

# Noon Time Legal Seminar, Tuesday, August 15, 2017

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12:00-1:00 pm      \$30 Attorneys (MCLE Ethics); \$15 Public

**Nevada County Superior Court, Law Library, 201 Church Street, Nevada City**

**Emerging Principles in the Ethical Representation of Clients on**

## **California Cannabis Law**

**Presented by Heather Burke**

Open to attorneys and the general public. Attorneys will receive one hour of MCLE credit in Ethics. To enroll, please call 530-265-7161 or email [Law.Library@nccourt.net](mailto:Law.Library@nccourt.net). Arrive by 11:45 a.m. to complete registration.

Cannabis-related issues have permeated all aspects of the law, including, but not limited, to civil, administrative, real property, landlord/tenant issues, etc., and they will continue to be an ever-present topic in light of California's legalization of adult-use of cannabis in 2016. Representing clients engaged in or related to the cannabis industry can be ethically complicated due to continued federal prohibition. However, various bar associations throughout the country have given specific insight into the appropriate manner of representation in these instances. In this seminar, attorney Heather Burke will present a survey of the relevant ethics opinions, including those from Washington, Colorado and Oregon, and delve into the pitfalls that may arise without understanding the ethical boundaries of cannabis-related representation.

The principles are also applicable to accountants, realtors and others who serve clients in the cannabis field. Cannabis clients are also welcomed in order to learn more about their representations.

### **About Heather Burke**

Heather L. Burke is a partner with Greenspoon Marder's Cannabis Law practice group. Ms. Burke was born in San Diego. Due to her desire at a young age to defend cannabis patients and cultivators, Ms. Burke, while in law school, interned with Lance Rogers, who is also now a partner at Greenspoon. She assisted him in the seminal California cannabis case, *People v. Jovan Jackson*. The case went on to set the precedent that large scale dispensaries may operate lawfully in California. In that case, Ms. Burke drafted the motion *in limine* for the introduction of the medical cannabis defense, which was granted for the first time in San Diego County. She also drafted the jury instructions for the medical cannabis defense that were used throughout the State for almost a decade.

Immediately after graduating from California Western School of Law in 2009, Ms. Burke began her career by working closely with several renowned California medical marijuana attorneys, who mentored her in the aggressive state and federal representation of medical cannabis patients and cultivators throughout California.

Eventually opening her own practice in Nevada City, she has worked on numerous precedent setting cases, including a five-day evidentiary hearing regarding cannabis' Schedule I status in *U.S. v. Pickard* in the U.S. District Court, Eastern District. Ms. Burke also co-drafted a proposed initiative for California cannabis legalization in 2016, entitled *The California Craft Cannabis Initiative*.

In 2014, she was awarded NORML's John Mark Flowers Scholar. The following year, she was named one of Skunk Magazine's Women of Weed for 2015. Ms. Burke is also a regular speaker and panelist at cannabis conferences throughout California. She pens a popular blog about legal issues affecting cannabis cultivators.