INCBA’s program consists of high-quality legal education presented by expert attorneys at the top of their respective fields. Our program content is wide-ranging, relevant, and addresses everything from the foundation of the cannabis movement to the most topical issues affecting clients in all aspects of the cannabis industry. We provide information the cannabis bar must be fluent in about the critical issues that affect industry clients.

The NCIA Cannabis Business Summit in San Jose (July 22nd), as the second set of courses in our in-person educational arc, INCBA will focus on the startup issues that most commonly face our clients. Clients initially approach their counsel to form their business, appropriately structure their enterprise, identify and procure rights to real estate, tackle state licensing and regulatory issues, obtaining insurance, protecting their intellectual property, and for help in virtually every aspect of initiating a cannabis business. With the passage of the 2018 Farm Bill, we will also do a deep dive into hemp issues.

INCBA @ NCIA CANNABIS BUSINESS SUMMIT
SAN JOSE CONVENTION CENTER

July 22, 2019 San Jose, CA

KEY CURRICULUM: COMPLIANCE AND REGULATORY FOCUS

INCBA is thrilled to present Continuing Legal Education for the 4th year in a row at our longest-running in-person educational conference. With a new set of California regulations, San Jose is the perfect setting to explore the implementation of state regulations, using pain points of California’s own regulations to compare and contrast with other state’s regulatory regimes. Outside of our Cannabis as a Business educational arc, the focus on regulatory issues at our San Jose event will be critical for attorneys representing clients at any and every stage of their cannabis business.
EMERGING CULTIVATION AND ENVIRONMENTAL COMPLIANCE ISSUES

Given that many cities and counties exempted their ordinances regulating cannabis cultivation from (California Environmental Quality Act) CEQA, this panel will provide insights on: (i) how cities and counties are complying with CEQA when faced with site specific cannabis cultivation applications; (ii) what should cultivators expect in terms of costs and application delays for local and state licenses; (iii) what approaches and or solutions are available to streamline CEQA review and how will CEQA be managed in the provisional licensing scheme; and (iv) what similar cannabis cultivation environmental issues are emerging in other states.

SPEAKERS:

Corrine Celko, Emerge Law
Jason Retterer, JRG Attorneys at Law
Jerry Hittleman, City Contract Planner for Cannabis Regulations, West Hollywood
Chad Steelman, CEO at Tohnic Holdings Inc.

MULTI-STATE MANUFACTURING AND DISTRIBUTION CHALLENGES POST FARM BILL

The regulatory fallout from the Farm Bill is a preview of the regulatory fallout that will follow the fall of the federal prohibition of cannabis. This panel is not just for companies focused on hemp. It is for anyone who wants to explore this preview of what things will look like after cannabis is descheduled. In this broader context, this panel will explore the challenges faced by multi-state hemp companies in expanding and managing their business across state lines as the FDA and other regulatory bodies are increasingly focused on hemp in the wake of the Farm Bill. The discussion will also include the state-to-state variance of cannabis and hemp regulations, and relevant state-specific non-cannabis regulations like California’s Prop 65.

SPEAKERS:

Ron Richards, Kinstate, Inc.
Wayne Richman, Founder and Director of the California Hemp Association
Mitzi Vaughn, AltoTerra Capital Partners, Ltd. The Verte Advisors, Inc.
Jack Nichols, General Counsel & Chief Compliance Officer, FLRish, Inc.
Eduardo Provencio, General Counsel at Mary’s Medicinals
E-commerce and delivery services are making it easier for consumers to obtain cannabis, obviating the need to travel – sometimes long distance – to enter a brick and mortar dispensary. For consumers in rural areas or those with mobility impairment these innovations are helping to ensure continued access to cannabis. Regulating this changing marketplace, however, presents challenges. Should deliveries be made by dispensaries or by separately licensed third parties? If by dispensaries, then can they use third-party technology and logistical services? Who should be permitted to processes the orders and payments and can they protect sensitive health information in medical markets? Should deliveries be allowed into municipalities where cannabis dispensaries are prohibited? Take a look at these issues, how California has elected to regulate these industries, and contrasting with differing state-level approaches.

SPEAKERS:
Jeremy Siegel, Eaze
Kristin Stankiewicz, Greenspoon Marder
Alex Freedman, Los Angeles Deputy City Attorney, Cannabis Law Section
Alicia Ashcraft, Apothecarium, Nevada

TESTING LABORATORIES: PERSPECTIVES FROM THE MARKETPLACE

As the cannabis marketplace continues to explode, there does not appear to be any consistency or uniform standard in how states are regulating testing facilities. This imposes significant financial strains and uncertainty on those involved in the cannabis business -- as well as on consumers. There are also practical considerations for testing facilities: how do laboratories establish best practices guidelines, avoid forum-shopping, or obtain appropriate insurance coverage in the absence of an industry standard? This panel will bring together different perspectives as we navigate our way through the complexities of regulation and consistency of results in this emerging industry.

SPEAKERS:
David Mangone Esq., Legislative Counsel at Americans For Safe Access
Dr. Jayashree Mitra, Zuber Lawler & Del Duca
Reggie Gaudino, President of Steep Hill, Inc.
Mitzi Vaughn, Director of Legal for AltoTerra Capital Partners and The Verte Advisors
Andrew Subin, Co-Owner at Vermont Cannabis Solutions
Licensees have various items to consider when engaging, managing and terminating their employees and complying and leveraging various social equity programs. This panel will provide in-depth discussions related to top considerations for general employment compliance, labor peace elements, and coordinating with unions and complying with the law with respect to union organizing attempts and considerations in maintaining worker health and safety and developing standard operating procedures in compliance with worker health and safety laws, that exist or will soon exist, and an overview of social equity programs and opportunities associated with participation and an analysis of the future of such programs.

SPEAKERS:

Sergio Parra, JRG Attorneys
Raul Calvo, Employer Services Company
Anne Kelson, McAllister Garfield, P.C.
Eduardo Blanco, Agricultural Labor Relations Board and DLA Piper
Marty Otañez, Associate Anthropology Professor, University of Colorado Denver

ETHICS IN THE PRACTICE OF CANNABIS LAW

Learn the new Rules of Professional Conduct with particular attention to ethical issues faced by the cannabis Bar. Analyze how the new Rules specifically address state legality amid continued federal prohibition. In a relatively small industry where many clients already know one another, distinguish random contact from formation of the attorney-client relationship, explore conflicts of interest and know when a waiver is or is not needed. Apply baseline requirements to competently expand your practice to other legal specialties, and to how to provide advice to out of state clients without impermissibly "practicing" in another jurisdiction. Collect lessons from real-life scenarios to protect clients and counsel in any manner of ethical dilemma.

SPEAKERS:

Steve Meister, Meister Law Offices
John Steele, Law Office of John Steele
Amy McDougal, Clear Resources
Professor Stephen Bundy, Vice-Chair, CA Committee on Professional Rules and Conduct (COPRAC)