

Cannabis Business Blog

Washington State Bar Association's CLE Seminar - "Marijuana Law: Changes in Regulation and Best Practices"

By Emily Gant on 4.8.16 | Posted in Marijuana business owners, Marijuana retailers, Marijuana-related Business, Medical marijuana, Seminar, Washington State

Washington State Bar Association is hosting its CLE program, "Marijuana Law: Changes in Regulation and Best Practices" seminar taking place next Tuesday, April 12, 2016 in Seattle, Washington.

The marijuana industry is a rapidly evolving landscape. The seminar will address changes and updates in the law, what constitutes medical marijuana, commercial best practices relating to contracts, and ethical considerations in running a cannabis law practice.

The seminar will kick off with introductions by program Co-Chairs, Andy I. Aley, Owner at Garvey Schubert Barer and Co-Chair of the [Cannabis](#) practice group and [Jared Van Kirk](#), Owner at GSB and Co-Chair of its [Labor and Employment](#) practice group. [Emily Harris Gant](#), also Co-Chair of Garvey Schubert Barer's [Cannabis](#) practice group, will lead off the seminar with reviews of Washington's legislative and regulatory updates.

Warning Regarding Federal Law: The possession, distribution, and manufacturing of marijuana is illegal under federal law, regardless of state law which may, in some jurisdictions, decriminalize such activity under certain circumstances. Penalties for violating federal drug laws are very serious. For example, a conviction on a charge of conspiracy to sell drugs carries a mandatory minimum prison term of five years for a first offense and, depending on the quantity of marijuana involved, the fine for such a conviction could be as high as \$10 million. In addition, the federal government may seize, and seek the civil forfeiture of, the real or personal property used to facilitate the sale of marijuana as well as the money or other proceeds from the sale. Although the U.S. Department of Justice (DOJ) recently rescinded its guidance regarding prioritization of criminal prosecutions of individuals and entities operating in compliance with effective state regulatory systems, DOJ left in place long standing guidance to federal prosecutors regarding how to exercise this discretion. Individuals and companies are cautioned to consult with experienced attorneys regarding their exposure to potential criminal prosecution before establishing business operations in reliance upon the passage of state laws which may decriminalize such activity. Federal authority to prosecute violations of federal law as crimes or through seizures and forfeiture actions is not diminished by state law. Indeed, due to the federal government's jurisdiction over interstate commerce, when businesses provide services to marijuana producers, processors or distributors located in multiple states, they potentially face a higher level of scrutiny from federal authorities than do their customers with local operations.

Tags: Cannabis Industry Practice Group, cannabis law practice, Garvey Schubert Barer, legislation, Marijuana business, Marijuana Business Owners, marijuana commercial best

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