



Oregon Law Institute
of Lewis & Clark Law School

*19th Annual
Ethics CLE*

From Guantanamo to Gresham

*Permissible and
Impermissible
Representation in
High Profile Cases
and Everyday Life*

**FRIDAY,
NOVEMBER 3, 2006**

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

**4.75 Ethics and 1.5 Elimination of Bias
MCLE Credits**

SCHEDULE

- 8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:25 WELCOME AND INTRODUCTION
- 8:30 - 10:00 **Extreme Ethics in Extraordinary Times: Professional Responsibility and Advocacy Issues in the Representation of Guantanamo Detainees**
Wells Dixon is a staff attorney with the Center for Constitutional Rights and habeas counsel for several Guantanamo detainees. If there is any contemporary set of circumstances that tests not only the meaning of lawyers to represent their clients on the one hand and, perhaps, the permissible bounds of advocacy by the government and private parties on the other, this is it. Learn the issues and how they may relate to the law of lawyering in less troubled matters as well.
– *Wells Dixon*
- 10:00 - 10:15 BREAK
- 10:15 - 11:15 **Recent Developments Regarding Ethics Law in Oregon**
 - Pending rule amendments
 - Recent case law
 - Recent ethics opinions
 - Cutting edge issues– *Stephen R. Moore*
– *Jeffrey D. Sapiro*
- 11:15 - 12:15 **Negotiation Ethics**
 - General principles of negotiation: the rules and their limits
 - Duty of honesty
 - Duty to correct errors
 - Limits on zealous advocacy– *Peter R. Jarvis*
– *Bradley F. Tellam*
- 12:15 - 1:15 LUNCH (optional lunch at live seminar)
- 1:15 - 2:15 **Lawyer Third Party Liability in Light of *Granewich Schrock***
New, and dangerous, theories of lawyer liability will continue to develop for as long as there are creative lawyers to develop them. One such theory, which is gaining ground in Oregon and other states, concerns lawyer liability to non-client third parties for helping their clients breach fiduciary duties owed by the clients to the third parties. This session will examine the current and evolving state of the law in this troubling area and discuss the elements of such a claim and how to avoid them. The panel includes two civil trial attorneys who represented parties in the most significant Oregon cases on this issue.
– Moderator: *René C. Holmes*
– *Thomas W. Brown*
– *James E. Leuenberger*
- 2:15 - 2:30 BREAK

SCHEDULE (cont.)

2:30 - 4:00

Representing Bigoted Clients and/or Representing Non-Bigoted Clients in a Sometimes Bigoted World

This panel will consider ethical issues when representing bigoted clients, and also representations of a client that may encounter bigotry in the larger community. The panel members have particular experience with Oregon professional rules, customs, and history and represent expertise in a variety of experiences from racial and gender bias, to religious and ethnic prejudices. They will examine different practice contexts in which these issues may arise including:

- The judicial perspective
- Alternative Dispute Resolution and perspectives on gender based biases in professional representation
- Religious bigotry and terrorism suspects; a criminal representation perspective
- Government service, policies, and practices
 - Moderator: *Robin Morris Collin*
 - *Hon. Ancer L. Haggerty*
 - *Susan M. Hammer*
 - *Fred Hansen*
 - *Steven T. Wax*

4:00

ADJOURN

Program Faculty

Thomas W. Brown

Cosgrave Vergeer Kester LLP

Robin Morris Collin

*Willamette University
College of Law*

Wells Dixon

*Staff Attorney
Center for Constitutional Rights*

Hon. Ancer L. Haggerty

Chief U.S. District Court Judge

Susan M. Hammer

Attorney at Law

Fred Hansen

*General Manager, Tri-County
Metropolitan Transportation
District of Oregon*

René C. Holmes

Hinshaw & Culbertson LLP

Peter R. Jarvis

*Program Co-Planner
Hinshaw & Culbertson LLP*

James E. Leuenberger

James E. Leuenberger P.C.

Stephen R. Moore

Attorney at Law

Jeffrey D. Sapiro

*Oregon State Bar
Disciplinary Counsel*

Bradley F. Tellam

*Program Co-Planner
Barran Liebman LLP*

Steven T. Wax

Federal Public Defender

LIVE PRESENTATION

Portland – 11/3/06

Oregon Convention Center
777 NE MLK Jr. Blvd.

MCLE CREDIT

*From Guantanamo to Gresham:
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Representation in High Profile Cases and
Everyday Life* will receive **4.75** Ethics and
1.5 Elimination of Bias MCLE credits.

PROGRAM PRODUCTS

Even if you cannot attend, you can still get the program on audiotape, videotape, CD or DVD. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase OLI program products 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 – 11/17/06

Replay 8:30 a.m.
Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 11/10/06

Replay 8:30 a.m.
Harrang Long Gary & Rudnick, P.C.
360 East 10th Avenue, Ste. 300

Medford – 11/10/06

Replay 8:30 a.m.
Kellington, Krack, Richmond,
Blackhurst & Glatte, LLP
23 Newtown Street

Portland – 11/29/06

Replay 9:00 a.m.
Oregon Law Institute
Gus J. Solomon Courthouse,
620 S.W. Main St., Suite 706

REGISTRATION / ORDER FORM

From Guantanamo to Gresham
*Permissible and Impermissible Representation
in High Profile Cases and Everyday Life*

Friday, November 3, 2006

Name _____ OSB No. or Profession _____

Firm/Organization _____

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Please "✓" appropriate box below:

- Live presentation
- Video replay. Location: _____ Date: _____
Please register at least one week prior to the replay date.

TUITION (*Prices apply to live and video replays.*)

- \$159** "Early Bird" tuition (*received by October 30, 2006*).
- \$119** "Early Bird" tuition for new attorneys (admitted 2005–2006), paralegals, or secretaries (*received by October 30, 2006*).
- \$80** Legal aid attorneys and judges (*received by October 30, 2006*).
- \$15** OLI Annual Pass holder (Annual Pass No. _____).
- \$20** Add to above tuition if registration received *after October 30, 2006*.

OPTIONAL LUNCH AT LIVE SEMINAR

- \$20** Add to above tuition
- Vegetarian Dietary restrictions: _____

PRODUCT ORDER

I am unable to attend. Please send me:

- \$179** Audiotapes and course book *or* **\$179** Audio CDs and course book
- \$299** Videotapes and course book *or* **\$299** DVDs and course book
- \$55** Course book only
- Deduct 50% from order if you are an OLI Annual Pass holder (Pass No. _____)
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(503) 768-6585.

QUESTIONS? Call (503) 768-6580 or (800) 222-8213.
Check out our website at www.lclark.edu/org/oli
or email us at oli@lclark.edu.

CONFIRMATION: Confirmation will be sent via e-mail or fax one week before the program.
CANCELLATION POLICY: Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by Tuesday, October 31, 2006.
NEED ASSISTANCE: If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.
TUITION ASSISTANCE: A limited number of scholarships are available based on financial need. Contact OLI.