

AGENDA
CAPITAL DEFENSE SEMINAR
November 16-17, 2023
Columbus, Ohio

Thursday, November 16

8:00 - 8:30 am Registration

8:30 – 8:45 am Introduction - Recent Death Penalty and Method of Execution Litigation Developments

Speakers: David Stebbins – Columbus

**8:45 – 9:45 am Caselaw Update – Ohio and US Supreme Courts
(APP) (60)**

Speaker: Russ Bensing – Cleveland

**9:45 – 10:45 A View From the Trial Bench
(60)**

**Speaker: Judge Amy Corrigall-Jones, Retired
Summit County Court of Common Pleas**

10:45 – 11:00 am BREAK

**11:00 – 12:30 Investigating and Proving Intellectual Disability
(90) Claims: Record Collection; Testing; Adaptive Deficits**

**Speakers: Bob Stinson, Psy.D., J.D., LICDC-CS, ABPP –
Columbus
Rivka (Randy) Olley, PhD. – Baltimore, Maryland
James Crates - Columbus**

12:30 – 1:30 pm LUNCH (PROVIDED)

1:30 – 2:30 pm **Death Penalty 101 – Review and Revisit the Basics
(60)**
 Speaker: **Paul Kuzmins – Cuyahoga County Public Defender’s
 Office - Cleveland**

2:30 – 2:45 pm **BREAK**

APPELLATE BREAKOUT

2:45 – 3:45 PM **Effective Brief Writing and Oral Argument in the
(APP)(60) Supreme Court of Ohio in Capital Cases**

Speakers: **Jeff Gamso – Cleveland
 Kim Rigby – Office of the Ohio Public Defender –
 (OPD) Columbus**

3:45 - 4:45 pm **State v Bethel and other Developments in Litigating
(APP)(60) Post-Conviction Claims in State Court**

Speakers: **Melissa Jackson – OPD – Columbus
 Justin Thompson – Capital Habeas Unit (CHU) -
 Columbus**

TRIAL BREAKOUT

2:45 - 3:45 PM **Aggressive and Meaningful Motion Practice at Trial.
(60)**

Speakers: **Richard Cline – OPD - Columbus
 Don Malarcik – Akron
 Noah Munyer - Akron**

3:45- 4:45 PM **Best Practices for Capital Trials: the ABA
(60) Guidelines and Supplemental Guidelines; and as
 Adopted by Ohio Supreme Court Commission on
 Appointment of Counsel in Criminal Cases**

Speakers: **Natalie Olmstead – CHU – Columbus
 Adam Rusnak – CHU - Columbus**

Friday, November 17

8:30- 9:30 am (60) Integrating the Mitigation Theme Into Counsel's Arguments at Trial.

**Speaker: Diane Menashe - Columbus
Freidman, Menashe, Nemecek, and Long LLC**

9:30- 9:45 BREAK

9:45 – 10:45am (60)(APP) Using Pretrial Motion Practice to Recognize and Fight Racial Bias and Make a Record.

**Speakers: Lisa Lagos – Capital Habeas Unit - Columbus
Julie Roberts – Capital Habeas Unit - Columbus**

10:45 – 12:00 (75) (APP) Ohio's Serious Mental Illness Exemption: Litigation Strategies; Additional Evaluations, Discovery, Preparing for and Conducting an Evidentiary Hearing; Negotiations; Appeals

**Speakers: Tim Sweeney – Cleveland
Lisa Lagos- CHU- Columbus**

12:00-1:00 PM LUNCH

1:00 – 2:00 pm (60)(APP) His Journey from Death Row to Freedom: Why We Do This Work.

**Speakers: Lamont Hunter – Cincinnati
Erin Barnhart – CHU – Columbus
Justin Thompson – CHU - Columbus**

2:00 – 3:00 pm (60) Representing Veterans: Unique Challenges in Representation and Record Collection

**Speaker: Art Cody USN (Retired) Director of the Center for
Veteran Criminal Advocacy**

3:00 – 3:15 pm BREAK

**3:15 – 4:15 pm What's Race Got to Do With It? Voir Dire and Trial
(60) Strategy in Today's Political Atmosphere**

Speakers: Fred Benton, Jr. – Columbus