



Oregon Law Institute
of Lewis & Clark Law School

18th Annual Ethics Seminar

Ethical Challenges and Legal Practice: Recent Developments *with Stephen Gillers*

9:00 a.m. – 12:00 noon
3 Ethics Credits

Immigrants in Court: Culture Counts

1:00 – 4:00 p.m.
3 Elimination of Bias Credits

Child Abuse Reporting

4:15 – 5:15 p.m.
1 Child Abuse Rep Credit

FRIDAY, NOVEMBER 4, 2005

Oregon Convention Center
777 NE Martin Luther King Jr., Blvd.
Portland, Oregon

Ethical Challenges and Legal Practice: Recent Developments with Stephen Gillers

3 Ethics Credits

8:30 LATE REGISTRATION AND DISTRIBUTION OF MATERIALS

8:55 WELCOME AND INTRODUCTION

9:00 - 12:00 **Ethical Challenges and Legal Practice**

There will be a 15-minute break during this session.

This program on legal ethics, with an emphasis on Oregon Rules where pertinent, will select from the following issues, possibly among others, and with an effort to select some issues that will be of practical interest to each of various practice settings:

- Lessons from the Arthur Andersen, Martha Stewart, and Frank Quattrone prosecutions and the investigation of the Valerie Plame Leak (including some surprising things about obstruction of justice and a lawyer's duty with regard to documents preservation);
- The key changes recommended by the ABA Ethics 2000 Commission to the ABA Model Rules and ABA action in February 2002 and the subsequent amendments to confidentiality rules, including in the corporate context, adopted in August 2003;
- To what extent can law firms secure advance consents to conflicts of interest and what should they say?;
- When a current or former client turns out to be an adverse witness or source of discovery in another matter: What do you do?;
- What exactly is the Joint Defense Privilege (or more accurately, the Common Interest Arrangement) and how does it work? What precautions should be taken in entering one;
- Bargaining for the "incidents of the attorney-client relationship" as part of the purchase and sale of a company. How to save a lot of grief later and keep the client. Lessons from *Tekni-Plex*;
- A new twist on extricating a firm that suddenly finds itself in a conflict position as a result of a client's acquisition of an adversary or an adversary's acquisition of a client, together with background information on the subject. (Firm represents A in litigation or negotiation with B when B acquires or is acquired by a firm client on another matter.).

– Stephen Gillers

STEPHEN GILLERS has been professor of law at New York University School of Law since 1978. He served as Vice Dean from 1999-2004. He holds the Emily Kempin chair. He is the author of *Regulation of Lawyers: Problems of Law and Ethics*, a widely used law school casebook whose seventh edition was published in spring 2005. He and Professor Roy Simon edit *Regulation of Lawyers: Statutes and Standards*, an annotated volume of rules governing American lawyers and judges which has been published annually since 1989. He is often quoted on lawyer regulatory issues in the legal and national press. He is currently Chair (and since 2002 has been a member) of the American Bar Association's Joint Committee on Lawyer Regulation

Following a clerkship with Chief Judge Gus J. Solomon in Federal District Court in Portland, Oregon, Professor Gillers practiced law in New York City before joining the NYU faculty.

Immigrants in Court: Culture Counts

3 Elimination of Bias Credits

12:30 LATE REGISTRATION AND DISTRIBUTION OF MATERIALS

1:00 - 1:30 **Introduction — the Ventura Case**

Justice De Muniz, who as a criminal defense lawyer successfully represented Mixtec farmworker Santiago Ventura Morales and overturned his murder conviction, will provide an overview of this case that nationally publicized the difficulties many immigrants experience in court.

– *Hon. Paul J. De Muniz*, Oregon Supreme Court

1:30 - 2:15 **Working with Interpreters**

Learn how to avoid untrained or ineffective interpreters, who can wreak havoc on your case, and how to work productively with effective interpreters, as illustrated by the video Working with Interpreters.

– *Lois M. Feuerle*, Coordinator of Court Interpreter Certification, Testing and Training, Oregon Judicial Department

– *Joanne I. Moore*, Director, Washington State Office of Public Defense

2:15 - 2:30 BREAK

2:30 - 4:00 **Addressing Cultural Issues in
Representing Immigrants**

The panel members, who work with numerous immigrants in criminal, civil, and immigration cases, will discuss how best to communicate regarding our legal system and how to bridge cultural misunderstandings in the office and the courtroom.

Moderator: *Hon. Paul J. De Muniz*, Oregon Supreme Court

– *Hon. Michael H. Bennett*, Immigration Court Judge

– *Lois M. Feuerle*, Coordinator of Court Interpreter Certification, Testing and Training, Oregon Judicial Department

– *Joanne I. Moore*, Director, Washington State Office of Public Defense

– *Larisa Rasskazova*, Attorney at Law

– *Steven T. Wax*, Federal Public Defender

Child Abuse Reporting

1 Child Abuse Rep Credit

4:15 - 5:15 This session will explore the mandatory reporting obligation for Oregon lawyers from the perspective of a professional responsibility lawyer who is also a former prosecutor of child abuse and sex crimes.

– *Rene C. Holmes*, Hinshaw & Culbertson LLP

18th

Annual Ethics Seminar

Friday, November 4, 2005

**Oregon Convention Center
777 NE MLK Jr. Blvd.**

CONFIRMATION

Confirmation for the live program will be sent via e-mail or fax.

CANCELLATION POLICY

Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by Tuesday, November 1, 2005.

NEED ASSISTANCE

If you are a person with a disability, please let OLI know in time to make any necessary accommodations.

TUITION ASSISTANCE

A limited number of scholarships are available based on financial need. Contact OLI.

PROGRAM PRODUCTS

Even if you cannot attend, you can still get the program on audiotapes, videotapes, CDs or DVDs. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase the tapes at 50% off the full retail price.

QUESTIONS?

Please call OLI at (503) 768-6580 in Portland or toll-free in Oregon at (800) 222-8213, e-mail us at oli@lclark.edu; or visit our Web site at www.lclark.edu/org/oli.

VIDEO REPLAYS

Please register at least one week prior to the replay date.

Bend – 11/18/05

Ethical Challenges – 8:30 a.m.

Immigrants in Court – 12:30 p.m.

Child Abuse Reporting – 3:30 p.m.

Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 11/10/05

Ethical Challenges – 8:30 a.m.

Eugene – 11/11/05

Immigrants in Court – 8:30 a.m.

Child Abuse Reporting – 11:30 a.m.

Harrang Long Gary & Rudnick, P.C.
360 East 10th Avenue, Ste. 300

Medford – 11/11/05

Ethical Challenges – 8:30 a.m.

Immigrants in Court – 12:30 p.m.

Child Abuse Reporting – 3:30 p.m.

Kellington Krack Richmond
Blackhurst Sutton & Glatte LLP
23 Newtown Street

Portland – 11/30/05

Ethical Challenges – 9:00 a.m.

Immigrants in Court – 1:00 p.m.

Child Abuse Reporting – 4:00 p.m.

Oregon Law Institute
Gus J. Solomon Courthouse,
620 S.W. Main St., Suite 706

Have you purchased your OLI Annual Pass yet?

Call OLI at 503-768-6580 in the Portland Metro area or toll-free in Oregon at 800-222-8213. For information about the OLI Annual Pass, visit our Web site at www.lclark.edu/org/oli/annual_pass.html.

18th ANNUAL ETHICS CLE

Friday, November 4, 2005

Name

OSB No. or Profession

Firm/Organization

Street Address

City/State/Zip

Phone

Fax

E-Mail

I wish to attend: Ethical Challenges Immigrants in Court Child Abuse Reporting

Please "✓" appropriate box below:

 Live presentation Video replay. Location: _____ Date: _____**TUITION** *Prices apply to live and video replays.***ALL THREE PROGRAMS:**

- \$169** "Early Bird" tuition (*received by October 31, 2005*).
- \$149** "Early Bird" tuition for new attorneys (admitted 2004–2005), paralegals, or secretaries (*received by October 31, 2005*).
- \$85** Public defenders, legal aid attorneys, and judges (*received by October 31, 2005*).
- \$25** OLI Annual Pass holder (Annual Pass No. _____).
- \$20** Add to above tuition if registration received *after October 31, 2005*.

ONE PROGRAM: (Please check one box)

- Ethical Challenges with Stephen Gillers*
- \$119** "Early Bird" tuition (*received by October 31, 2005*).
- \$99** "Early Bird" tuition for new attorneys (admitted 2004–2005), paralegals, or secretaries (*received by October 31, 2005*).
- \$15** OLI Annual Pass holder (Annual Pass No. _____).
- Immigrants in Court*
- \$119** "Early Bird" tuition (*received by October 31, 2005*).
- \$99** "Early Bird" tuition for new attorneys (admitted 2004–2005), paralegals, or secretaries (*received by October 31, 2005*).
- \$15** OLI Annual Pass holder (Annual Pass No. _____).
- Child Abuse Reporting*
- \$29** "Early Bird" tuition (*received by October 31, 2005*).
- \$15** OLI Annual Pass holder (Annual Pass No. _____).
- \$20** Add to above tuition if registration received *after October 31, 2005*.

PRODUCT ORDER *I am unable to attend. Please send me:**Ethical Challenges with Stephen Gillers*

- \$119** Audiotapes and materials *or* Audio CDs and materials
- \$189** Videotapes and course book *or* DVDs and materials

Immigrants in Court

- \$119** Audiotapes and materials *or* Audio CDs and materials
- \$189** Videotapes and course book *or* DVDs and materials

Child Abuse Reporting

- \$29** Audiotapes and materials *or* Audio CDs and materials
- Deduct 50% from order if you are an OLI Annual Pass holder (Pass No. _____)
- \$7.00** *Note: Add \$7.00 shipping & handling fee to above book and tape orders.*

ENCLOSED IS \$ _____ BY:

- Check payable to Oregon Law Institute (OLI)
- Credit Card: Acct. # _____
- VISA MasterCard
- Exp. Date: _____ Signature: _____

Return this form with payment to:
OLI Registrar, Solomon Courthouse
620 S.W. Main St., Suite 706
Portland, OR 97205-3037

...or fax this registration
form including credit
card information to:
(503) 768-6585.