

Updates from the Capitol: Part II*
*A Continuing Legal Education Seminar Sponsored by
the Kentucky Legislative Research Commission*

Wednesday, June 26, 2024
Live-streamed from the Capitol Annex in Frankfort, Kentucky

MORNING SESSION

- | | |
|---------------------|---|
| 8:25 AM – 8:30 AM | Welcome and Introduction
<i>Joshua Collins</i>
<i>Legislative Analyst, Education Committee</i>
<i>Legislative Research Commission</i> |
| 8:30 AM – 9:30 AM | Kentucky Court of Appeals Update (June 2023 – April 2024)
<i>Chief Judge Larry E. Thompson</i>
<i>Kentucky Court of Appeals</i> |
| 9:30 AM – 9:40 AM | Break |
| 9:40 AM – 10:40 AM | An Overview of Dependency, Neglect, and Abuse
<i>Judge Ross Ewing</i> <i>Jenny Oldham</i>
<i>Family Court, Division 5</i> <i>Hardin County Attorney</i>
<i>22nd Judicial Circuit</i> |
| 10:40 AM – 10:45 AM | Break |
| 10:45 AM – 11:45 AM | Legislative Update of the 2024 Regular Session of the
Kentucky General Assembly
<i>Sen. Robin Webb</i> <i>Rep. Daniel Elliott</i>
<i>House Judiciary Chairman</i> |
| 11:45 AM – 1:00 PM | Break |

Agenda continues next page

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AFTERNOON SESSION

1:00 PM – 2:00 PM	Family Law Update <i>Rep. Stephanie Dietz</i> <i>Dietz Family Law, PLLC</i>	<i>Judge Denise Brown</i> <i>Family Court, Division 7</i> <i>30th Judicial Circuit</i>
2:00 PM – 2:10 PM	Break	
2:10 PM – 3:10 PM	"Other People's Money", Prospective Clients, GALs, and "Is It Related?": A Review of Recent Ethics Opinions <i>Larry C. Deener, Partner</i> <i>Landrum & Shouse, LLP</i> <i>Ethics Hotline District Contact, District 5</i>	
3:10 PM – 3:15 PM	Break	
3:15 PM – 4:15 PM	Primer and Update on Public Utility Law and Practicing Before the Public Service Commission <i>Kent A. Chandler, Chairman</i> <i>Kentucky Public Service Commission</i>	
4:15 PM – 4:20 PM	Closing	

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SPEAKER BIOGRAPHIES & WRITTEN MATERIAL DESCRIPTIONS

Kentucky Court of Appeals Update

Chief Judge Larry E. Thompson

After 23 years as a trial court judge, Larry E. Thompson was elected to the Kentucky Court of Appeals in November 2018. He serves Division 2 of the 7th Appellate District, which is made up of 22 counties in Eastern Kentucky. He began serving as chief judge of the Court of Appeals in January 2023 after his fellow judges elected him to the position. The chief judge provides administrative oversight to the Court of Appeals.

Judge Thompson came to the Court of Appeals from Pike Circuit Court where he was a circuit judge for the Family Court Division from his election in 1999 until December 2018. During that period, he served as chief circuit judge for a time and was president of the Kentucky Circuit Judges Association for two years. In 1995, he was appointed to fill a vacancy on Pike District Court and held that position until he was elected to Circuit Court in 1999. While on the district bench, he served for a period as chief district judge. He was in private practice from 1987 to 1995.

He earned a bachelor's degree from Eastern Kentucky University in 1983 and a juris doctor degree from the Northern Kentucky University Salmon P. Chase College of Law in 1986. He is a member of the Kentucky Bar Association and West Virginia Bar Association.

Judge Thompson grew up in Belfry, which is in Pike County, Ky. He is married to Kelli Thompson and has a daughter, Larrin Thompson, and a stepdaughter, Taryn Cantrell. He resides in Pikeville and is a member of the Pikeville Main Street Church of Christ.

Description – Chief Judge Thompson will discuss recent Kentucky Court of Appeals cases and provide written summaries and descriptions of the cases.

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An Overview of Dependency, Neglect, and Abuse

Judge Ross Ewing

Judge Ewing is a life-long Kentuckian, born and raised in Owensboro. He earned his bachelor's degree in French in 2005 from the University of Kentucky, and his J.D. from UK in 2008. In 2017 Judge Ewing earned an advanced certification in divorce and family law mediation from Northwestern University. He has served on the committee that writes Kentucky's family court rules and frequently speaks on topics in family law.

After working as a law clerk for a family court judge and engaging in private practice for 13 years where he focused on family law matters, including serving as a court-appointed attorney for children and parents in dependency, neglect, and abuse cases, Judge Ewing was elected as a judge of the Fayette Family Court in 2022 and serves in that capacity at the present time.

Jenny Oldham

Jenny Oldham is a 1994 graduate of Centre College and a 1997 graduate of the Louis D. Brandeis School of Law at the University of Louisville. She began working as a summer intern in the Hardin County Attorney's Office at the age of 18. Upon obtaining her J.D. degree she joined the Hardin County Attorney's Office as a full-time assistant prosecutor progressing to first assistant. In 2010 she was elected as the Hardin County Attorney and continues to serve in that office at the present time. In addition to her regular duties as a county attorney, Ms. Oldham serves as the President of the Kentucky County Attorney's Association. In 2013 she was named County Attorney of the Year by the Kentucky Prosecutors Advisory Council and is a regular presenter at various conferences.

Description – The presentation and written materials will focus on the role of the county attorney, the court, court-appointed or private attorneys, and other parties in matters involving dependency, neglect, and abuse, including statutory provisions and practice pointers.

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Legislative Update of the 2024 Regular Session of the Kentucky General Assembly

Senator Robin Webb

Senator Robin Webb served Senate District 18 which includes Boyd, Carter, Greenup, and Lewis counties. She served in the General Assembly's House of Representatives from 1999 to 2009 and has served in the Senate since 2009. She is a practicing attorney.

Senator Webb has served on the Kentucky Bar Association-Foundation Board of Directors and as a KYLAP Commissioner and volunteer. She has served as the Equine Law-Section Chair and been involved with the Domestic Violence and Child Protection Committee.

Senator Webb attended Morehead State University and received an Associates of Applied Science in Mining Technology and Surface Mine Production, a Bachelor's of Science in Energy and Reclamation with an emphasis in Underground Mine Safety. She received her J.D. from the Chase College of Law at Northern Kentucky University.

Representative Daniel Elliott

Representative Daniel Elliott represents House District 54 which includes Boyle and Casey counties. He was elected to the General Assembly in 2016, and became Chair of the House Judiciary Committee in 2023. He also serves as a member on the Family & Children Committee, the Transportation Committee, the Economic Development & Workforce Investment Committee; and serves as Co-Chair of the Juvenile Justice Oversight Council. Representative Elliott also serves as a member of the Intergovernmental Affairs Committee of the Council of State Governments, and as a member of the Standing Committee on Health and Human Services with the National Conference of State Legislatures.

Representative Elliott received a Bachelor of Arts Degree in Political Science from Bellarmine University, graduating magna cum laude, and received his J.D. from the Louis D. Brandeis School of Law at the University of Louisville. He has been an active member of the Kentucky Bar since 2011 and is in private practice in Danville, Kentucky. Prior to his successful law career, Representative Elliott interned in the United States Senate in Washington, DC, by serving U.S. Senator Jim Bunning of Kentucky during college and he clerked for the Commonwealth Attorney's office in law school.

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As an attorney, Daniel Elliott represents children, parents, and individuals without a voice and with nowhere else to turn. His practice areas include Criminal Defense, Domestic Relations, Estates, General Practice, Personal Injury, Workers' Compensation, Administrative Law, and Social Security Disability.

Description – Senator Westerfield and Representative Elliott will discuss legislation that was enacted during the 2024 Regular Session of the General Assembly and provide written summaries and descriptions of the legislation.

Family Law Update

Representative Stephanie Dietz

Representative Stephanie Dietz is a lifelong Kentuckian. Stephanie received her undergraduate degree from the University of Kentucky in 1990. She then went on to receive her law degree from Salmon P. Chase College of Law in Highland Heights, Kentucky and is licensed in Kentucky, Ohio and Indiana.

Stephanie is the owner of Dietz Family Law, PLLC in Edgewood, Kentucky. As an attorney, Stephanie represents parties in divorce actions including division of business interests, retirement accounts, and other property as well as child custody issues. Stephanie is also a collaboratively trained attorney and a mediator.

In 2022, Stephanie was elected to the Kentucky State House of Representatives and represents the 65th district of Kentucky. Her committee assignments include Judiciary, Families & Children, Veterans, Military Affairs, & Public Protection, Appropriations & Revenue; and BR Sub. on Transportation.

Giving back to the community is a big part of Stephanie's life. As an active member of St. Pius X in Edgewood, she was also the Co-Chair of the Red Mass in 2021 and has been active in the St. Thomas More Society of Greater Cincinnati for the last three years. Stephanie has been active with her children's activities, including as an assistant coach for the Covington Catholic High School Mock Trial Team for five years. Stephanie and her husband Jim have lived in Edgewood, Kentucky for nearly 25 years. It's where they chose

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to raise their two sons: Avery, who is a 2L at Salmon P. Chase College of Law and, and Alex, who is a junior at the University of Kentucky.

Stephanie’s reputation for focus, fairness, and hard work has gained her respect from law colleagues and the community alike. For 14 years she served as a Board Member of the Northern Kentucky Legal Aid of the Bluegrass, who’s mission is to resolve the most important problems of low income and other vulnerable people by providing high quality legal assistance through direct representation, education, advice, and advocacy. She just finished her term as President of the Northern Kentucky Bar Association and now serves as Immediate Past President. She also was elected President of the Academy of Northern Kentucky Collaborative Professionals and served in that position until 2022. Stephanie is a fellow in the American Academy of Matrimonial Lawyers.

Judge Denise Brown

Denise Brown is a judge of the Jefferson County Family Court of the 30th Judicial Circuit in Jefferson County, Kentucky. Brown earned her B.A. in economics with a concentration in business administration from Howard University in 1982. She received her J.D. from the Brandeis School of Law.

Prior to her judicial election in 2014, Brown gained experience as a prosecutor with the Commonwealth Attorney’s Office and as a juvenile prosecutor with the Jefferson County Attorney’s Office. In 1992, she was appointed by Louisville Mayor Jerry Abramson as the Executive Director for the Louisville and Jefferson County Human Relations Commission.

Description – The presentation and written materials will review and analyze legislative action of the 2024 General Assembly impacting family law.

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"Other People's Money", Prospective Clients, GALs, and "Is It Related?": A Review of Recent Ethics Opinions

Larry C. Deener

Larry C. Deener is a partner at the law firm of Landrum & Shouse, LLP in Lexington, Kentucky where he has concentrated his practice in civil litigation since 1980. He graduated from the University of Kentucky in 1971, before serving on active duty in the United States Air Force from 1972-76. He received his J.D. from Salmon P. Chase College of Law, Northern Kentucky University in 1979. He served as Law Clerk to the late Robert O. Lukowsky, Supreme Court of Kentucky, before joining Landrum & Shouse. He continued his military service in the United States Air Force Reserve, retiring as a Lt Col in 1999. Mr. Deener serves as an Ethics Hotline member of the KBA Ethics Committee.

Description – The presentation and written materials will discuss a lawyer's obligations and permitted courses of action when holding client funds to which a third party claims an interest and the relevant Supreme Court Rules, in addition to duties to prospective clients, duties as a guardian ad litem, and the duty of confidentiality for former government employees and officers.

Primer and Update on Public Utility Law and Practicing Before the Public Service Commission

Kent A. Chandler

Kent A. Chandler was appointed to the Public Service Commission by Governor Andy Beshear on July 6, 2020, and designated as Chairman on August 3, 2021. His term expires June 30, 2024.

Prior to his appointment, he served as Executive Director of the PSC, implementing the programs of the commission, and directing its staff. Previous to becoming Executive Director, he was an advisor to the commissioners, focusing on federal wholesale gas and electricity markets.

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Before coming to the PSC, Chairman Chandler advocated for Kentucky ratepayers as an attorney in the Kentucky Attorney General’s Office of Rate Intervention. In that position, he regularly represented consumers before the PSC in electric, gas, water and sewer utility cases and also served on the executive committee of the Consumer Advocates of the PJM States.

Chairman Chandler is a member and co-vice chair of the National Association of Regulatory Utility Commissioners’ (NARUC) Committee on Electricity, serves on the NARUC board of directors, and represents the Mid-Atlantic region on NARUC’s executive committee. He serves on the EPRI advisory council and is president of the Organization of PJM States. He is a member of the Southeastern Association of Regulatory Utility Commissioners and the Mid-Atlantic Conference of Regulatory Utilities Commissioners, where he serves as president. Chairman Chandler also represents states on the North American Electric Reliability Corporation’s (NERC) Member Representatives Committee. Chairman Chandler, a native of Providence, Kentucky, earned a Bachelor of Science in finance from Murray State University. He received a Juris Doctor from Northern Kentucky University’s Salmon P. Chase College of Law.

Description – This presentation and written materials will discuss the regulation and rate setting of public utilities in the Commonwealth of Kentucky pursuant to KRS Chapter 278. The session will cover practicing law before the Kentucky Public Service Commission, and provide an update on legislative action over the past few sessions of the Kentucky General Assembly related to utility-owned electric generating units.

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