

OVI CASE LAW UPDATES AND OVI MOTIONS TO SUPPRESS

**SPONSORED BY THE WEST SHORE BAR ASSOCIATION (WSBA) IN
PARTNERSHIP WITH THE ROCKY RIVER MUNICIPAL COURT:**

**WHEN: FRIDAY, NOVEMBER 9, 2018
8:30 AM-11:45 AM (CHECK IN FROM 8:00-8:30 AM)**

**WHERE: DON UMERLEY CIVIC CENTER
(across the parking lot from the RR Municipal Court)
21016 HILLIARD BLVD
ROCKY RIVER, OHIO 44116**

HOURS: APPROVED FOR 3.0 GENERAL CLE HOURS

**FEE: *\$75.00 VIA CHECK MADE PAYABLE TO:
WEST SHORE BAR ASSOCIATION (WSBA)**

***ACTIVE MEMBERS OF THE WSBA GET A \$25 DISCOUNT**

REGISTRATION FORM (PLEASE TYPE OR PRINT)

NAME _____

ADDRESS _____

SUPREME COURT NUMBER _____

EMAIL ADDRESS _____

**PLEASE MAKE CHECK PAYABLE TO WEST SHORE BAR ASSOCIATION (WSBA) IN
THE AMOUNT OF *\$75.00 (\$50 if WSBA member). PLEASE MAIL THIS REGISTRATION
FORM, ALONG WITH YOUR CHECK TO:**

TIMOTHY J. CLEMENS, ESQUIRE
P.O. BOX 110366
CLEVELAND, OHIO 44111

REGISTRATION IS LIMITED-SEATS WILL BE ASSIGNED ON A FIRST REGISTERED BASIS

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8:00-8:30AM CHECK IN

8:30-10:00AM OVI CASE LAW UPDATE

Presenter: Judge Brain F. Hagan, Rocky River Municipal Court

Materials Prepared by Judge Jennifer P. Weiler, Garfield Hts. Municipal Court

- a) A Comprehensive Update and Current Ohio OVI Case Law

10:00-10:15AM BREAK

10:15-11:45AM OVI MOTIONS TO SUPPRESS

Presenter: Judge Jennifer P. Weiler, Garfield Hts. Municipal Court

- a) Timing/When to File
- b) Content of the Motion
- c) The Hearing
- d) Burden of Proof
- e) The Stop
- f) Probable Cause Arrest
- g) Fourth, Fifth and Sixth Amendment Issues
- h) Chemical Tests
- i) Appeals

PRESENTERS' BIOGRAPHIES

Judge Brian F. Hagan: Judge Hagan was elected Judge of the Rocky River Municipal Court in November, 2007 and has served as the court's Administrative/Presiding Judge in 2008 and 2010. Previously, Judge Hagan was in private practice for more than twenty years and served as Rocky River Municipal Court Acting Judge, Magistrate, and Referee. He was elected twice to the Rocky River City Council, where he held office from January 1, 2004 through December 31, 2007. He was Council President from August 2006 to the end of his term, and was chairman of the Contract-Government and Judicial Committee and a member of the Parks and Recreation Committee, Environmental Committee and the Finance Committee. Judge Hagan served as Special Counsel for the Ohio Attorney General's Office for 12 years and was in the Judge Advocate General's (JAG) Corps in the military reserve. Judge Hagan is a member and past Vice President and President of the Northern Ohio Municipal Judges Association. In addition, he is a member of the Ohio Association of Municipal/County Judges and a faculty member of the Supreme Court of Ohio Judicial College. Judge Hagan is the Founding Member and current President of the West Shore Bar Association. Judge Hagan earned his BS Accounting from St. Francis College in Pennsylvania and his JD from Cleveland Marshall College of Law at Cleveland State University.

JUDGE JENNIFER P. WEILER: Judge Weiler has served as judge of the Garfield Heights Municipal Court since January 1, 2000. After completing clerkships for the Eighth District Court of Appeals and the Ohio Supreme Court, she was engaged in private practice for sixteen years. Before entering the legal profession, she was a secondary school teacher for Parma City Schools. Judge Weiler is a planner and frequent presenter for the Ohio Judicial College. She has presented numerous continuing legal education topics for the Ohio State, Cleveland Metropolitan, Lorain County, and Parma Bar Associations, the Judicial Conference of the Eighth Judicial District, and various professional and community groups. She is co-author of the legal treatise, *Ohio Driving Under the Influence Law*. She has also authored numerous articles for the Cuyahoga County Bar Association *Law & Fact* magazine and the Ohio Association of Defense Lawyers *Vindicator*. Judge Weiler served as a member of the Ohio Supreme Court Commission on the Rules of Superintendence from 2009 to 2011. She formerly served as co-chair of the Ohio Judicial Conference Traffic Law Committee, the Ohio State Bar Association Traffic Committee, and Cleveland Metropolitan Bar Association Municipal Court Committee. She received the President's Award for Judicial Excellence from the Association of Municipal and County Judges of Ohio in 2010. Judge Weiler received her B.A. from Ohio University in 1974 and her J.D. from the Cleveland-Marshall College of Law in 1979.