

# Webinar Information

**Online - Tuesday, June 18, 2024**

**Log into Webinar**

8:30 - 9:00 am CDT

**Break**

12:15 - 12:45 pm CDT

**Morning Session**

9:00 am - 12:15 pm CDT

**Afternoon Session**

12:45 - 4:00 pm CDT

**Tuition**

**\$339** for individual registration.

**\$309** for two or more registrants from the same company at the same time.

**Included with your registration:** PDF seminar manual.

**How to Register**

- Visit us online at [www.halfmoonseminars.org](http://www.halfmoonseminars.org)
- Call customer service at 715-835-5900

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**Cancellations:** Cancel at least 48 hours before the start of the webinar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another webinar or the on-demand package. You may also authorize another person to take your place.

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Learn More and Register:

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**Can't Attend? Order the Webinar as an On-Demand Package!**

Recordings of this webinar are available for purchase. See details online for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

## Cold Case Law: Legal Issues in Unsolved Deaths and Disappearances

Live, Interactive Webinar - Tuesday, June 18, 2024

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U.S. POSTAGE PAID  
EAU CLAIRE, WI  
PERMIT NO. 2016

HalfMoon Education Inc.  
PO Box 278  
Altoona, WI 54720-0278



## Learning Objectives

**You'll be able to:**

**Advise** and assist families, civilians and nonprofit organizations investigating cold cases.

**Get tips on** working on "no body" prosecutions and in cases where evidence has been lost.

**Understand** potential liability issues facing podcasters and journalists investigating cold cases.

**Discuss** legal issues surrounding DNA evidence in cold cases.

**Explore** ethical issues, including the use of unaccredited labs and the use of questionable investigative tactics.

**Maintain** professionalism in cold case investigations.



HalfMoon Education Inc.,  
Your LIVE Education Leader Presents

# Cold Case Law: Legal Issues in Unsolved Deaths and Disappearances

*Live, Interactive Webinar - Tuesday, June 18, 2024*



**Identify** legal issues facing families and nonprofits when working on cold cases

**Recognize** and handle legal issues facing law enforcement and prosecutors

**Review** legal issues facing podcasters and journalists

**Identify** legal issues facing forensic labs

**Handle** ethical and professionalism issues that are unique to cold cases

### Continuing Education Credits

**Attorneys**

6.0 CLE Hours (AK, AZ, CA, CT, PA, TX, VT)

7.0 CLE Hours (NY)

1.0 Ethics CLE Hour

1.0 Professionalism CLE Hour

Pending (UT)



# Agenda

## Legal Issues Facing Families and Nonprofits

- Legal paths – and barriers – to getting information
- Advising civilians in conducting their own investigations
- Using legal proceedings as an investigative tool (wrongful death suits, petitions to declare death, emergency filings to preserve data)
- Practical effects of cold cases: insurance, Social Security and other benefits, unclaimed funds, etc.
- Assisting families in getting cases or causes of death reclassified
- Liability for volunteer actions in cold case investigation
- Managing third-party legal and other threats
- Other issues facing families and nonprofit organizations in cold cases

## Legal Issues Facing Law Enforcement and Prosecutors

- The “right to go missing”
- Statutes of limitations problems
- “No body” prosecutions
- Lost evidence and messed up crime scenes
- Making deals with criminals for information
- Responding to demands to prosecute weak cases
- Reopening cold cases after acquittals or reversals
- Working with third parties without compromising a case
- Other cold case issues involving law enforcement and prosecutors

## Legal Issues Facing Podcasters and Journalists

- Civil liability arising from cold cases (defamation, invasion of privacy, disclosure of sensitive information, malicious prosecution, etc.)
- Criminal liability exposure from civilian investigations
- Gaining access to legal documents and court proceedings
- (Un)fair use of crime scene photos, family or copyrighted material
- Laws allowing or restricting recording of witnesses
- Recent disputes with podcasters, journalists, and TV shows in cold cases
- Other legal issues involving podcasts and other media

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## Legal Issues Facing Forensic Labs

- Smith v. Arizona* (2024) – when the lab tech can’t testify
- Labs’ obligations to provide (or withhold) information
- Understanding what DNA can – and can’t do – in a cold case
- Recent forensic lab scandals
- Reassessing “junk science”
- Other legal issues specific to forensic labs and employees

## Ethical Issues Unique to Cold Cases

- When defense attorneys learn the location of a body
- Participating in ruses to gain information
- Use of improper databases
- Use of unaccredited labs
- Talking to criminal defendants / judges
- Responding to media inquiries
- Publicly identifying suspects
- Handling (or avoiding) reward disputes
- Other ethical issues facing attorneys in cold cases

## Professionalism Issues Arising in Cold Cases

- Professionalism Credit Using legal skills to help investigate cold cases
- Mediating disputes between family and law enforcement
- Disguising the reasons for requesting information
- Responding to concerns about civilian investigations
- Respectfully challenging declinations to prosecute or helping families understand them
- Pursuing cold case projects without family consent
- Other professionalism issues arising in cold cases

# Faculty

## Karra Porter, Esq.

*President, Christensen & Jensen, P.C.*

Ms. Porter has been a practicing attorney for 36 years and was Utah Lawyer of the Year in 2018. She is the cofounder and CEO of the Cold Case Coalition, a 501(c)(3) nonprofit that assists families and communities with unresolved deaths and disappearances. Ms. Porter is also cofounder and CEO of Intermountain Forensics, a state-of-the-art accredited forensic DNA laboratory. She is the coauthor of *COLD CASE HELP: How to Work Your Own Cold Case* (2023 Cold Case Coalition).

# Credit Information

This webinar is open to the public and is designed to qualify for 6.0-7.0 total CLE hours, including 1.0 ethics hour and 1.0 professionalism hour, for attorneys in select states. State specific sponsor approvals, course pre-approvals and pending applications are detailed below. The course will only be pre-approved in states listed below. Attorneys who complete this course may be able to apply for credit in additional states individually; please refer to specific state rules to determine eligibility.

HalfMoon Education is certified by the New York State CLE Board as an Accredited Provider of CLE programs. This nontraditional course offers 7.0 Areas of Professional Practice CLE hours, which are appropriate for experienced attorneys. HalfMoon Education will provide financial hardship assistance to New York attorneys who wish to attend this event. Contact Frank Chapman at fchapman@halfmoonseminars.org for details and to apply.

HalfMoon Education is an approved CLE provider for Pennsylvania attorneys (No. 1613); this webinar offers 6.0 CLE hours to Pennsylvania attorneys. HalfMoon Education is an approved CLE provider for Texas attorneys (No. 8306); this webinar offers 6.0 CLE hours to Texas attorneys. This approval qualifies the webinar for Connecticut and Alaska attorneys. HalfMoon Education is an approved CLE provider for Vermont attorneys. HalfMoon Education is an approved Multiple Activity Provider with the State Bar of California (No. 8370); this program offers 6.0 CLE hours to California attorneys.

The State Bar of Arizona does not approve or accredit CLE activities for the Mandatory Continuing Legal Education requirement. This activity may qualify for up to 6.0 hours toward your annual CLE requirement for the State Bar of Arizona, including 2.0 hour(s) of professional responsibility.

This webinar has been submitted to the Utah Supreme Court Board of Continuing Legal Education for pre-approval, which is currently pending. Please visit this course listing at [www.halfmoonseminars.org](http://www.halfmoonseminars.org) for updates on pending credits.

Attendance will be monitored, and attendance certificates will be available after the webinar for those who attend the entire course and score a minimum 80% on the quiz that follows the course (multiple attempts allowed).

## On-Demand Credits

The preceding credit information only applies to the live presentation. This course in an on-demand format is not pre-approved by any licensing boards and may not qualify for the same credits as the live presentation.