is the principal consultant of Odeix Forensic Consulting. Specializing in forensic serology, DNA, bloodstain pattern, general criminalists and crime scene evidence collection, she provides training and case consultation for local law enforcement agencies, attorneys, universities and laboratory personnel. Shanin has an extensive background in the field of forensic biology, previously working as a forensic scientist specialist for the Kentucky State Police Central Forensic Laboratory and with Applied Biosystems.

Roger Madore joined the Thomson Reuters Client Education TEAM in April of 2010. As a subject matter expert in CLEAR, he continues to provide historical and up-to-date information so that end-users are able to use CLEAR to its fullest potential. As the Client Education team member at Thomson Reuters, he focuses on the instruction of Federal, State and Local investigative agencies; specializing in fraud, identity theft and people locate cases. Prior to coming on with Thomson Reuters, as a Senior Consultant with Client Education, he worked as the Knowledge Management and Training Manager working with the Air Reserve Personnel Center (ARPC) in Denver, Colorado. Not only was he an end-user of CLEAR at ARPC he was also assigned as the CLEAR Administrator. While assigned to ARPC he was not only responsible for the education and training of over 150 on-site personnel but also served on the CADRE briefing team which aided remote and retired personnel as well. Roger has worked in the training arena for multiple years but has served in the capacity of a "full-time" trainer for the last seven years. His diverse background includes working as a crime & fraud analyst with various Local, State and Federal Government agencies (US Federal Attorney's office, DEA, Florida Department of Law Enforcement, Jacksonville Sheriff's office, and multiple local Law Enforcements agencies throughout the state of Florida). This broad range of experiences has given him the ability to adapt and cater to various customers' training needs. Roger has also served in the United States Air Force for over 20+ years. He started his military career as an active duty Security Policeman back in 1985. After leaving a four year tour on active duty he joined the Florida Air National Guard. While serving in the Air National Guard he eventually cross-trained into other career fields (Security Police – 16yrs, Education and Training Manager – 4yrs, Human Resources Personnel – 3yrs). Roger holds a bachelor's degree in Workforce Education, Training and Development from Southern Illinois University @ Carbondale along with three separate A.S. degrees (Criminal Justice, Education and Human Resources). The combination of his work experiences along with his people skills provide Roger with the perfect platform to do what he loves best and that is working with and educating people.

Euva D. May is a 1998 graduate of the Brandeis School of Law at the University of Louisville. Euva began her career with the Department of Public Advocacy in 2000. She worked 8 years in the Appeals Branch. From 2009 to 2012, Euva worked as a central staff attorney for Kentucky Supreme Court. In May 2012, Euva returned to work for the Department in the LaGrange Post-Conviction Office where her caseload includes capital and non-capital cases.

Glenn McClister is a Staff Attorney with DPA's Education and Strategic Planning Branch. Glenn received his J.D. from the University of Kentucky in 1997, and for nine years worked as an Assistant Public Advocate in Somerset, Kentucky, handling over 400 cases per year. Prior to becoming an attorney, Glenn was a state champion in speech during high school and competed during college as well. After completing the requirements for an M.A. in philosophy, including teaching for six years, he then spent two years as a professional actor, getting the chance to play the lead in "Two Gentlemen of Verona" on the stage of the Globe Theater in London, during a summer program there. After having secured a talent agent on 88th

street in New York and spending a great deal of time unemployed, Glenn joined the 101st Airborne Division when Desert Storm began and served for two-and-a-half years as an infantryman. After digging ditches in a Kentucky state park for a year, Glenn went to law school where he directed a production of "Gone with the Wind" starring the law school faculty and students during his third year, and won the College of Law Faculty Cup at graduation. Since joining the education branch, Glenn has designed and revised the new attorney training portion of the Kentucky Public Defender College, published three editions of the DPA Trial Law Notebook, contributed numerous studies of criminal justice issues to the Public Advocate, and designed the investigator training portion of Faubush. Glenn has also trained public defenders in Georgia, Pennsylvania, and Missouri.

Stephanie McKeehan is originally from Louisville, Kentucky. She graduated from the University of Cincinnati School of Law in 2000. She began working with the Department in the London office in 2003, left in 2005 and worked in the private sector for several years, and returned to the Department in 2010. She covers court primarily in Knox County, and has had extensive experience working with incompetent and mentally ill clients. As a result, she has also worked extensively with Dr. Drogin.

Charlotte McPherson is Manager of Kentucky Pretrial Services with the Administrative Office of the Courts. She has worked for Pretrial Services for 31 years beginning as a part-time Pretrial Officer in Monroe and Cumberland Counties. Charlotte was promoted into Pretrial's supervisory team in 2004 where she held the positions of Statewide Supervisor and Operations Supervisor until she accepted her current position as Manager in 2008. Charlotte holds Bachelors of Arts degrees in both Sociology and Journalism from Western Kentucky University where she served as chief reporter for the *Talisman* and was a member of Sigma Delta Chi, the Society of Professional Journalists. She is also a member of National Association of Pretrial Services Agencies (NAPSA) and is currently serving her third term as the Central Region Director, representing 18 states, on NAPSA's Board of Directors.

Nathan Miller is a 2002 graduate of the University of Louisville School of Law and completed undergraduate studies at Georgetown College, where he earned a B.S. in biology and chemistry. He started his career as a staff attorney with the Transportation Cabinet before moving to Washington, D.C. to work on drug policy reform. During his three years on Capitol Hill, he was a registered lobbyist in four states and helped craft legislation in as many as twenty-five. He then returned to Kentucky to practice criminal defense and currently works at DPA's Morehead office. He is a member of the Kentucky Association of Criminal Defense Lawyers and the National Association of Criminal Defense Lawyers, where he has served by appointment since 2009 on their State Legislative Affairs Committee.

Edward C. Monahan began as a public defender in 1976. He was appointed Kentucky Public Advocate by the Governor September 1, 2008 to a four year term and reappointed to a second four year term September 2012. He led the development of the nationally recognized legal education program. Ed is a charter board member of the Kentucky Association of Criminal Defense Lawyers and is past president of KACDL, past chair of the Kentucky Bar Association's criminal law section, was a member of the KBA Ethics Committee (2000-2007; 2008-2011). He is past chair of the American Council of Chief Defenders, chief defenders from across the nation dedicated to securing a fair justice system and ensuring high quality legal representation for poor people who face loss of life, freedom or family. He was co-counsel in *Gall v. Parker*, 231 F.3d 265 (6th Cir. 2000) and *Kordenbrock v. Scroggy*, 919 F.2d 1091 (6th Cir. 1990) (en banc) both granting federal habeas relief to clients sentenced to death. Monahan was counsel in *Binion v. Commonwealth*, 891 S.W.2d 383 (Ky. 1995) where the Kentucky Supreme Court recognized the need for defense experts.

J. David Niehaus received his J.D. from the University of Louisville in 1978. After practicing tort defense and insurance law with *Raine, Raine and*

Highfield, he joined the Louisville Metro Public Defender as Deputy Appellate Defender in 1983. He has handled appeals, habeas actions, and writs at all levels in Kentucky and federal courts. He argued *Batson v. Kentucky* before the United States Supreme Court. Currently he concentrates on state constitutional issues.

Damon Preston is the Deputy Public Advocate for DPA. After graduating from Transylvania University and Harvard Law School, Damon began his legal career in the Criminal Appeals Bureau of the Legal Aid Society in New York City. He returned to Kentucky in 1997 and has been with DPA ever since. First a staff attorney in the Richmond trial office, Damon led the Paducah and then Cynthiana offices as Directing Attorney. Starting in 2004, he managed DPA's Appeals Branch before joining DPA's Leadership Team as Trial Division Director in 2007. Early in 2011, he was appointed Deputy. In addition to work through DPA, Damon serves on the board of the Kentucky Association of Criminal Defense Lawyers and is the current chair of the Criminal Law Section of the Kentucky Bar Association. In spare time, he coaches his daughters Abbie and Marissa in softball with his wife Amy

Gina M. Pruski is Director of Training and Development for the Wisconsin State Public Defender's Office (SPD). She was appointed Training Director in 2004. Gina has been with the SPD since 1992, starting her legal career as a staff attorney in the SPD's Fond du Lac Trial Office and then later becoming the agency's Deputy Legal Counsel where she performed the legislative liaison duties on behalf of the agency. The WI SPD's Office of Training and Development's (OTD) takes a creative, collaborative and cost-effective approach to training. Two innovative programs created by Gina and her training team include the People in Crisis Program and the Respectful Workplace Program. The People in Crisis Program is a simulation exercise designed to help participants better understand what it might feel like to live as a low-income family trying to meet basic needs. The Respectful Workplace Program uses scenarios to engage participants in a discussion about respect, fairness and appreciation in a culturally diverse workplace. In 2007, the SPD received a Program Achievement Award from the State Council on Affirmative Action (SCAA) for the People in Crisis Program. In 2008, the SCAA honored the agency once again with a Diversity Award for the Respectful Workplace Program. Collaborative training projects under Gina's leadership include joint programs with prosecutors in the areas of negotiation (where prosecutors play the role of public defenders and public defenders play the role of prosecutors), direct and cross-examination skills and new legislation. Not only do these joint training programs conserve limited resources, they help prosecutors and public defenders gain a better understanding and appreciation of each other's work. Gina and her team have implemented a number of cost-efficiencies in the OTD since 2004, saving the agency a significant amount of money over the years. Measures include converting the agency's legal publication *The Wisconsin Defender* from paper to electronic, developing a system to promote agency training programs through email, Facebook, Twitter and other social media and providing training materials in digital format instead of on paper. Most recently, the OTD has built a system enabling the agency to provide continuing legal education (CLE) on-demand, saving time and money not only for the agency but for private attorneys who participate in SPD CLE training. Gina received her undergraduate degree from the University of Wisconsin-Madison in 1989 and her law degree from the University of Wisconsin Law School in 1992. She is also a 2000 graduate of Duke University's Strategic Leadership for State Executives Program. Gina is co-author of the WISCONSIN JUVENILE LAW HANDBOOK (1st, 2nd and 3rd editions) published by the State Bar of Wisconsin. She is a faculty member of the University of Wisconsin Law School's Lawyering Skills Course and regularly volunteers as a judge for the Evan A. Evans Constitutional Law Moot Court Competition. She has served on various committees, including the Child Welfare Executive Steering Committee and the Children in Need Task Force. She was a state reviewer for the Federal Child and Family Services Review in August 2003. She is currently a member of the Wisconsin State Training Council and

served as Vice-Chair in 2009 and as Chair in 2010. Gina is a 2011 recipient of the Women in the Law honor bestowed by the *Wisconsin Law Journal*.

Angela Rea is currently a Division Chief in the Adult Trial Division. She has been an attorney with the Louisville Metro Public Defender's Office since April of 2003. Prior to that, in 1997, she graduated from Indiana University with Bachelors of Arts degrees in English and French. During her time at IU, she spent a year living and studying in Strasbourg, France. She went on to receive her law degree from Cornell Law School in 2002. While at Cornell, she worked with the school's Legal Information Institute. She also spent four months living and working for the United Nations Drug Control Program in Bridgetown, Barbados. During her tenure at the Louisville Metro Public Defender's Office, she has practiced in the Adult and Capital Trial Divisions and in the Appellate Division. In 2005, she was selected to attend the National Criminal Defense College in Macon Georgia. More recently, in 2007, she took part in a Spanish language study program with other attorneys and with judges that ended with an immersion stay in Morelia, Mexico to practice language skills and undertake a comparative study of the justice systems of Mexico and the United States. After tours in the Capital Trial and Appellate Divisions of the office, she returned to the Adult Trial Division in the fall of 2008, first as a Deputy Division Chief, and then, beginning in July 2010, as one of the Division Chiefs in the Adult Trial Division. Angela has won five *Walker Awards* for excellent advocacy in felony jury trials that resulted in verdicts of acquittal. Her work has also earned her the *Clarence Darrow Prodigy Award* from the Kentucky Association of Criminal Defense Lawyers and designation as one of Louisville's Best Lawyers under 40 by *Louisville Magazine*.

Susan Reale, J.D., was born in Louisville, KY and graduated from Davidson College, in Davidson, N.C., with a B.A. *Cum Laude* in English. She spent her entire junior year on a Davidson study abroad program in Wuerzburg, Germany, where she lived in an international dorm, was enrolled in the University of Wuerzburg and took all her classes in German. After graduating from college, she spent a year in Hokota, Japan teaching English to Japanese junior high school students. After her experiences in Japan, Susan traveled for six months with a friend around the world to such places as New Zealand, Australia, Bali, and Java in Indonesia, Korea, Thailand, Vietnam, Singapore, Japan, and then to Greece, Italy, Germany, and the U.K., before returning to the States. Susan then immediately enrolled in the University of Kentucky College of Law, and received her J.D. in 1999. She was recruited by Bass, Berry & Sims in Nashville, where she practiced law for two years in the Commercial Litigation section. She joined West, a Thomson Reuters business, as a Government Account Representative in April 2001, and was promoted in January 2003 to a Government Account Manager. Susan manages and trains the Westlaw government accounts in Tennessee, Kentucky and Southern Ohio.

Peter L. Schuler is a 1972 graduate of Vanderbilt University and a 1975 graduate of the Brandeis School of Law at the University of Louisville. He has worked at the Louisville Metro Public Defender's Office since 1976. Since 1982, his practice has been concentrated in the area of juvenile law and mental health law. In 1983, he became the Chief of his office's Juvenile and Mental Health Division. He has participated in attorney training for the Kentucky Bar Association and the Department for Public Advocacy with respect to juvenile law and mental health issues. He was the 1999 recipient of the Department for Public Advocacy's *In Re Gault Award*, which recognizes excellence in advocacy in the area of juvenile law. In 2005, he received the KACDL's *Juvenile Justice Award*. He co-authored the chapter on *Juvenile Law and Psychiatry* in the *Handbook of Child and Adolescent Psychiatry* (John Wiley, 1998), Paul Adams, M.D., editor. He is an ongoing member of the taskforce which created the *Restorative Justice Diversion Project (RJP Louisville)* with respect to juvenile offenders in Louisville. In 2010-11 he was an involved member with the workgroup that restructured the existing Jefferson District Court. He has served continuously since 2003 on the Louisville Metro Criminal Justice Commission *Disproportionate Minority Confinement (DMC) Advisory Board*. He is also currently serving

and served in the past as a voting member of *Citizens for Better Judges*. In 2012 he served as a member of Governor Brashear's *Task Force on Juvenile Justice Reform*. In 2013 he received the Kentucky Department of Public Advocacy's 2013 *Professionalism & Excellence Award*.

Karen E. Sheets-Mobley, LCSW LMFT, graduated from Murray State University with a degree in psychology and sociology, a master's in social work from the Kent School of Social work at the University of Louisville and then a post graduate degree in Marriage and Family Therapy. She is a licensed clinical social worker and licensed marriage and family therapist. She has worked with children and families who have experienced trauma, individuals and families affected by a disability and is now working at The InnerView providing EAP and outpatient therapy services.

Leo G. Smith is a trial attorney who serves as Deputy Chief Public Defender in the Office of the Louisville-Jefferson County Public Defender. A Louisville native, he attended St. Xavier High School, graduated from the University of Louisville with high honors and a Bachelor of Science degree in Commerce and, thereafter, graduated *cum laude* from the Louis D. Brandeis School of Law at the University of Louisville, where he served as Executive Editor of the Law Review. He was also a member of the Brandeis Honor Society and, upon graduation, received the *Robert C. Jayes Memorial Award*. For the past 31 years, he has served as a staff trial attorney and held several leadership positions with the Public Defender's Office, including Director of Training and Chief of the Adult Trial Division. He has acted as lead counsel in numerous jury trials, including several death penalty cases. In 2000, he received the *Distinguished Alumnus Award* from the University of Louisville's Brandeis School of Law. His work was also recognized by the Department of Public Advocacy and Kentucky Bar Association in 1999 with the presentation of its first *Professionalism and Excellence Award*. He has authored several articles on criminal defense practice that have been published in *The Advocate*, the Journal of Criminal Justice Education & Research publication of the Kentucky Department of Public Advocacy. Mr. Smith is a former member of the Board of Directors of the Louisville Bar Foundation. He is the current chair of the Criminal Law Section of the Kentucky Bar Association, as well as a past chair of the Criminal Law Section of the Louisville Bar Association and a former member of the LBA Professional Responsibility Committee. Mr. Smith was trial counsel in the case of *Griffith v. Kentucky*, 107 S.Ct. 708 (1987), which decided the retroactivity question left open in the landmark case of *Batson v. Kentucky*. He has received numerous *Walker Awards* in recognition of excellence of advocacy in felony jury trials that resulted in the acquittal of his clients.

Amy Robinson Staples is the Post-Conviction Branch Manager. She is a graduate of Georgetown College and the University of Kentucky College of Law. Amy began her career with DPA as a law clerk with the Juvenile Post-Disposition Branch in 1998. Since that time, she has enjoyed stints as a staff attorney with the JPDB and with the Kentucky Innocence Project and as supervisor of the Frankfort Post-Conviction unit. She and her husband Robbie are the very proud parents of a handsome 3 ½ -year-old son, Briley.

Amy Swann, M.S.S.W., joined Kentucky Youth Advocates (KYA) in January 2009. As the KIDS COUNT Coordinator, Amy disseminates the Annie E. Casey Foundation's national KIDS COUNT publications in Kentucky and oversees all of KYA's KIDS COUNT work. The Kentucky KIDS COUNT project collects, analyzes, and publishes data on over 100 measures of child well-being at the county- and school district-levels and for the state as a whole; and publishes an annual Data Book and periodic topical briefs highlighting evidence-based research and best practices for improving child well-being. As a Senior Policy Analyst, Amy works on various child welfare and juvenile justice projects within KYA's advocacy portfolio. Some of Amy's work to improve juvenile justice has included advocating for the removal of the Valid Court Order Exception for status offenders in the federal Juvenile Justice & Delinquency Prevention Act; membership in

the 2009 Kentucky Supreme Court's Civil Rules Initiative Subcommittee of Status Offenders; and writing publications on disproportionate minority contact throughout Kentucky's system of juvenile justice, Kentucky's overreliance on incarceration for status offenders, and the use of the Reclaiming Futures model for status offending youth. Before KYA, for five years Amy provided long-term case management services to homeless individuals and families, and worked part-time at the Kentucky Correctional Institution for Women arranging for the re-entry of inmates diagnosed with a severe and persistent mental illness and providing continued case management after release. A native of Louisville, KY, Amy attended Spalding University for her Bachelors of Science in Social Work and the University of Louisville for her Masters of Science in Social Work.

Jerod Mitchell Thomas is from St. Alban's, West Virginia. He received his Master's of Education degree at the University of Tennessee, and taught and coached high school athletics in the Tennessee school system. He left teaching and pursued a career in sales, which included various products and services, and a position as National Sales Director for an athletic apparel company. In 2009, Jerod made a major career change. After a 15-year struggle with drugs and alcohol, Jerod got sober, and began a second career in substance abuse counseling. He began as a drug and alcohol counselor at WestCare Kentucky in Ashcamp, a non-profit substance abuse program. He later was moved to Program Director for WestCare, at the Boyle County Detention Center. Under Jerod's direction and leadership, the Boyle County facility became one of the few licensed detention facilities in the Commonwealth of Kentucky. He is currently serving as the Deputy Administrator for WestCare Foundation.

Krsna Tibbs is a Division Chief in the Adult Trial Division of the Louisville Metro Public Defender's Office. He graduated from the University of Louisville with a Bachelor's of Science in Business Management, in 1997. Originally from Atlanta, Georgia, Mr. Tibbs attended the University of Louisville on a debate scholarship, where he was Co-captain of the debate team and then Assistant Debate Coach for three years for a nationally ranked debate team. While Mr. Tibbs was Assistant Debate Coach, he obtained a M.B.A. in Business Management in 2001 from the University of Louisville, College of Business and Public Administration. He then attended the Brandeis School of Law at the University of Louisville, where he won the 2002 Pirtle-Washer Moot Court Competition, the law school's "oldest and most prestigious moot court competition." Upon his graduation from the Brandeis School of Law in 2003, Mr. Tibbs accepted a position as a staff attorney in the Adult Trial Division of the Louisville Metro Public Defender's Office, successfully defending clients charged with major felonies. Mr. Tibbs has tried over twenty-five cases in the District and Circuit courts. He has received four *Walker Awards* for excellence of advocacy in felony jury trials resulting in verdicts of complete acquittal. In October of 2008, Mr. Tibbs was promoted to Deputy Chief of the Adult Trial Division and in July 2010 was appointed as one of its Division Chiefs. He was selected to attend and graduated from the National Criminal Defense College Trial Practice Institute at Mercer University in Macon, GA, in June 2007. He is a member of several civic and professional legal organizations including the Louisville Bar Association, the Louisville Black Lawyers Association, NAACP, National Association of Criminal Defense Lawyers and Kentucky Association of Criminal Defense Lawyers. He is a former Associate member of the Louis D. Brandeis American Inn of Court. In 2008, Mr. Tibbs received the *Frank E. Haddad, Jr. Young Lawyer Award* from the Louisville Bar Association.

Watani S. U. Tyehimba, CPP, CCDI, is a Certified Protection Professional (CPP), and a Board Certified Criminal Defense Investigator (CCDI). He is President and CEO of (TSI)Tyehimba Services, Inc., which specializes in criminal defense, mitigation and post-conviction investigations in complex high profile capital cases. He is a firearms and self-defense instructor specializing in issues regarding the use of force, and has qualified and testified as an expert witness on firearms forensic evidence, and reconstructive aspects of crime scenes, and shooting incidents for the Superior

Courts of Georgia and Mississippi.

Dehlia Umunna is currently the Deputy Director of Harvard Law School's Criminal Justice Institute (CJI). Ms. Umunna is also a Lecturer on Law and a Clinical Instructor at CJI, where she supervises third year law students in their representation of adult and juvenile clients in criminal and juvenile proceedings. She provides classroom instruction on lawyering skills and the application of criminal law, procedure, rules of evidence, motions and trial practice, and constitutional protections to the development of defense strategy. Ms. Umunna also coaches the Harvard Law School (HLS) National Criminal Justice Trial Advocacy team and the HLS Black Law Student Association trial team, leading both teams to numerous national and regional awards. In addition to her work at HLS, Ms. Umunna also serves as a faculty member for Gideon's Promise (formerly the Southern Public Defender's Training Center) and is a frequent presenter at Public Defender Training Conferences around the country. Prior to joining CJI, Ms. Umunna spent seven years at the Public Defender Service for the District of Columbia (PDS) as a trial attorney. At PDS, she was a felony one trial attorney, representing indigent clients in hundreds of cases that ranged in seriousness from misdemeanor charges of theft, assault, and drug possession to felony charges of narcotics distribution, firearms possession, armed robbery, kidnapping, child sexual abuse, rape, and homicide. Some of Ms. Umunna's cases received nationwide media attention. She also served as a presenter in training attorneys under the Criminal Justice Act. From 2002 to 2007, Ms. Umunna was an adjunct professor of law and Practitioner in Residence at American University, Washington College of Law. She was also a board member of the District of Columbia Law Students in Court Clinic and a guest lecturer for several years at the George Washington University Law School. Ms. Umunna is a member of the Massachusetts, Maryland, and District of Columbia bar associations. She earned her Bachelor of Arts in Communication from California State University, a juris doctor from George Washington University Law School, and a Masters in Public Administration from the Harvard Kennedy School of Government. Her article "Rethinking the Neighborhood Watch: How Lessons from Nigerian Villages Can Creatively Empower Communities to Assist Low-Income, Single Mothers In America," was recently published in *AM. U. J. GENDER, SOC. POL'Y & L.* (Volume 20, Number 4).

Robert Walker, M.S.W., L.C.S.W., is Assistant Professor of Behavioral Science at the University of Kentucky Center on Drug and Alcohol Research with conjoint appointments in Social Work and Psychiatry. He received his M.S.W. degree from the University of Kentucky and was the Center Director of community mental health center for 20 years. He has over 25 years' experience as a clinician and clinical supervisor and has overseen clinical services for substance abuse and programs for offenders. He has been a co-investigator on partner violence studies in rural and urban areas and has been an evaluator of substance abuse treatment programs in rural and inner city programs. Mr. Walker was the principal investigator of a state-mandated substance abuse treatment outcome study. He has taught psychopathology, social work interventions with family problems, and research design and implementation in the graduate program in the College of Social Work at the University of Kentucky for 16 years. He currently teaches social welfare policy analysis and theory in the doctoral program in the UK College of Social Work. He currently provides consultation to the Department of Public Advocacy on capital cases. He has published over 80 articles and book chapters on substance abuse, brain injury, domestic violence, ethics, and personality disorders.

B. Scott West is currently DPA's General Counsel; prior to that, Scott was Bluegrass Regional Manager in the Richmond Field Office, Directing Attorney for Murray Field Office, and a staff attorney in the Hazard Field Office. A graduate of the University of Kentucky Law School (1988), and Vanderbilt University (1985), Scott practiced for ten years at Texaco Inc., in Houston, Texas, before joining DPA in 1999. He is married to Beverley and father to Hannah. They live in Richmond.



Kentucky Lawyer Assistance Program (KYLAP)

A Confidential Service for the Kentucky Legal Community

**P.O. Box 1437
Frankfort, KY 40602
(502) 564-3795, Ext. 266
Fax (866) 364-7254
www.kylap.org**

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KYLAP is a program of the Kentucky Bar Association (KBA) that offers help to members of the Kentucky legal community (including law students) who are struggling with mental health issues, such as depression, alcohol and drug abuse, stress, compulsive gambling or any other condition that may adversely impact the individual's personal or professional life. KYLAP contact is confidential and there are no fees for services.

Referrals to KYLAP may be made by the individual in need or anyone concerned about an impaired attorney, judge or law student. It is a safe place to turn for confidential assistance.

The bedrock of KYLAP is a network of volunteer counselors. Most of KYLAP's volunteers are members of the legal community and many have recovered from alcoholism, drug addiction and/or mental disease or disorders. KYLAP, its staff, and the volunteers stand ready to assist their colleagues in all facets of recovery.

All calls to KYLAP are strictly confidential. SCR 3.990

How can KYLAP Help?

Among the services which KYLAP can offer the individual in need or their support people are:

Assessment and Referral: A trained member of the KYLAP staff will meet with the affected attorney, to discuss the problem and recommend available treatment and rehabilitation options.

Interventions: In appropriate situations, a member of the KYLAP staff may make arrangements for, and participate in, a formal intervention to assist an impaired attorney.

Peer Support Network: The affected attorneys may be paired with a recovering lawyer in their area to act as a mentor and assist with their recovery.

Education and Prevention: KYLAP works with law firms, the courts and bar associations to provide training and education concerning attorney impairment and recovery. In addition, KYLAP makes regular presentations at Kentucky's law schools regarding impairments and the bar admission process.

Structured Rehabilitation Program: In cases involving attorney discipline or admissions problems, KYLAP will implement a structured rehabilitation program to document a participant's recovery. If the individual chooses, this documentation may be taken into consideration by the KBA, the Office of Bar Admissions and/or the Kentucky Supreme Court when determining discipline or recommendations for admission or re-admission.

Recovery Group Meetings: KYLAP facilitates open 12-step recovery meetings in Louisville, Lexington and Erlanger each week. The meetings are held at 7:30 a.m. on Tuesdays at Lakeside Christian Church, 195 Buttermilk Pike, Erlanger, KY 41017; at 7:30 a.m. on Wednesdays at the Alano Club, 370 East Second Street, Lexington, KY 40507, and at 7:30 a.m. on Thursdays at Dish on Market (formerly Delta Bar & Lounge), 434 West Market Street, Louisville, KY 40202. Meetings are open to all law students, lawyers and Judges who are already involved in or are interested in 12-step recovery.

Students with Bar Application Issues: All applicants seeking admission to the Kentucky Bar are expected to fully disclose any physical or psychological issue that may impair his or her ability to practice law. KYLAP is available to discuss any law student's or applicant's situation in a confidential setting prior to submission of the Bar Application. In addition, when appropriate, KYLAP can implement a structured rehabilitation program for each individual that documents his or her efforts to address the issues in question.

Depression Is:

- An Illness: Just like diabetes or high blood pressure. Depression is not a character flaw.
- Common: One out of ten adults experience depression, the rate is higher for legal professionals
- Insidious: People are often unaware that what they are experiencing is depression.
- Ignored: 75 percent of those with depression never seek treatment and suffer needlessly.
- Treatable: More than 80 percent of those seeking help find relief.

ACCORDING TO A JOHNS HOPKINS UNIVERSITY STUDY, ATTORNEYS SUFFER FROM DEPRESSION AT A MUCH HIGHER RATE THAN THE GENERAL POPULATION.

Signs and Symptoms of Depression

- Persistent sadness or apathy, crying, anxiety
- Feelings of emptiness, helplessness and hopelessness, worthlessness or guilt
- Loss of interest or pleasure in usual activities
- Trouble concentrating or remembering things
- Marked increase or decrease in sleep and appetite
- Fatigue or loss of energy
- Recurrent thoughts about death or suicide

Depression is treatable

- Early treatment can make a positive difference
- A combination of therapy and medication has been shown to be effective in decreasing depression
- Mindfulness meditation is growing in frequency as an effective measure to treat depression
- Seek confidential help through your doctor, a therapist or the Kentucky Lawyers Assistance Program

Suicide Warning Signs

- Verbal threats or comments such as “You’d be better off without me” or “maybe I won’t be around”
- Direct threats to do harm to self such as “I will just kill myself”
- Depression
- Expressions of hopelessness and/or helplessness
- Personality change (withdrawal, aggression, moodiness)
- Giving away life’s possessions, getting one’s life in order
- Lack of interest in the future
- Previous suicide attempts

Suicide Can be Prevented

In the majority of cases, suicide is a tragic result from a common and treatable mental illness and/or substance abuse disorder

If you are concerned about someone:

- Ask the person if they are thinking about hurting or killing themselves; ask about suicide
- Convince them to seek help, agree to take them to help or call for help

If you are considering hurting yourself or considering suicide

- Tell someone
- Call 911 emergency services
- Go to the nearest hospital emergency room
- Call the National Suicide Crisis Line at 1-800-273-TALK (8255)
- Call KYLAP at (502) 564-3795

**Is this you or someone you know?
Call KYLAP at (502) 564-3795**

Everyone deserves the best defense.

They fight for it.

Kentucky DPA Presents an Exclusive Premiere Showing of *Gideon's Army*

Seelbach Ballroom - Monday, June 17 - 7:30 pm

GIDEON'S ARMY follows the personal stories of Travis Williams, Brandy Alexander and June Hardwick, three young public defenders who are part of a small group of idealistic lawyers in the Deep South challenging the assumptions that drive a criminal justice system strained to the breaking point. Backed by mentor Jonathan "Rap" Rapping, a charismatic leader who heads the Southern Public Defender Training Center (now known as Gideon's Promise) they struggle against long hours, low pay and staggering caseloads so common that even the most committed often give up in their first year. Nearly 50 years since the landmark Supreme Court ruling *Gideon vs. Wainwright* that established the right to counsel, can these courageous lawyers revolutionize the way America thinks about indigent defense and make "justice for all" a reality?



EVALUATIONS!

You can now evaluate all your sessions online. Go to the following and complete the evaluation for each session you attend. It works on your computer, pad, or smartphone.

tinyurl.com/dpa-eval

(We still have paper forms available if requested)