

NATIONAL ORGANIZATION OF BAR COUNSEL



NOBC

Mid-Year Meeting

February 1-4, 2012



WESTIN NEW ORLEANS CANAL PLACE
NEW ORLEANS, LOUISIANA

REGISTER ONLINE AT WWW.NOBC.ORG

CLE accreditation is being provided by the sponsor, D.C. Bar CLE Program. Details and forms will be available at the meeting. CLE forms must be turned in at the meeting to receive CLE

Join NOBC for our 2012 MidYear Meeting

It is time for the 2112 NOBC Midyear Conference in the Great State of Louisiana bringing together colleagues from disciplinary agencies across the United States and Canada. It promises to be an unparalleled professional experience in the state whose motto is "Union, Justice and Confidence". We will be featuring the ever-popular current developments program as well as diverse topics on money

laundering/counterterrorist funding, social media, client files, disaster preparation and a 20/20 update. There will also be a joint panel on substance abuse/mental health issues bringing together outstanding panelists from COLAP, APRIL, NCLDB and NOBC, which should generate lively discussion. You are encouraged to come and participate in what will be an outstanding opportunity to share and gather knowledge not to mention establish relationships to assist you in your respective jurisdictions.

SEE YOU IN NEW ORLEANS!!

Murray Greenberg, NOBC President-Elect & Program Chair

Program Location THE WESTIN NEW ORLEANS CANAL PLACE 100 RUE IBERVILLE NEW ORLEANS, LOUISIANA 70130

Along the mighty Mississippi River and adjacent to the historical French Quarter, The Westin New Orleans Canal Place is the perfect address to savor the Crescent City's zest for living. Just steps from fine dining, Harrah's Casino, upscale shopping, museums, art galleries, and the central business district, you will enjoy comfort and service that will make you feel right at home. We have negotiated a special rate of \$189 (USD) per night single/double, exclusive of applicable taxes. To receive this special rate, make your reservation by January 6, 2012. To reserve your room call 1-888-627-8180. Be sure to request the NOBC rate. Rates are available 3 days prior to and after the meeting, subject to availability. If you cancel your reservation, you must do so no later 72 hours prior to arrival or you will be charged a cancellation fee.

Wednesday, February 1, 2012

- 12:00 – 1:00p New Attendee Luncheon
- 1:15p – 1:30p Welcome & Announcements
- 1:30p – 2:00p Keynote Address
Catherine D. Kimball – Chief Justice of Louisiana Supreme Court
- 2:00p – 3:30p Roll Call, Led by Murray Greenberg (CA) - NOBC President Elect
One representative from each jurisdiction will be called upon to introduce all members from their delegation, and provide a very brief update on and pose any pertinent questions about issues of regulation, ethics and professionalism in their jurisdiction.
- 3:30p – 3:45p Break
- 3:45p – 4:45p 20/20 Panel Discussion
Moderator: Gene Shipp (DC)
Panelists: Hon. Elizabeth B. Lacy (VA), Andrew M. Perlman (MA), Elyn S. Rosen (IL)
The ABA's 20/20 Commission expects to report its' recommendation to the ABA House of Delegates at the Annual Meeting in Chicago in August of 2012 and at the Mid-Year Meeting in Dallas in February of 2013. This Panel will consider the Commission's recommended changes to the Model Rules and the effect on regulators.
- 5:00p - 7:30p President's Reception at the Westin Canal Place (cash bar)

Professional Conduct. Right after breakfast, you regroup into assigned color coded teams. You will be given multiple-choice MPRE-like test questions. You can discuss them together as you wish. The goal is to answer the questions, grade yourself and see which table is the most knowledgeable. Each group decides how much you will share your knowledge with each other, and how different each jurisdiction is. Then we account at the end as to what went on. This is a great way to start the day!!!

- 10:30a – 10:45a Break
- 10:45a – 12:15p Current Developments
Panelists: James Grogan (IL), Kimberly Anderson (CA), Maret Vessella (AZ) and Linda Acevedo (TX)
This panel of bar counsel, each of whom represents a geographic region within the United States, will highlight significant legal discussions issued in various jurisdictions across the country within the past six months that relate to attorney discipline, ethics, and related topics.
- 12:15p – 1:45p Lunch – on your own
- 1:45p – 3:30p Concurrent Sessions
- Concurrent I Fran Bassios Memorial Lecture HR and IT Challenges
Moderator: Robert Hawley (CA)
Continuing the discussion from Toronto, Basic HR and technology issues will be on the table. There is lots to discuss: how to maintain morale and reward performance in a down economy; performance and metrics measurements; downsizing and doing more with less; the problem employee; responding to accommodation requests; working remotely; the next generation: social media, cell phones, tattoos at work; and more, and where you all are on the technology case management frontier. Bring your issues and join the discussion.
- Concurrent II Client Files – Yours, mine, or ours?
Moderators: Lynda Shely (AZ), Wendy Collins (VT) & Stark Ligon (AK)
An interactive presentation and discussion of various approaches to dealing with "client file" issues and rules,

Thursday, February 2, 2012

- 8:00a – 9:00a Breakfast Buffet
- 9:00a – 10:30a Small Group Discussions: The Enforcement Challenge
Panelists: Robert Hawley (CA), Lawrence Bloom (D.C.)
We continue the adventure with a slight twist! We hit the road hard and fast with a fully-participatory multiple choice examination on the ABA Model Rules of Profes-

including what is the “client file,” what are the attorney’s obligations in the area, who pays for the copying and delivery, can the file or any part of it be withheld by the lawyer for any reason, and what can bar counsel do to resolve these disputes?

3:30p – 3:45p

Break

3:45p – 5:00p

Hard Lessons Learned: Louisiana’s Disaster Planning Journey

Moderator: Chuck Plattsmier (LA)

Panelist: Tim Averill (LA)

This panel will be a discussion of many of the lessons learned in Louisiana by the numerous ‘disasters’ which have befallen our state over the past several years. The three panelists, are in a unique position to speak to the varied areas of disaster planning, each with a different area of responsibility but with overlapping concerns. While snippets of historical experience will lay the foundation, the primary focus will be upon the “hard lessons learned” and the types of advance planning by the Court, the bar leadership, and the regulatory agencies which we might share with other jurisdictions, and which might illuminate a path that others may consider when they face unanticipated challenges.

7:00p - 10:00p

New Orleans Jazz Dinner Cruise on the Creole Queen (cash bar)

Friday, February 3, 2012

6:45a – 7:30a

Fun Walk

7:00a – 7:30a

Fun Run

8:00a – 9:00a

Continental Breakfast

9:00a – 10:00a

Business Meeting

10:00a – 10:15a

Break

10:15a – 11:15a

Round Table Sessions

Round Table 1

Deputies

Moderator: Paul J. Burgoyne (PA)

The semi-annual meeting of the ‘second-in-command’ of each jurisdiction to discuss issues of management, personnel and recent changes in the law and rules related to the performance of their jobs.

Round Table 2

Ethics Counsel

Moderator: Julia Crossland (ID)

This group is specifically designed for persons who field ethics calls from members and who draft or support committees who draft written ethics opinions.

Round Table 3

New Lawyer Issues

Moderator: Dolores Dorsainvil (DC)

Panelists: Christina Lewis Abate (MO), Joseph C. Perry (DC)

This session will look at new lawyers in an effort to identify potential problem areas and potential pitfalls that could affect the attorney disciplinary process. The session will examine generational differences which may result in different types of ethics concerns for new lawyers. They also may require disciplinary counsel to look at different issues when dealing with ethics breaches of new lawyers. From the problems posed by the current job market, fudged job statistics, the use technology and social media for everything from professional networking to lawyer advertising, this session will help disciplinary counsel to

prepare to deal with young lawyers. Ethics concerns include dishonesty, incompetency, confidentiality, communications, lawyer advertising, unauthorized practice, failure to supervise issues, and more.

Round Table 4

How to Effectively Handle Repeat Respondents and Complainants

Panelists: Scott Davis (ME), Robert Berger, and Janet Hunt (HI)

We will discuss the challenges of Complainants who refuse to accept “No” for an answer and the Respondent who repeatedly violates the Rules of Professional Conduct.

11:15a - 11:30a

Break

11:30a – 12:30p

Money Laundering/ Counter Terrorist Financing

Panelists: Mike Rosen (Dept. of Treasury), Laurel S. Terry and Kevin Shepherd

The use of attorneys and other professionals to facilitate financial crime has garnered the attention of the international community, Congress and the ABA. This panel discussion explores the practical challenges and potential ethical implications for the practitioner in applying the American Bar Associations voluntary Good Practices AML guidance. Panelists will review illicit finance risk factors related to services and clients and ways an attorney should address these often complex questions.

Saturday, February 4, 2012

8:00a – 9:00a

Continental Breakfast

9:00a – 10:15a

Joint session: The Road to Redemption: Recovery and Reinstatement

Moderator: Tracy Kepler (IL)

Panelists: Cynthia Bullington (NOBC- MI), Steven Lee (APRL- TX), Michael Cohen (CoLAP- FL), Laura Gatrell McClendon (CoLAP- TN), Michael A. Stewart (CoLAP- AL), Maureen Mulvenna (NCLDB- IL), Francis P. Keough (NCLDB-MA) Melissa A. Theriot (NCLDB-LA), Francis P. Keough (NCLDB-MA)

This unique and interactive program begins with a mock reinstatement proceeding presented by members of APRL/CoLAP/NCLDB/NOBC which highlights issues and themes that arise when substance abuse/dependence concerns are involved. A panel discussion will follow and questions and comments will be welcomed.

10:15a – 10:30a

Break

10:15a – 11:45a

Social Networking and Cloud Computing: An Ethical Minefield- Do You Really Want Someone to Know That?

Moderator: Katie Uston (VA)

Panelists: Kati Rothgery (CO), Edward L. Davis (VA)

This program will explore topics including: “Advertising and Solicitation- Rules 7.1, 7.2, and 7.3 apply even in cyberspace; Confidentiality- Rule 1.6- You may be revealing more than you think; Interactions with judges, witnesses, jurors, and other lawyers – If you wouldn’t do it in person, don’t do it on-line!; Interactions with Members of the Public- Rules 1.18, 4.2, and 4.3- oh how quickly the attorney/client relationship is formed!; Unauthorized Practice of Law- tell those you supervise to be wary”.

11:45a – 12:00p

Resolutions and Close Meeting

NOBC MIDYEAR MEETING REGISTRATION FORM

WESTIN CANAL PLACE, NEW ORLEANS
FEBRUARY 1-4, 2012

HELD IN CONJUNCTION WITH THE
AMERICAN BAR ASSOCIATION ANNUAL MEETING

REGISTRATION ALSO AVAILABLE AT WWW.NOBC.ORG

Registrant Name: _____ Badge First Name: _____

Jurisdiction: _____

Address: _____

Phone: _____ Email: _____

Guest Name: _____ Badge First Name: _____

Guest Name: _____ Badge First Name: _____

Check here if you will attend the Thursday night event.

Check here if you are a first-time attendee.

Early Bird Member Registration (**Received by January 14, 2012**) _____ @ \$415.00 each = \$ _____

Member Registration (**Received after January 14, 2012**) _____ @ \$430.00 each = \$ _____

Guest Registration: Includes Wednesday/Saturday Continental Breakfast,
Thursday Breakfast Buffet, Wednesday Reception, and Thursday Networking
Event at Creole Queen _____ @ \$145.00 each = \$ _____

Limited Guest Registration: Thursday Networking Event
on the Creole Queen **ONLY** _____ @ \$75.00 each = \$ _____

Total: = \$ _____

PAYMENT: Check (payable to NOBC) Visa MC

Credit Card Number: _____ Exp. Date: _____

Signature: _____ Security Code: _____

Billing Address (if different from above): _____

How would you like to receive your registration confirmation?

Email to address above Email to different address: _____

Mail to address above Fax to: _____

PLEASE SEND COMPLETED REGISTRATION FORM AND PAYMENT TO:

National Organization of Bar Counsel
310 W. Lake St, Ste 111, Elmhurst, IL 60126
Phone: 630-617-5153 Fax: 630-563-9181