

November 12 & 13

Utah State Bar

FALL FORUM

2009

Downtown Marriott
75 South West Temple • Salt Lake City



Earn up to 9.5 hrs. of CLE/NLCLE Credit

4 hrs. qualify as Ethics Credit and 1 hr. as Professionalism Credit

2 hrs. CLE Credit for the Thursday Night Event

7.5 hrs. CLE Credit for Friday



2009 Fall Forum

THURSDAY, NOVEMBER 12

5:30 pm –
6:00 pm

Reception

6:00 pm –
7:00 pm



Defrauding America

George Nierenberg – documentary film maker

George Nierenberg is an acclaimed documentary filmmaker whose 30-year career has spanned independent theatrically-released features, as well as network, cable, and international television. Much of his work has focused on the voices of the exploited and the perseverance of the human spirit. Ironically, Mr. Nierenberg found himself on the other side of the camera lens in December 2008 when his entire life's savings was decimated in the Bernard Madoff scandal...and he spoke out. In the face of an abrupt change of fortune, Mr. Nierenberg will discuss how, like his film subjects, he has emerged with his spirit intact and with the determination to be an outspoken victim advocate.

2 hrs. CLE

7:00 pm –
8:00 pm

Panel Discussion: Protecting Yourself and Your Clients From Fraud – Remedies and Resources in Utah

Moderator: Jonathan O. Hafen; John S. Polise, Assistant Director, Division of Enforcement, Securities and Exchange Commission, Washington, D.C.; plus other panelists TBD

FRIDAY, NOVEMBER 13

8:00 am

Welcome

8:15 am –
9:45 am

Keynote Address – **John S. Polise**

The Scope of Securities Fraud: A National Perspective

John S. Polise is Assistant Director, Division of Enforcement, Securities and Exchange Commission, Washington, D.C. As Assistant Director he manages complex rule filings from self-regulatory organizations and is responsible for administering the Division of Market Regulation's program for regulating Alternative Trading Systems, Electronic Communications Networks and new trading systems. He previously has held positions at both NASD and the CFTC and also clerked for the Honorable Stanley Sporkin in the Federal District Court in the District of Columbia. In 2002 Mr. Polise received the Division of Market Regulation's Jay Manning Award. He also received the SEC's Capital Markets Award in 2001 for being part of the Commission's September 11th recovery team, and received the NASD Regulation's President's Award in 2000 for outstanding contribution in the investigation and litigation of a precedent-setting customer protection case.

1.5 hrs. CLE

9:45 am –
10:00 am

BREAK

SESSION I
10:00 am –
11:00 am

1 hr. CLE

LITIGATION	PROFESSIONAL RESPONSIBILITY	LAW PRACTICE MANAGEMENT	TRANSACTIONAL	HOT TOPICS	TAKING CARE OF YOURSELF
<p><i>Litigation Costs & Access to Justice: Is It Time to Change the Rules?</i></p> <p>Moderator: Francis J. Carney – Anderson & Karrenberg</p> <p>Chief Justice Christine M. Durham – Utah Supreme Court</p> <p>Hon. Derek P. Pullan – Fourth District Court</p> <p>Justice Rebecca Kourlis (retired Colo.) – Institute for the Advancement of the American Legal System</p>	<p><i>Attorney Impairment: A Conversation With the Elephant in the Room, Part 1, The Nature of the Most Common Mental Health Problems</i></p> <p>Professor Donald P. Judges – University of Arkansas School of Law; Adjunct Professor of Clinical Psychology, University of Arkansas</p> <p>ETHICS</p>	<p><i>Technology Therapy: The Virtual Office</i></p> <p>Adriana Linares – LawTech Partners, Inc.</p>	<p><i>The Impact of Bankruptcy on Real Estate Transactions</i></p> <p>Moderator: George B. Hofmann – Parsons Kinghorn Harris</p> <p>Mona L. Burton – Holland & Hart</p> <p>Hon. R. Kimball Mosier – U.S. Bankruptcy Court, District of Utah</p> <p>Harold L. Reiser – Parsons Kinghorn Harris</p>	<p><i>Retaining Good Lawyers: Lifestyle and Generational Issues</i></p> <p>Moderator: Laurie D. Gilliland – U.S. Federal District Court</p> <p>Evelyn J. Furse – Salt Lake City Attorney's Office</p> <p>Melanie J. Vartabedian – Ballard Spahr Andrews and Ingersoll</p> <p>Lisa A. Yerkovich – Ray Quinney & Nebeker</p>	<p><i>From Burnout to Balance: A Workshop Offering Principles and Practices for Generating Greater Resilience and Flourishing Through Both Calm and Tumultuous Times</i></p> <p>Colette Herrick – CEO, Insight Shift</p>

11:00 am –
11:15 am

BREAK

SESSION II
11:15 am –
12:15 pm

1 hr. CLE

LITIGATION	PROFESSIONAL RESPONSIBILITY	LAW PRACTICE MANAGEMENT	TRANSACTIONAL	HOT TOPICS	TAKING CARE OF YOURSELF
<p><i>How to Find and Select an Expert Witness</i></p> <p>Moderator: Jonathan O. Hafen – Parr Brown Gee & Loveless</p> <p>Hon. Thomas L. Kay – Second District Court</p> <p>Hon. Clark Waddoups – U.S. Federal District Court</p> <p>Tim D. Dunn – Dunn & Dunn</p> <p>Colin P. King – Dewsnup King & Olsen</p>	<p><i>Attorney Impairment: A Conversation With the Elephant in the Room, Part 2, An Alternative Approach to Managing the Emotional Responses to the Demands of Professional Life</i></p> <p>Professor Donald P. Judges – University of Arkansas School of Law; Adjunct Professor of Clinical Psychology, University of Arkansas</p> <p>ETHICS</p>	<p><i>Marketing and Financial Tips to Help You and Your Firm Thrive in a Down Economy</i></p> <p>Moderator: Nancy Lawson – Parr Brown Gee & Loveless</p> <p>Ron Pynes – Managing Partner, Axis41</p> <p>Steve Wiest – Partner, Marketing Services, Axis41</p> <p>Reed Wright – Partner, Chief Architect, Axis41</p>	<p><i>Dealing With Loan Restructuring</i></p> <p>Brian D. Cunningham – Snell & Wilmer</p> <p>Ken C. Johnsen – Oak Canyon Partners</p>	<p><i>Pretrial Considerations in Domestic Law Cases</i></p> <p>Angela F. Fannesbeck – Attorney at Law</p>	<p><i>Managing Your Personal Finances</i></p> <p>Gary Mills – Principal, Velocity Financial</p>



Schedule of Events

LUNCH: Awards

CLE Presentation – **Adriana Linares, LawTech Partners, Inc.**
Technology Therapy for Law Firms


Adriana Linares is a legal technology consultant and trainer, and President of LawTech Partners, based in Orlando, Florida. Prior to launching LawTech Partners, she managed firm-wide training programs and technology development initiatives in two of Florida's largest law firms. With LawTech Partners, she delivers training and "tech therapy" sessions for firms of all sizes nationwide. Having served two years on the Planning Board for ABA TECHSHOW, today Ms. Linares chairs the Technology Core Group of the Law Practice Management Section of the ABA and serves as the editor for TechnoLawyer's Blawgworld.



12:15 pm –
1:45 pm

1 hr. CLE

BREAK

LITIGATION	PROFESSIONAL RESPONSIBILITY	LAW PRACTICE MANAGEMENT	TRANSACTIONAL	HOT TOPICS	TAKING CARE OF YOURSELF
<p><i>Advanced Evidence, Hearsay Part 1: What It Is and What It Isn't, and the Exceptions</i></p> <p>Professor Stephen J. Cribari – University of Minnesota Law School</p>	<p><i>Avoiding Malpractice, How to Deal With It Once You've Done It, and Defending Yourself Against a Lawsuit</i></p> <p>John A. Snow – Van Cott Bagley Cornwall & McCarthy</p> <p>ETHICS & PROFESSIONALISM</p>	<p><i>Flat Fee Billing Practices</i></p> <p>Moderator: Adam D. Ford – Ford & Huff Kim H. Buhler – Bradford & Bradly Jeremy M. Delicino – McCaughey & Metos Thomas M. Bonacci – Workman Nydegger</p>	<p><i>Landlords' and Tenants' Perspectives on Restructuring Commercial and Residential Leases</i></p> <p>Moderator: TBD David E. Gee – Parr Brown Gee & Loveless James H. Deans – Attorney at Law Martin S. Blaustein – Utah Legal Services</p>	<p><i>Proposed Legislation on Guardianships and Conservatorships</i></p> <p>Timothy M. Shea – Administrative Office of the Courts</p>	<p><i>Meditation Training for Stress Relief, Part 1</i></p> <p>Michael Zimmerman Diane Hamilton</p> 

1:45 pm –
2:00 pm

SESSION III
2:00 pm –
3:00 pm

1 hr. CLE

BREAK

LITIGATION	PROFESSIONAL RESPONSIBILITY	LAW PRACTICE MANAGEMENT	TRANSACTIONAL	HOT TOPICS	TAKING CARE OF YOURSELF
<p><i>Advanced Evidence, Hearsay Part 2: What It Is and What It Isn't, and the Exceptions</i></p> <p>Professor Stephen J. Cribari – University of Minnesota Law School</p>	<p><i>Responding to a Professional Conduct Complaint</i></p> <p>Moderator: Sharadee Fleming – Office of Professional Conduct Adam C. Bevis – Office of Professional Conduct Charles A. Gruber – Attorney at Law Vernon L. Hopkinson – Cohne Rappaport & Segal</p> <p>ETHICS</p>	<p><i>Providing Limited Scope Legal Services</i></p> <p>Mary Jane Ciccarello – Utah State Courts Virginia L. Sudbury – Attorney at Law</p>	<p><i>The State of Utah's Economy</i></p> <p>Lew W. Cramer – CEO/President, World Trade Center of Utah</p>	<p><i>Caring for Yourself and Your Parents' Basic Legal Needs</i></p> <p>Margie Campbell – MSW Kent B. Alderman – Parsons Behle & Latimer</p>	<p><i>Meditation Training for Stress Relief, Part 2</i></p> <p>Michael Zimmerman Diane Hamilton</p>

3:00 pm –
3:15 pm

SESSION IV
3:15 pm –
4:15 pm

1 hr. CLE

BREAK

LITIGATION	PROFESSIONAL RESPONSIBILITY	LAW PRACTICE MANAGEMENT	TRANSACTIONAL	HOT TOPICS	TAKING CARE OF YOURSELF
<p><i>Advanced Evidence, Impeaching Witnesses: Character and Reputation Evidence</i></p> <p>Professor Stephen J. Cribari – University of Minnesota Law School</p>	<p><i>Resources for Dealing with Problems: Insurance, Treatment, and Counseling</i></p> <p>Moderator: S. Brook Millard – Wrona Law Offices Brent Kelsey – Utah Department of Substance Abuse Sean Morris – Blomquist Hale</p> <p>ETHICS</p>	<p><i>Going Solo – Hanging Your Shingle</i></p> <p>Moderator: J. RobRoy Platt – Attorney at Law Dale B. Kimsey – Attorney at Law Cynthia Hale – Attorney at Law Paul Anderson – ProPay</p>	<p><i>What Does It Take to Get a Loan?</i></p> <p>Moderator: M. Michelle Allred – Ballard Spahr Andrews & Ingersoll Zions Bank Private Banker Celtic Bank (SBA Specialist) Beehive Credit Union</p>	<p><i>What Every Non-Immigration Lawyer Needs to Know About Changes in Immigration Law</i></p> <p>Moderator: Ross I. Romero – Zions Bank Clayton A. Simms – Attorney at Law Roger Y. Tsai – Parsons Behle & Latimer</p>	<p><i>Presence, Intuition, and Their Uses in a Professional Setting</i></p> <p>Jeff Farwell, MA – Shamanic Practitioner</p>

4:15 pm –
4:30 pm

SESSION V
4:30 pm –
5:30 pm

1 hr. CLE

MEETING ADJOURNED

5:30 pm

Lawyers: \$175 before 11/06/09, \$195 after
Active under three years: \$125 before 11/06/09, \$150 after
Non-lawyer assistants: \$100 before 11/06/09, \$125 after

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Fall Forum Registration

Pre-registration is recommended, as space is limited. Door registrations are accepted on a first come, first served basis. Please fill out and return this registration form by fax (801-531-0660), or by mail (Utah State Bar, CLE, 645 South 200 East, Salt Lake City, UT 84111). You may also register on-line at www.utahbar.org/cle. Questions: call (801) 297-7036.

Name: _____ Bar #: _____

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Registration due by November 6, 2009

Lawyers: \$175 before 11/06/09, \$195 after
Active under three years: \$125 before 11/06/09, \$150 after
Non-lawyer assistants: \$100 before 11/06/09, \$125 after