



KCDAA VIRTUAL
Spring Conference
June 16-17, 2022

Register Today at KCDAA.org

KCDAA Virtual Spring Conference Schedule of Events

THURSDAY, JUNE 16, 2022

- 8:00 – 8:15 a.m. **Opening Remarks & Welcome**
- 8:15 – 9:05 a.m. **A discussion of two electronic audio-visual communication in Kansas Courts in light of the pandemic and moving forward post-pandemic**
1 CLE
Don Hymer & Karen Wittman
The current Laws in Kansas. Pandemic Emergency Provisions, & Proposed changes moving forward. Incorporating the December 10, 2021 report of the Judicial Council Virtual Court Advisory Committee.
- 9:05 – 9:20 a.m. **Break**
- 9:20 – 11:00 a.m. **What Not To Say**
2 CLE-Ethics
Justice Evelyn. Z Wilson & Dave Lowden
This two-hour ethics presentation will focus on what should not be said by counsel during various aspects of trial and appellate practice, including jury trials, appellate briefing, and arguments to the court.
- 11:00 – 11:50 a.m. **Preserving the Record**
1 CLE
Natalie Chalmers, Matt Maloney & Amy Norton
Preventing avoidable mistakes and issues caused by a lack of a record for the appeal.
- 11:50 – 12:50 p.m. **Lunch & Business Meeting**
- 1:05 – 2:45 p.m. **Experts - When & How to use Them**
2 CLE
Marc Bennett, Barry Wilkerson, & Sarah Geering
The presentation will address when and how to utilize the services of an expert witness. The presentation will cover (1) when an expert witness may be necessary in a prosecutor's case in chief (ballistics; autopsy/cause of death; injury assessment; SANE; DNA; communication devices and systems, et cetera); and (2) when to retain the services of an expert in anticipation of rebuttal testimony concerning affirmative defenses (mental disease or defect; intoxication; self-defense). Finally, the presentation will address effective cross examination of defense expert witnesses.
- 2:45 – 3:00 p.m. **Break**
- 3:00 – 3:50 p.m. **Hearsay Exceptions**
1 CLE
Alice Osburn
This presentation will explain Hearsay and the Statutory exceptions to hearsay and case law interpreting those exceptions.

Thursday CLE: 5 + 2 Ethics = 7 CLE



FRIDAY, JUNE 17, 2022

8:30 - 9:20 a.m.
1 CLE

Trial Technology

Will Hurst & Lyndsee Stover

Trial Technology: Today's jurors not only appreciate attorneys who use technology to present their case, they expect it. Lynsee and Will are excited to share some tips and tricks on how to effectively use technology to present a compelling case to a jury.

9:20 - 10:10 a.m.
1 CLE

Art of Objecting

Keith Henderson

An introduction to common objections in trials and the skills to know when not to object.

10:10 - 10:25 a.m.

Break

10:25 - 11:15 a.m.
1 CLE

Cross Examination

Brett Watson

The presentation will focus on the practice of cross-examination for the purpose of helping prosecutors improve their skills. The presentation will focus on goals of cross-examination generally. These include: (1) clarifying points raised on direct examination by (a) rephrasing the witness's narrative in a form that is easier to address and understand (b) identifying help points and admissions, and (c) clarifying points which are vague or conclusory. (2) Impeaching the testimony of the witness by (a) exposing lack of foundation (i.e., the lack of the witness's ability to have good person knowledge of the subject), (b) exposing bias, (c) identifying internal contradictions in the witness's testimony, (d) confronting the witness with other contradictory evidence and (e) seeking resolution of contradictory evidence. Special attention will be paid towards effective strategies for dealing with different kinds of witnesses including the defendant along with neutral, friendly, and unfriendly witnesses. The presentation will emphasize the different approaches to cross-examination depending upon the anticipated audience, i.e., the district court, an appellate court, or a jury of lay persons. Examples of real cross-examinations from jury trials will be examined. The presentation will also provide some helpful citations of law regarding the permissible scope and purpose of cross-examination as well as when cross is allowed for hostile witnesses on direct examination.

11:15 - 12:05 p.m.
1 CLE

Crimmigration: Intersection of Criminal Law and Immigration Law

Ian Tomasic & Jason Oropeza

This 50-minute session is designed to give an introduction into how Kansas criminal proceedings may effect one's immigration status. Immigration law is complex and criminal convictions may have a negative impact on an individual's immigration status. What effect does a DUI conviction have? What effect does a diversion have? What effect does a probation sentence vs. a prison sentence have? The presenters aim to answer these questions, and any posed by the audience, to help assist Kansas prosecutors in gaining a better understanding on how their cases may effect subsequent immigration proceedings.

12:05 - 12:55 p.m.
1 CLE

DUI Offenders - Coming to a Sentencing Grid Near You

Aaron Breitenbach & Corey Kenney

This session will discuss recent amendments to DUI statutes and provide an update on DUI case law.

Friday CLE: 5 CLE