



Oregon Law Institute
of Lewis & Clark Law School

20th Annual Ethics Seminar

Communicating Across the Gender Gap: *What Lawyers Need to Know*

with Steven Stark and Sarah Wald

8:45 – 11:45 a.m.

3 Elimination of Bias Credits

Attorney-Client Privilege: *What's Hot and What's Not*

12:45 – 3:45 p.m.

3 Ethics Credits

Between Scylla and Charybdis

4:00 – 5:00 p.m.

1 Child Abuse Rep Credit

FRIDAY, NOVEMBER 16, 2007

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

SCHEDULE

Communicating Across the Gender Gap: What Lawyers Need To Know with Steven Stark and Sarah Wild

3 E/B Credits

8:15

LATE REGISTRATION AND DISTRIBUTION OF MATERIALS

8:25

WELCOME AND INTRODUCTION

8:45 - 11:45

Overview; Laying the Foundation with Four Points

- How important is gender anyway?
- The two main themes of the course
- The surprising lessons of childhood play
- Does law school work better for men?

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

How Women and Men Differ and How to Deal with the Differences: Public Persona and Physicality: What People Do When They Speak

- Body language
- Use of space
- Physical appearance

How Women and Men Differ and How to Deal with the Differences: The Way People Speak

- The two basic differences between male and female speakers
- The importance of listening (or at least appearing to)
- The use of voice

How Women and Men Differ and How to Deal with the Differences: Specific Issues in Conversational Style

- Directness vs. indirectness
- "Small talk" and details
- Interruptions
- The uses of humor

How Women and Men Differ and How to Deal with the Differences: Styles That Lead to Misunderstandings and Affect Credibility

- Modifiers and use of questions
- Failure to take credit
- Apologizing
- Criticism, unhelpful advice, and complaining as bonding

Special Issues in Gender Communication and the Law

- Conflict and anger
- Persuasion and argument
- Expertise, authority, and confidence
- Meetings and hearings

11:45

ADJOURN

SARAH WALD is former Dean of Students at Harvard Law School and Assistant Provost at Harvard University, where her work included issues related to women faculty and students. Her publications include articles in the *Harvard Women's Law Journal*, the *Administrative Law Review*, and other legal journals. She is a graduate of Brown University and Yale Law School. She is currently Special Assistant to the Dean at the University of North Carolina School of Law.

STEVEN STARK is a writer and a consultant who teaches courses on writing and speaking to lawyers and other professionals. A former cultural commentator for CNN, National Public Radio, and the Voice of America, he is the author of three books and one e-book and has written frequently for the *New York Times*, the *Los Angeles Times*, the *Atlantic Monthly*, and the *Boston Globe*, where he was an op-ed columnist. He currently is covering the 2008 presidential race through his "Presidential Tote Board" column and blog for the *Boston Phoenix*. A lawyer and former Lecturer on Law at Harvard Law School, he is a graduate of Harvard College and Yale Law School.

SCHEDULE (cont.)

Attorney-Client Privilege: What's Hot and What's Not

3 Ethics Credits

12:15 LATE REGISTRATION AND DISTRIBUTION OF MATERIALS

12:45 - 1:45 **Recent Developments Regarding Oregon's Rules of Professional Conduct**

- Recent case law
- Recent ethics opinions
- Emerging issues
 - *Christopher R. Hardman*, Law Office of C.R. Hardman
 - *Jeffrey D. Sapiro*, Disciplinary Counsel, Oregon State Bar

1:45 - 2:00 BREAK

2:00 - 3:45 **Attorney-Client Privilege: What's Hot and What's Not**

- Does it make a difference that the RPCs refer to “information relating to the representation of a client” and not to “confidences and secrets”?
- When and how can or must a lawyer reveal confidential client information, and to whom?
- When and how can the other side invade your side's privilege?
- Who controls the privilege in a multi-corporate setting?
- When, if ever, can a law firm assert its own claim of privilege against a current client?
- When does the joint defense/common interest privilege exist and how can it be preserved?
- What do the e-discovery rules and the debate over access to metadata tell us about handling inadvertently produced documents?
 - *Susan R. Cournoyer*, Assistant Disciplinary Counsel, Oregon State Bar
 - *Karin J. Immergut*, United States Attorney for the District of Oregon
 - *Peter R. Jarvis*, Hinshaw & Culbertson LLP
 - *Bradley F. Tellam*, Stoel Rives LLP

Between Scylla and Charybdis

1 Child Abuse Rep Credit

4:00 - 5:00 **Between Scylla and Charybdis**

- Oregon lawyers know they are required to make a report when they have a reasonable belief that child abuse has occurred, once they come into contact with the victim or the perpetrator of that abuse. Analysis of this simple sounding statement reveals uncertainties, however, and the possibility that moving away from one problem may be approaching another. This will be a practical discussion designed to inform the judgments lawyers are required to make, and the steps they are required to take, to fulfill their duty to assist in protecting children from abuse.
 - *Timothy M. Travis*, Staff Counsel for Juvenile and Drug Courts, Oregon Judicial Department

20th

Annual Ethics Seminar

Friday, November 16, 2007

**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 Monday, November 12, 2007.

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 – 12/7/07

Gender Gap – 8:30 a.m.

Attorney-Client Privilege – 12:30 p.m.

Scylla and Charybdis – 3:30 p.m.

Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 11/30/07

Gender Gap – 8:30 a.m.

Attorney-Client Privilege – 12:30 p.m.

Scylla and Charybdis – 3:30 p.m.

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

Medford – 11/30/07

Gender Gap – 8:30 a.m.

Attorney-Client Privilege – 12:30 p.m.

Scylla and Charybdis – 3:30 p.m.

Kellington Krack Richmond Blackhurst
& Glatte LLP
23 Newtown Street

Portland – 12/12/07

Gender Gap – 9:00 a.m.

Attorney-Client Privilege – 1:00 p.m.

Scylla and Charybdis – 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.

REGISTRATION / ORDER FORM
20th Annual Ethics CLE

Friday, November 16, 2007

Name _____ OSB No. or Profession _____

Firm/Organization _____

Street Address _____ City/State/Zip _____

Phone _____ Fax _____ E-Mail _____

I wish to attend: Gender Gap Attorney-Client Between Scylla and Charybdis

Please "✓" appropriate box below:

Live presentation Video replay. Location: _____ Date: _____

TUITION *Prices apply to live and video replays.*

ALL THREE PROGRAMS:

- \$189 "Early Bird" tuition (*received by November 12, 2007*).
- \$95 Legal aid attorneys (*received by November 12, 2007*).
- \$25 OLI Annual Pass holder (Annual Pass No. _____).
- \$20 Add to above tuition if registration received *after November 12, 2007*.

INDIVIDUAL PROGRAMS:

- Communicating Across the Gender Gap*
 - \$139 "Early Bird" tuition (*received by November 12, 2007*).
 - \$15 OLI Annual Pass holder (Annual Pass No. _____).
- Attorney-Client Privilege*
 - \$119 "Early Bird" tuition (*received by November 12, 2007*).
 - \$15 OLI Annual Pass holder (Annual Pass No. _____).
- Between Scylla and Charybdis*
 - \$35 "Early Bird" tuition (*received by November 12, 2007*).
 - \$15 OLI Annual Pass holder (Annual Pass No. _____).
- \$20 Add to above tuition if registration received *after November 12, 2007*.

PRODUCT ORDER *I am unable to attend. Please send me:*

All Three Sessions:

- \$209 Audiotapes and materials *or* Audio CDs and materials
- \$309 Videotapes and course book *or* DVDs and materials

Communicating Across the Gender Gap

- \$149 Audiotapes and materials *or* Audio CDs and materials
- \$189 Videotapes and course book *or* DVDs and materials

Attorney-Client Privilege

- \$129 Audiotapes and materials *or* Audio CDs and materials
- \$189 Videotapes and course book *or* DVDs and materials

Between Scylla and Charybdis

- \$35 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.