

**NECAA** Nebraska County Attorneys Association  
Virtual Annual Meeting | Fall Conference  
October 14-16, 2020

**Total Hours: 21 Hours Available | Nebraska Supreme Court Activity #200737**

**Wednesday, October 14 MCLE Hours: 9 Hours (Including 2.0 Professional Responsibility, 1.5 CAC, 1.0 Radar)**

**8:00 AM Welcome | Introductions | Announcements** – James D. Smith, President, Nebraska County Attorneys Association, Senior Assistant Attorney General, Nebraska Attorney General’s Office

**8:00 – 10:00 Nebraska Supreme Court Update – (2.0)**

Overview of recent significant decisions by the Nebraska Supreme Court and United States Supreme Court.

***Presenter:** James Smith, Senior Assistant Attorney General, Nebraska Attorney General’s Office*

**10:00 – 11:00 Civil Issues Doubleheader: Issues and Developments in Nebraska’s Open Meetings and Public Records Laws and an Update on the Interlocutory Appeals from Immunity Denials – (1.0) Professional Responsibility**

Counties and other political subdivisions must be constantly aware of their duties and obligations in conducting public meetings and responding to public records requests. This session will highlight a few best practices in those areas and provide an overview of recent legal developments. This session will also provide a brief civil litigation update on the Legislature’s enactment of a statute permitting interlocutory appeals from the denial of immunity assertions.

***Presenter:** David A. Lopez, Attorney, Husch Blackwell, LLP*

**11:00 – 12:00 Legislation Update – (1.0)**

Meet members of the NECAA lobbying team [Zulkoski Weber](#). Review and discussion of legislation from the second session of the 106<sup>th</sup> Legislative Session affecting County Attorneys and issues of interest.

***Legislative Co-Chairs | Presenters:** Lynelle Homolka, Merrick County Attorney; Bruce Prenda, Chief Deputy Lancaster County Attorney; Jeffrey Lux, Deputy Douglas County Attorney; Michelle Weber and Katie Zulkoski, NECAA Lobbyist, [Zulkoski Weber](#)*

**12:00 – 1:00**

**The Fundamentals of Police Radar Operation – (1.0)**

*Meets 1 hour MCLE New County Attorney Requirement*

***Presenter:** Eugene (Gene) Boner, Patrol Instructor, Nebraska Law Enforcement Training Center*

**1:00 – 2:00**

**A Prosecutor's Vision for a Better Justice System  
(1.0) Professional Responsibility**

Mr. Foss believes that the profession of prosecution is ripe for reinvention requiring better incentives and more measurable metrics for success beyond, simply, “cases won” leading him to found Prosecutor Impact – a non-profit developing training and curriculum for prosecutors to reframe their role in the criminal justice system. <https://prosecutorimpact.com/>

***Presentation funded by an OJJDP grant for juvenile prosecution training granted to the Nebraska Crime Commission in collaboration with Lancaster County.***

***Presenter: Adam J. Foss** is a former Assistant District Attorney in the Juvenile Division of the Suffolk County District Attorney’s Office (SCDAO) in Boston, MA, and a fierce advocate for criminal justice reform and the importance of the role of the prosecutor in ending mass incarceration.*

**2:00 – 3:30**

**How to make Child Support Work for You: Engaging & Empowering Parents (1.5)**

Presentation on Child Support legislative updates, Supreme Court Child Support Guideline Updates and Evidence Based Orders.

***Presenters:** Sarah Preisinger, Sarpy County Child Support Deputy County Attorney and Mike Tatten, Project Manager/Authorized Attorney, Child Support Services – Douglas County*

**3:30 – 5:00**

**Preparing Children for Court (1.5) Crimes Against Children**

In collaboration with Nebraska Alliance of Child Advocacy Centers

Attendees will learn creative strategies for empowering children to effectively handle the stress of testifying in court. In addition, also learn of creative pre-trial motions and other strategies to modify the courtroom and the procedures of testifying which, if granted, may make it easier for a child to testify. This workshop examines research on common fears children have about testifying and discusses best practices for addressing these fears before, during and after the courtroom testimony.

***Presenter:** Victor Vieth, J.D., M.S., Director of Research and Education Zero Abuse Project*

**Thursday, October 15 MCLE Hours: 7.5 Hours (Including 1.0 Coroner Training)**

**8:00 AM Welcome | Introductions | Announcements** – James Smith, Senior Assistant Attorney General, Nebraska Attorney General’s Office

**8:00 – 10:00 Nebraska Supreme Court updates and an overview of juvenile law change (2.0)**

8:00 – 8:15 AM New Supreme Court rules on e-filing  
8:15 – 10:00 AM Juvenile Justice Best Practices / Ensuring an Adolescent Approach

**Presenters from the Nebraska Supreme Court:** *Jennifer Rasmussen Deputy Supreme Court Administrator for IT and Kari Rumbaugh Assistant Deputy Administrator for Juvenile Services Administrative*

**10:00 – 11:00 Crisis Intervention Team and Crisis Response (1.0)**

Crisis Intervention Team is a community initiative designed to improve the outcomes of police interactions with people living with mental illnesses. Effective CIT programs are based on strong relationships that transform crisis response systems to minimize the times that law enforcement officers are the first responders to individuals in emotional distress.

**Presenter:** *Rebecca Hancock is the crisis intervention training coordinator for Lutheran Family Services*

**11:00 – 12:00 The Four Types of Prosecutor Appeals (1.0)**

**Presenter:** *James Smith, Senior Assistant Attorney General, Nebraska Attorney General’s Office*

**1:00 – 1:30 NECAA Membership Meeting**  
**Voting will occur electronically – more information to be provided.**

**1:30 – 2:30 NeVDRS: What is it and how will it assist my county? (1.0) Coroner Training**

In the United States, more than seven people per hour die a violent death. More than 19,000 people were victims of homicide and over 48,000 people died by suicide in 2018 alone.

To help find ways to prevent violent deaths, we need to know the facts. The National Violent Death Reporting System (NVDRS) links information about the “who, when, where, and how” from data on violent deaths and provides insights about “why” they occurred.

NVDRS is the only state-based surveillance (reporting) system that pools more than 600 unique data elements from multiple sources into a usable, anonymous database. NVDRS covers all types of violent deaths – including homicides and suicides – in all settings for all age groups. NVDRS collects facts from death certificates, coroner/medical examiner reports, law enforcement reports, and toxicology reports into one anonymous database. Data elements collected provide valuable context about violent deaths, such as relationship problems; mental health conditions and treatment; toxicology results; and life stressors, including recent money- or work-related problems or physical health problems.

The implementation and current participation in the Nebraska Violent Death Reporting System (NeVDRS) will be discussed. In addition, there will be discussion on how NeVDRS strives to give back to counties via informing prevention efforts and enhancing training opportunities (including an upcoming Medicolegal Death Investigation Training in June 2021).

*Presenter: Robert Cryne, J.D., Adjunct Professor and Special Project Coordinator, University of Nebraska School of Criminology and Criminal Justice*

**2:30 – 3:00 pm**

**Nebraska Crime Commission Update – Including overview of MCLE requirements + Q &A (.50)**

*Presenter: Don Arp, Jr., Executive Director, Nebraska Commission on Law Enforcement and Criminal Justice*

**3:00 – 5:00**

**Nothing's Ever Over: The Seven Collateral Attacks on Final Convictions (2.0)**

*Presenter: James Smith, Senior Assistant Attorney General, Nebraska Attorney General's Office*

**Friday, October 16 MCLE Hours: 4.5 (Including 1.5 CAC)**

**7:55 AM Welcome | Introductions | Announcements** – Patrick F. Condon, President, Nebraska County Attorneys Association, *Lancaster County Attorney*

**8:00 – 9:00**

**Cannabis: The Highs and Lows of Marijuana Testing in an Evolving Legal Landscape (1.0)**

This presentation will provide an understandable look at the current regulations surrounding the legality and testing aspects of cannabis, with a focus on how these changes have affected the interdiction, laboratory testing, and judicial process surrounding marijuana cases. Attendees will

gain an understanding of the chemistry of cannabis, what is legal and what is not legal in Nebraska, and why different testing techniques can provide seemingly different results. Validation studies of both laboratory procedures and field testing options will also be discussed to provide attendees with a framework for evaluating the accuracy and limitations of these tests.

***Presenter:** Christine Gabig, Douglas County Sheriff's Office Crime Lab, Forensic Chemist*

**9:00 – 11:00      The Process of Reporting a Sexual Assault (2.0)**

This presentation will focus on the sexual assault medical forensic examination and everything a prosecutor needs to know about the process.

***Presenters:** George C. Welch, Assistant Attorney General, Nebraska Attorney General's Office; Anne Boatright, MSN, RN, SANE-a, State Forensic Nursing Coordinator, Nebraska Attorney General's Office; Michelle Miller, Sexual Violence Program Coordinator and Training Innovation Leader, The Nebraska Coalition to End Sexual and Domestic Violence*

**11:00 – 12:30      We're Just Going to Talk: Presenting Your Case in Opening Statements and Closing Arguments in Cases of Child Abuse (1.5) Crimes Against Children**

The outcome of many child abuse cases depends on the ability of the prosecutor to argue the facts to the jury. In this workshop prosecutors and child protection attorneys will learn the art and science of effective strategies and themes for opening statements and closing arguments in child abuse cases. Students will learn a theme for presenting their case. They will learn specific arguments to persuade a jury that a child is telling the truth. They will learn to debunk common defenses in child abuse cases.

***Presenter:** Victor Vieth, J.D., M.S., Director of Research and Education, Zero Abuse Project*

**12:30    Adjourn – Patrick Condon**