



# OHIO ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

presents...



## THE PREMIER OHIO DUI DEFENSE SEMINAR

March 10-11, 2016

Combined with the Totally Unique - One of a Kind

## The OACDL Trial Skills Academy

March 12, 2016

Learn how to  
**Attack  
Breath,  
Blood &  
SFSTs**



***DUI Evidence on Trial***

## WOW - CHECK OUT THE FACULTY FOR THESE COMBINED SEMINARS!

**Out of State Faculty:** Dr. Jimmie Valentine, Mississippi – Dr. Lance Platt, Texas – Dr. Ron Henson, Illinois – Sarah Toney, Illinois – Richard Middlebrook, California – Harley Wagner, West Virginia – Jason Glass, West Virginia – Todd La Neve, West Virginia – Kim Frye, Georgia – Rob McKinney, Tennessee – Kirby Riffle, Arkansas – Mike Nichols, Michigan Barton Morris, Michigan – Gary Wilson, Michigan – Patrick McLaughlin, South Carolina – Shaun Kent, South Carolina – Frank Mungo, Kentucky – Jamie Balagia, Texas – Drew Carroll, South Carolina – Pat Barone, Michigan – Barton Morris, Michigan

**Ohio Faculty:** Tim Huey, Ohio – Jon Saia, Ohio – Michael Streng, Ohio – Shawn Dominy, Ohio – Steve Adams, Ohio – Cleve Johnson, Ohio – Dan Sabol, Ohio – Joe Hada, Ohio – Joe Patituce, Ohio – Doug Clifford, Ohio – Rob Calesaric, Ohio – Kelly Farrish, Ohio – Rob Lyons, Ohio – Ken Bossin, Ohio – Mark Gardner, Ohio – Terry Rudes, Ohio – Jeff Meadows, Ohio – Robert Beck, Ohio

Approved  
for CLE credits  
by The National  
College for DUI  
Defense and the DUIDLA

Non-Ohio DUIDLA & NCDD  
Members Receive  
Member Rates



# THE ANNUAL OACDL PREMIER DUI DEFENSE SEMINAR

Sessions 1 & 2 March 10 & 11 **AND...**

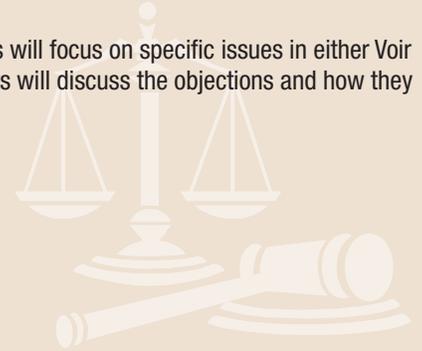
...Session 3 March 12 - Annual Trial Skills Academy

*Attend all three sessions or the ones that meet your needs*



## Agenda Session 1: Thursday, March 10, 2016 ~ 5.25 CLE Hours

11:30 - 12:15	Registration			
12:15 - 12:30	Mike Streng - Overview of Mini Mock Trial Segments			
	These Mini Mock trial segments will include judges and jurors. The lawyer participants will focus on specific issues in either Voir Dire, Opening, Cross, Direct or Closing. In the panel session the judges and participants will discuss the objections and how they would rule.			
12:30 - 1:30	Mini Mock Trial – SFSTs and Refusal of Chemical Tests			
	1. Voir Dire SFSTs Jeff Meadows	2. Voir Dire Refusal Kim Frye	3. Cross re SFSTs & Refusal Jamie Balagia	
1:30 - 2:30	Mini Mock Trial re: Blood Alcohol			
	1. Voir Dire Mark Thiessen	2. Cross of Lab Tech Mark Thiessen	3. Closing Shaun Kent	
2:30 - 2:45	Break			
2:45 - 4:00	Mini Mock Trial re: Breath			
	1. Voir Dire Michael Nichols	2. Opening Tim Huey	3. Cross of Officer Using ODH & NHTSA Manuals Dan Sabol	4. Direct of Defense Expert Tim Huey & Dr. Ron Henson
4:00 - 4:45	Presentation – Data Masters and the future of Breath Testing – Dr. Ron Henson			
4:45 - 5:00	Break			
5:00 - 6:00	Break outs			
	<b>Panel re: Mock Trial</b> Judges, Lawyers and experts from the Mini Mock Trials will discuss objections, rulings, and lessons learned during the exercise.	<b>Primer - Motion Hearing &amp; Trial Prep</b> Steve Adams will share his techniques and tips for preparing for motion hearings and trials.	<b>Mystery Panel</b> <i>Attendees choose the topics.</i> The panel led by Terry Rudes and Kirby Riffel joined by Cleve Johnson, Sarah Toney, Pat McLaughlin and Barton Morris	
6:00	Reception			



## RECEPTION

### Thursday, March 10, 2016 - Evening Gathering

6:00 – 7:30 Hors d'oeuvres, Breath Testing, Experts to Consult with & Camaraderie  
Eat, drink, experiment with all models of breath machines and discuss DUI issues with your colleagues

## THE WESTIN COLUMBUS

310 South High Street, Columbus, Ohio 43215  
Phone (614) 228-3800 [www.westincolumbus.com](http://www.westincolumbus.com)

- Go to [OACDL.com](http://OACDL.com) for a link to book online at seminar rate-  
The Westin Columbus (formerly the Great Southern) is located in downtown Columbus Ohio on the corner of Main and High streets (across from the new Common Pleas Courthouse) and is a beautiful historic hotel, newly remodeled in first class luxury standards.

The standard room rate for this seminar is \$132.00  
*Reservations must be made by 2-24-2016*

# 2016 OACDL *BEST IN THE MIDWEST* DUI DEFENSE SEMINAR

March 10-11 and Trial Skills Academy March 12

## *WHAT YOU NEED TO KNOW IF YOU HANDLE DUI CASES*



### Agenda Session 2: Friday, March 11, 2016 ~ 6.5 CLE Hours

8:00 – 8:30	Registration	
8:30 - 9:15	Jamie Balagia – Eye Opening DUI Trial Tips	
9:15 - 9:50	Michael Kessler – Ethics for DUI Defense Lawyers	
9:50 - 10:30	Rob McKinney – Using Focus Groups on a Budget	
10:30 - 10:45	Break	
10:45 - 12:00	Rob Caesaric - Challenging Marijuana Per Se Laws – Legal Perspective Dr. Jimmie Valentine – Debunking Ohio's Per Se Marijuana / Metabolite Levels	Dr. Lance Platt, Harley Wagner, Drew Carroll and Kelly Farrish – Introduction / Primer on Standardized Field Sobriety Tests
12:00 - 1:00	Lunch	
1:00 - 2:00	Patrick McLaughlin & Shaun Kent – Persuasion, Opening & Closing	
2:00 - 3:00	Jimmie Valentine – Potential Issues in Blood and Urine Cases	
3:00 - 3:15	Break	
3:15 - 4:30	Rapid Fire DUI Presentations Intoxilyzer 8000 Update - Joe Hada ODH Regulation Revisions - Jon Saia Excluding Blood Tests - Doug Clifford ABC's of Addressing Belated Charges - Shawn Domy New Issues Related to Refusals - Terry Rudes	Panel Defending Blood & Urine Test Cases. Mark Thiessen, Jimmie Valentine, Sarah Toney and a mystery guest or two



### **FREE PARKING - IN THE CITY CENTER PARKING GARAGE.**

It is located across from the hotel's parking on Main Street. **Make sure you get a parking voucher at the OACDL registration table.**

**CLE Credit Hours Requested:** Pursuant to Rule X of the Government of the Bar, the sponsor has requested **5.25 CLE credit hours** for Session 1 - 6.5 credit hours, Session 2 - 5.5 credit hours and Session 3 - 5.5 credit hours from the Ohio Supreme Court Commission on Continuing Legal Education. Participants must apply through the CLE sponsor for credit. All Ohio attorney registrants must include their Ohio Registration Number (as issued by the Ohio Supreme Court) on the registration form. All attendees must return completed CLE forms to the OACDL at the seminar.

# ANNUAL OACDL TRIAL SKILLS ACADEMY

**Saturday, March 12, 2016 ~ 5.5 CLE Hours**

## **NHTSA SFSTS in Motion Hearings and Trials**

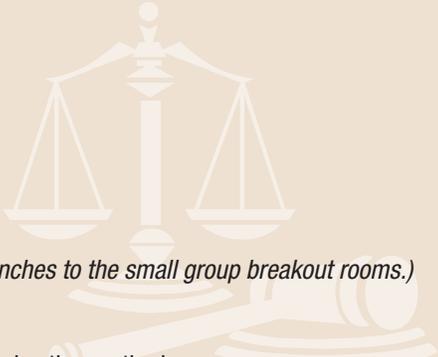
**Led by Lance Platt – NHTSA Instructor & Expert**

**Assisted by a Cadre of Certified NHTSA Instructors**

Electronic Copies of 2013 & 2015 Manuals Provided

Participants will learn the current NHTSA Standards and learn about major changes to the SFST Manual. They will also learn techniques to use the NHTSA studies and Manuals to make their case and how to contest / debunk / marginalize the NHTSA SFSTs.

The general format for this workshop will be a discussion of the method being studied, followed by small group breakout sessions based on experience level / familiarity of the subject matter. The small groups will be led by top trial lawyers from around the country selected for their ability to facilitate learning.



9:30	Sign in, get comfortable - be in the room by 10:00	
10:00 - 12:30	Large Group Presentations <ul style="list-style-type: none"><li>• The 2013 &amp; 2015 Manuals</li><li>• Tips on taking on SFSTs and Demonstrations of SFST Cross Examination</li></ul> <i>By Drew Carroll, Harley Wagner, Kirby Riffle, Kelly Farrish, Rob Lyons, Jeff Meadows, Mark Gardner and Ken Bossin</i>	
12:30 - 1:00	Break and pick up lunches - <i>(Lunches will be provided &amp; participants will take their lunches to the small group breakout rooms.)</i>	
1:00 - 2:30	Small group / individual workshops Breakouts focusing on both cross examination and SFSTs	Alternative Track – Patrick Barone Using Trial Lawyers College inspired action methods to hone your voir dire and opening statements
2:30 - 2:45	Break	Break
2:45 - 4:15	Small group / individual workshops continued	Alternative track continued

***The best lawyers know that to be the best requires brainstorming and working with others on your skills. Because of this, lawyers from all over the country are eager to come and be instructors at this unique trial skills workshop.***

## **OUR INCREDIBLE TRIAL SKILLS WORKSHOP FACULTY**

Sarah Toney, Illinois – Richard Middlebrook, California – Harley Wagner, West Virginia – Jason Glass, West Virginia – Todd La Neve, West Virginia – Kim Frye, Georgia – Rob McKinney, Tennessee – Kirby Riffle, Arkansas – Mike Nichols, Michigan Barton Morris, Michigan – Gary Wilson, Michigan – Patrick McLaughlin, South Carolina – Shaun Kent, South Carolina – Frank Mungo, Kentucky – Jamie Balagia, Texas – Drew Carroll, South Carolina – Pat Barone, Michigan – Barton Morris, Michigan – Tim Huey, Ohio – Shawn Dominy, Ohio – Steve Adams, Ohio – Cleve Johnson, Ohio – Dan Sabol, Ohio – Joe Hada, Ohio – Joe Patituce, Ohio – Doug Clifford, Ohio – Rob Calesaric, Ohio – Kelly Farrish, Ohio – Rob Lyons, Ohio – Ken Bossin, Ohio – Jeff Meadows, Ohio – Robert Beck, Ohio & Mark Gardner, Ohio

# WHAT YOU NEED TO KNOW TO DEFEND DUI CASES IN 2016

Annual Trial Skills Academy • March 12, 2016

Name \_\_\_\_\_

Address \_\_\_\_\_

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

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

### Thursday - Premier DUI Day 1- Single Day- Registration (5.25 CLE Hours)

Pre-registration:  OACDL Member \$ 240  Non-Ohio DUIDLA or NCDD Members \$ 240  Non-members \$ 260

On-site registration:  OACDL Member \$ 255  Non-Ohio DUIDLA or NCDD Members \$ 255  Non-members \$ 275

### Friday – Premier DUI Day 2 - Single Day Registration (6.50 CLE Hours)

Pre-registration:  OACDL Member \$ 280  Non-Ohio DUIDLA or NCDD Members \$ 280  Non-member \$ 300

On-site registration:  OACDL Member \$ 315  Non-Ohio DUIDLA or NCDD Members \$ 315  Non-member \$ 350

### Saturday – Trial Skills Workshop- Single Day Registration (5.50 CLE Hours)

Pre-registration:  OACDL Member \$ 250  Non-Ohio DUIDLA or NCDD Members \$ 250  Non-member \$ 295

On-site registration:  OACDL Member \$ 275  Non-Ohio DUIDLA or NCDD Members \$ 275  Non-member \$ 330

### Thursday & Friday Combined (11.75 CLE hours)

Pre-registration:  OACDL Member \$ 470  Non-Ohio DUIDLA or NCDD Members \$ 470  Non-members \$ 520

On-site registration:  OACDL Member \$ 485  Non-Ohio DUIDLA or NCDD Members \$ 480  Non-members \$ 540

### Friday & Saturday Combined (12.00 CLE hours)

Pre-registration:  OACDL Member \$ 475  Non-Ohio DUIDLA or NCDD Members \$ 475  Non-members \$ 525

On-site registration:  OACDL Member \$ 490  Non-Ohio DUIDLA or NCDD Members \$ 490  Non-members \$ 550

### Best Deal – All 3 Days (17.25 CLE hours)

#### Attend Thursday and Friday and Saturday

Pre-registration:  OACDL Member \$ 560  Non-Ohio DUIDLA or NCDD Members \$ 560  Non-members \$ 610

On-site registration:  OACDL Member \$ 585  Non-Ohio DUIDLA or NCDD Members \$ 585  Non-members \$ 655

### Thursday Evening Gathering Hor d'oeuvres, socializing, breath testing, etc - cash bar **No CLE Credit**

**Free for those attending the seminar -**  \$ 55 Pre-registration  \$ 65 On-site for those ONLY attending gathering

Total enclosed or to be charged to credit card \$ \_\_\_\_\_.

Check, made payable to OACDL enclose or  charge:  MasterCard  Visa  Discover

Card # \_\_\_\_\_ Amount \$ \_\_\_\_\_

Expiration Date \_\_\_\_\_ 3-digit security code \_\_\_\_\_ Signature \_\_\_\_\_

**Cancellation must be received by 5:00 p.m. on Friday March 4, 2016 to receive a refund.**

**Mail to OACDL** - 713 South Front Street, Columbus, OH 43206

**Fax to OACDL** - 740.654.6097

**Register online at OACDL.org - No phone registration accepted**

**Seminar materials will be available on the OACDL website 48 hour prior to the seminar. Materials will also be available on thumb drives, with a \$5.00 deposit, the day of seminar.**

# PUBLIC DEFENDER / PRO BONO SCHOLARSHIP

OACDL DUI Seminar March 10-12, Trial Skills March 12, 2016

Name \_\_\_\_\_

Address \_\_\_\_\_

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

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Please check all sessions you wish to attend - you can attend all three

DUI Session 1 Thursday     DUI Session 2 Friday     Trial Skills Workshop Saturday

*The Ohio Public Defender's Office desires that priority be given to those who will attend all three days.*

*The scholarship money for Pro Bono and Public Defenders is good for the Thursday, Friday and/or Saturday Sessions, but the PD's Office cannot pay for admission into the Thursday Evening Gathering. If you wish to attend the Gathering at your own cost please check the box below and provide the information requested - if not leave the below blank.*

I wish to attend the Thursday evening gathering at my own cost for the pre-registration rate of \$20.00.

In addition to the scholarship form, enclosed is my check for \_\_\_\_\_ or charge my:  MasterCard     Visa     Discover

Card # \_\_\_\_\_ Amount \$ \_\_\_\_\_

Expiration Date \_\_\_\_\_ 3-digit security code \_\_\_\_\_ Signature \_\_\_\_\_

Return to: **OACDL** 713 South Front Street, Columbus, OH 43206 **or fax to** OACDL at 740.654.6097 - No phone registration accepted.

## SERVICES FOR PERSONS WITH DISABILITIES

If special arrangements are required for individuals to participate in this seminar, please contact the OACDL at least one week prior to course date at 1-800-443-2626.

### Public Defender / Pro Bono funding provided by the Office of the Ohio Public Defender

If you have represented at least one client on a PRO BONO basis during the past year, you are entitled to attend this seminar FREE OF CHARGE. You may not have used that case to attend any other seminar on a PRO BONO basis. **However, any attorney, private or public defender, is limited to 2 seminars per fiscal year (July 1, 2015 – June 30, 2016) on this basis.**

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

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

**All Pro Bono and Public Defenders MUST BE  
PRE-REGISTERED by February 25, 2016.  
Do it early spots will fill up.**

#### Pro Bono Information

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

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

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

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

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

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

#### OR

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

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

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

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

**Mail to: OACDL 713 South Front Street, Columbus, OH 43206 / Fax 740.654.6097**  
*(No phone in registration.)* 30 spaces are allotted at this seminar for State Public Defender funding with priority to those wishing to attend **all 3 sessions**. You will receive notification if your registration is received before the spaces are filled.

*Seminar materials will be available on the OACDL website 48 hour prior to the seminar. Materials will also be available on thumb drives, with a \$5.00 deposit, the day of seminar.*

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## The Faculty for this Seminar

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*Our faculty is too large and their credentials too lengthy to fit in a brochure; below is an overview of who they are and where they are from. Learn more about our faculty go to [OACDL.org](http://OACDL.org)  
Check out the Facebook Event; Best in the Midwest – Ohio DUI Seminar*

### Seminar Chairs and Planning Coordinators

**Michael Streng, Shawn Dominy and Tim Huey with special thanks Jessica D'Varga  
OACDL DUI Committee Chair who may be otherwise occupied during the seminar**

#### Thursday, March 10, 2016 – Faculty

- Michael Streng, Marysville Ohio
- Jeffrey Meadows, Cincinnati Ohio
- Kimberly Frye, Atlanta Georgia
- Jamie Balagia, Austin & San Antonio Texas
- Mark Thiessen, Houston Texas
- Shaun Kent, Manning South Carolina
- Michael Nichols, Lansing Michigan
- Tim Huey, Columbus Ohio
- Dan Sabol, Columbus Ohio
- Dr. Ron Henson, Beron Consulting Services & Lab Works, Inc., Peoria Illinois
- Steven Adams, Cincinnati Ohio



#### Friday March 11, 2016 – Faculty

- Jamie Balagia, Austin & San Antonio Texas
- Rob McKinney, Nashville Tennessee
- Rob Caesaric, Newark Ohio
- Dr. Jimmie Valentine, B.S., B.S., M.S., PH.D. Pharmacology and Chromatography Instructor for the American Chemical Society
- Dr. Lance A. Platt, Ph.D., NHTSA Certified Instructor and former law enforcement officer and Criminal Justice Adjunct Professor, CEO of Platt & Associates, Bryan, Texas
- Drew Carroll, Charleston South Carolina
- Kelley Farrish, Cincinnati Ohio
- Harley Wagner, Martinsburg West Virginia
- Joe Hada, Cleveland Ohio
- Jon Saia, Columbus Ohio
- Doug Clifford, Norwalk Ohio
- Shawn Dominy, Columbus Ohio
- Terry Rudes, Port Clinton Ohio
- Sarah Toney, Chicago Illinois
- Mark Thiessen, Houston Texas



**DUI Evidence on Trial**

#### Saturday March 12, 2016

- See Saturday Agenda for the list of amazing lawyers and NHTSA Certified Instructors serving on the Trial Skills faculty

## 2016 Best in the Midwest DUI Seminar

- ***From Zero to Hero Level Training***  
March 10-12, 2016
- ***Annual Trial Skills Academy***  
March 12, 2016

# OACDL – 2016 Premier DUI Seminar

*What you Absolutely Need to Know  
if you will Handle a DUI Case in 2016...  
...whether you handle 1 or 100 cases*

## DUI SEMINAR

- New Standardized Field Sobriety Test Procedures
- Mock Trial segments on SFSTs, Breath and Blood
- Breakouts aimed at different experience levels
- National experts breaking down the science
- Ohio lawyers showing you how to win in Ohio
- Issues in Marijuana DUI cases
- Cross-examination using NHTSA (demonstration)
- Errors in blood and urine alcohol testing
- DataMasters and the future of breath testing

## TRIAL SKILLS ACADEMY

Small Group Demonstration and Training  
for Lawyers of all Experience Levels  
Focus on Cross Using the 2015 NHTSA  
SFST Manual

## PLUS

## Annual Trial Skills Academy

All at the Westin Hotel Columbus Ohio

A Seminar for Legal Professionals  
Michael Streng, Shawn Dominy & Tim Huey  
Seminar Chairs & Seminar Planning Coordinator