

**5TH ANNUAL CONFERENCE
NATIONAL ASSOCIATION OF
APPELLATE COURT ATTORNEYS**

JULY 19 — 24, 2010



LOUISVILLE, KENTUCKY

In Affiliation with the University of Richmond Law School

TUITION/REGISTRATION FEES

Conference tuition is \$370 for NAACA members and \$595 for non-members. **Courts located in the 6th Circuit (Kentucky, Michigan, Ohio and Tennessee) receive a 10% discount off regular tuition. If any court sends 5 or more attorneys, there will be a 20% discount off of tuition.** There is a separate fee of \$35 per person to attend the annual dinner (adults only please) and a fee of \$5 (\$30 for families) for guests attending social events other than the annual dinner. **Registration deadline is July 5, 2010.** Payments should be made payable to NAACA (Fed. Tax ID No. 42-1676557).

MEMBERSHIP

To take advantage of the lower tuition rate, you must be a member of NAACA. For membership information and an application, go to www.NAACAAonline.org.

ACCOMMODATIONS

The conference is being held at the Brown Hotel located downtown at 335 W. Broadway. Reservations may be made by calling 502-588-5252. Please refer to NAACA and ask for the NAACA rate of \$85 plus tax. ***Reservations made after June 28, 2010 will be made on rate and space availability only.** For more information, go to <http://www.brownhotel.com>

AIRLINE AND GROUND TRANSPORTATION

Louisville International Airport is served by all major airlines and is 7 minutes from downtown.. **The hotel provides complimentary airport shuttle service.** Upon arrival in Louisville, call the hotel/bell stand at 502/583-1234. Hotel parking is \$18/day.

ACCREDITATION

NAACA is requesting MCLE credit approval for 22.5 hours, which includes 1.5 hours for ethics. Required sponsor documentation has been forwarded to and credit requested from MCLE states with general requirements for all lawyers. NAACA pays applicable fees in states where the sponsor is required to do so. Please be aware that each state has its own rules and regulations, including its definition of "CLE;" therefore, some sessions may not receive credit in certain states.

REFUND POLICY

Refunds, less a \$50 processing fee, will be refunded to those whose cancellation request is received before July 5. There will be no refunds for cancellations received after July 5.

DRESS CODE TO PACK

Dress code for the conference is casual.

CONTACT INFORMATION

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SOCIAL EVENTS

To facilitate informal interaction among attendees, we are offering three planned social events at this year's conference. The opening reception will take place on Monday, July 19 at the hotel. We'll have a T-Shirt lottery reception on Tuesday, July 20 at the Louisville Bar Association. The annual dinner is on Friday evening, July 23, at Conrad's Castle, a stunning example of Romanesque architecture located in the historic St. James' Court section of Louisville. More information about social events is on our website.

July 22nd is a free day. Take a steamboat down the Ohio River, follow the Bourbon Trail, visit Churchill Downs, explore these museums (among many others): the Louisville Slugger, Muhammed Ali, Arts & Craft, Speed Art, and Frazier International History.



Louisville Live-Nightly free



Belle of Louisville



Conrad's Castle
Site of Annual Dinner

Program Agenda

Monday, July 19

4:00-7:00p Registration & Reception

Tuesday, July 20

8:30-9:00a **Welcoming Remarks - Chief Justice John Minton, KY SC**

9:00-10:30a **Kentucky Tobacco Wars - Justice Bill Cunningham, KY SC**

Providing us with an account of a riveting and violent era in Kentucky history that resulted in major U.S. Supreme Court rulings, Justice Cunningham takes us back to western Kentucky at the turn of the 20th century to the Black Patch and the Night Riders.

10:45-12:15p **Breakouts**

1. Federal Sentencing - Alan Dorhoffer, US Sentencing Commission

An update on the latest developments on federal sentencing, including recent cases involving federal sentencing, issues related to the federal sentencing guidelines, and pending legislation regarding federal sentencing policy.

2. Family Law - Prof. Katherine Federle, OSU Law

This session will explore the legal and practical issues pertaining to same-sex marriage and cohabitation, with a special emphasis on constitutional and jurisdictional issues, DOMA and the Full Faith and Credit Clause. Time permitting, we also will explore other family law issues being litigated the most in the courts, including cross jurisdictional issues pertaining to custody, child support, and adoption.

3. Writing - Prof. Judith Fischer & Dean Kathleen Bean, Univ. of Louisville School of Law

This extended session will focus on the all-important skills of legal writing and editing. In addition to addressing specific questions raised by NAACA members in advance of the conference, the presenters will conduct a writing exercise.

1:30-3:00p

Breakouts

1. Writing (con'd)

2. Employment Law - Prof. William Corbett, LSU Law School

An update on recent developments.

3. Evolution of the Supreme Court's Approach to the Eighth Amendment

Prof. Douglas Berman, OSU Law School

3:15p-4:45p

Access to Justice - David Singleton, Director, Ohio Justice & Policy Center

Can we afford justice? Among topics to be discussed: budgetary issues impacting appellate courts, increase in pro se appeals, and overwhelmed public defender offices.

6:00-8:00p Reception & T-shirt Lottery

Wednesday, July 21

9:00-10:30a **Innocence Project - Jennifer Bergeron, Ohio Innocence Project**

How does the Project operate? Using 2 to 3 cases as examples, the process from the beginning (how a case is chosen) to the end (hopefully exoneration) will be explained.

10:45-12:15p

Breakouts

1. U.S. Presidents as Leaders

Michael Siegal, Fed. Judicial Center

This extended session compares the leadership styles and strengths of four recent presidents: Carter, Bush 41, Clinton, and Bush 43. Because both managers and non-managers alike can be "leaders" in the workplace, all will benefit from attending. The morning and afternoon programs will be distinct, so attend both!

2. From the Nitty Gritty to the Down and Dirty: Just How Intimate Can Law Enforcement Get Without Violating the Fourth and/or Fifth Amendment? - Alice Armstrong, VA Atty. General's Office

An overview of the changing climate regarding officer-suspect interactions. Are we headed for more bright line rules?

1:30-3:00p

Breakouts

1. U.S. Presidents as Leaders (cont'd)

2. Crawford, Melendez-Diaz, and the Briscoe Non-Issue - Alice Armstrong, VA Atty. General's Office

How are these decisions impacting everyday prosecutions? Can our forensic science departments keep up, and what is coming next—just how far will these decisions extend?

3. Legal Research Update—Charles Shipman, Reuters Thomson; Jennifer Frazier, KY State Law Librarian; Judge Glenn Acree, KY CA

West will be unveiling its newest research software program, West km Government Express, plus insights from the Kentucky state law librarian and an appellate judge on the best research techniques and resources.

3:15-4:45p

Supreme Court Criminal Review

Prof. Barbara Bergman, New Mexico Law School

A new speaker will share with us her review of the high court's criminal decisions.

Thursday, July 22

FREE DAY

Friday, July 23

9:00a-10:30a

Legal Ethics Goes to the Movies

Larry Cohen, Phoenix, AZ

In this program we will look at the ethics rules old and new, and at the image of the legal profession and courts, historically and currently, as illustrated through various media. Expect to be entertained.

10:45-12:15p

Breakouts

1. Effective Assistance by Counsel: New Interest in the Sixth Amendment?

Prof. Stephen Vladeck, American Univ. Law School

Is the recent upsurge in the number of habeas cases in the U.S. Supreme Court's 2009 term a coincidence?

2. E-filing in State Courts - Gloria Malkin, AO & Mark Zanchelli, USCA/4

Many state courts are beginning to plan for or implement e-filing despite the economic downturn--what they can learn from the federal experience.

3. Roundtable: How to Be The Survivor: Skills for Appellate Staff Attorneys

Judy Schaffert, AZ SC; Joe Merling, USCA/6; George Fowler, KY CA (ret'd)

Join a panel of three experienced federal and state appellate staff attorneys to discuss ways to make your professional life easier and more productive and learn from examples, some embarrassing and some humorous. Even seasoned staff will enjoy sharing tips and wisdom for continuing professional success and satisfaction in this roundtable discussion.

1:30-3:00p

Who Watches the Watchers? Immigration, Federalism, and the Federal Courts - Prof. Stephen Vladeck, American Univ. Law School

This session will examine collateral issues to deportation, including the impact of state and municipal laws addressing immigration issues.

3:15-4:45p

Life after Caperton: The Judicial Disqualification Conundrum

Aaron Ament, Justice-at-Stake

What's the fallout so far from the Supreme Court's landmark *Caperton v. Massey Coal* decision? Join a recognized expert with the Justice-at-Stake Project for an enlightening discussion of this topic.

7:00p

Annual Dinner

Saturday, July 24

9:00a-10:30a

Debate: Clash of Titans - Citizens United v. FEC - Prof. Erwin Chemerinsky, UC-Irvine Law School

v. Ted Cruz, Morgan Lewis

How will this decision impact the country's political future? Does it protect citizens' First Amendment rights or has the Court opened the door to corporate sponsorship and control of our elected officials?

10:45-12:00p

Breakouts

1. Shoot-out at the OK Corral

Ted Cruz, Morgan Lewis

McDonald v. City of Chicago and the U.S. Supreme Court's answer regarding Second Amendment incorporation.

2. Roundtable: Keeping Current

Liz Duwe, USCA/2 & Janis Kile, LA CA/1

Avoiding the issuance of conflicting or incorrect opinions is a chief concern of every court so it is essential that court personnel develop strategies for keeping up to date with applicable precedent, legislation, and other important developments in the law. Come prepared to share your own strategies.

12:00-1:30p

Business Lunch

1:45-3:15p

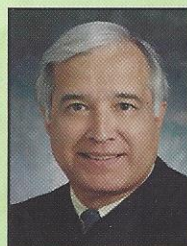
Supreme Court Civil Review

Prof. Erwin Chemerinsky, UC-Irvine Law School

The conference closes with the star of the show giving his virtuoso review of what the Supreme Court has been up to in the current term.

Judges-in-Residence

We are pleased to announce the 2010 Judges-in-Residence Residence who will be present throughout the conference, providing a judicial viewpoint and learning more about our profession.

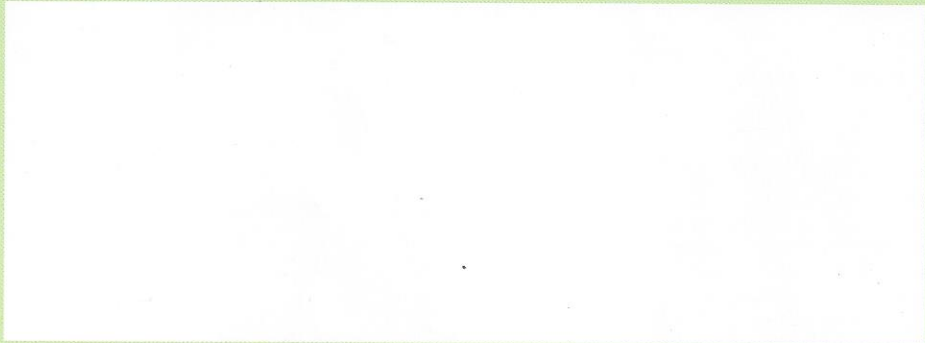


Judge Edward Prado, USCA/5 & Justice Scott Bales, AZ SC



NAACA
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We are pleased to invite you to attend the fifth annual National Association of Appellate Court Attorneys (NAACA) conference. This four-day seminar (with one free day included), which is co-sponsored by the University of Richmond, provides continuing legal educational and professional growth opportunities for state and federal appellate court attorneys, and offers structured seminar sessions in the areas of substantive law, professional skills development, and individual growth, as well as opportunities for informal exchange and camaraderie. Our program is replete with speakers renowned in their subject areas, and we are offering a wide variety of foundational and innovative topics. Hope to see you there!

LOUISVILLE

A City so Unique, One-Of-A-Kind is Commonplace

The Kentucky Derby may be Louisville's claim to fame, but the famous horse race is just the starting point for things to do. Nestled on the banks of the Ohio River, the city has a cosmopolitan riverfront district with nightly music festivals, a Museum Row conveniently located downtown, a Restaurant Row for foodies, plus historic districts featuring tree-lined parkways and amenity-rich parks designed by the world famous Frederick Law Olmstead. And finally, Louisville is in the center of Bourbon Country and hosts the world's best bourbon bars. Mint juleps anyone?

Visit www.gotolouisville.com for more information.

