

A photograph of the Swan Fountain in Savannah, Georgia. The fountain is a large, ornate, white stone structure with a central figure of a woman holding a mirror. It has multiple tiers and is surrounded by a black wrought-iron fence. In the foreground, there are pink azalea flowers. The background shows trees and a clear sky.

SAVANNAH
JULY 8—11 2014

9TH ANNUAL CONFERENCE
NATIONAL ASSOCIATION OF APPELLATE
COURT ATTORNEYS

*In Association with
the University of Richmond Law School*

TUITION/REGISTRATION FEES

Conference tuition is \$370 for NAACA members and \$595 for non-members. There is a separate fee of \$30 (\$35 for families) for guests attending social events.

Registration deadline is June 24, 2014. Checks should be made payable to NAACA (Fed. Tax ID No. 42-1676557). Credit cards are not accepted.

DISCOUNTS AVAILABLE

Courts located in the 11th Circuit (Alabama, Florida and Georgia) receive a 10% discount off regular tuition.

If any court in the country sends 5 or more attorneys, there will be a 20% discount off of tuition. **Retired staff attorneys** qualify for a 20% discount off of tuition also.

MEMBERSHIP

To take advantage of the lower tuition rate, you must be a member of NAACA. For membership information and an application, go to: naacaonline.sharepoint.com

ACCOMMODATIONS

The Conference is being held at the Inn at Ellis Square located in the middle of the historic district at 201 W. Bay St. The room rate is \$95. Parking at the hotel is \$13 per day. To make a reservation, Mon - Fri call 877-542-7666 x147 or 912-236-4440 ext 147. Identify yourself as being with NAACA. Rooms have one king bed or two double beds. For an additional \$30, suites are available. Suites consist of a bedroom with a king bed, separate living room with queen sleeper sofa, fridge & microwave at wet bar.

A hot breakfast each day is free for all guests. Rates apply to 3 days before and after conference for pre and post vacation plans.

For more information on the hotel, go to www.InnAtEllisSquare.com. **Reservations made after June 9, 2014 will be made on rate and space availability only.**

EASY WAYS TO ACCESS SAVANNAH

You can add accessibility to Savannah's long list of selling points. Whatever mode of transportation you choose, you'll have no trouble getting to and from Savannah with easy access via highway, rail and air.

Air Service

Located just 15 miles from Savannah's Historic Meeting District, the Savannah/Hilton Head International Airport offers 11 non-stop destinations and approximately 84 daily flights in and out of Savannah. Scheduled airlines include American, Delta, JetBlue, United and US Airways.

Savannah by Rail

Amtrak is a convenient and affordable way to travel. Savannah is a major stop on Amtrak's Palmetto and Silver Service lines between New York and Miami. The Silver Star and Silver Meteor provide daily service to and from Savannah. Sleeper cars and sightseeing lounge cars are available. More information on both can be found at www.visitsavannah.com and on the NAACA website.

SOCIAL EVENTS

To enhance informal interaction among attendees, planned social events are being held at this year's conference. The opening reception will take place on Tuesday, July 8 at the hotel. A box lunch on the first day will be an ice-breaker for newcomers and veterans alike. On Wednesday evening, the T-Shirt Lottery reception will be at *Vic's*, an upscale restaurant overlooking the Savannah River. Bring a new T-shirt, size XL, featuring your hometown or state, local festivals etc. for the exchange.



CLE ACCREDITATION

NAACA is requesting MCLE credit approval for 18 hours, which includes 1.5 hours for ethics. 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

All fees, less a \$50 processing fee, will be refunded for cancellations received before June 24. There will be no refunds for cancellations received after June 24.

WHAT TO PACK Dress is casual.

QUESTIONS

Mary Ellen Donaghy, 804/289-8204

mdonaghy@richmond.edu

naacaonline.sharepoint.com

Program Agenda

Keeping with past tradition, this year's program topics highlight the conference region—the southeast—with sessions on coastal environmental issues and civil rights. We also take pride in offering cutting edge topics. Right out of the headlines, we offer national security and same sex marriage programs. Over the years, we have presented superstar speakers Erwin Chemerinsky and Steven Vladeck. Last year, we discovered two new stars and are delighted to have them with us again...Gary Marchant and Michael Saks. For those who weren't in Santa Fe last year, you have a treat in store with these four fabulous speakers. We are looking forward to discovering new talent in the first-timers who will be joining us, including one of our own, Jennifer Franklin, formerly with the Staff Attorney Office of the Virginia Supreme Court.

Tuesday, July 8

4:00-7:00p **Registration & Reception**

Wednesday, July 9

9-10:30a **Supreme Court Review-Civil**
Dean Erwin Chemerinsky, UC/Irvine Law School

Dean Chemerinsky presents his much-anticipated review of the Supreme Court Term's civil cases.

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

1. Praying for Guidance; Getting a Lawsuit?
Dean Erwin Chemerinsky- UC/Irvine Law School

A survey of the law governing prayer and religious activity in public settings (schools, government meetings), including analysis of this Term's *Town of Greece* decision.

2. Writing For Your Audience: Satisfying and Being Satisfied
Prof. Jennifer Franklin, William & Mary Law School

Legal writing programs across the country are turning more and more audience focused. We are teaching students to think about their audience, what their readers are doing, what is competing with their writing, and what will the readers be doing with each document. This session will explore the audience-centered approach to writing as appellate attorneys write for their judges and courts, interpreting the millions of pages of text, and drafting court documents. In addition, we will explore, through discussion, what appellate attorneys wished their writers (practicing attorneys and other staff members) knew about the appellate attorney as the audience.

12:15-1:15p **Group Lunch**

1:15-2:45p **Breakouts**

1. Calculated Facts: Understanding the Value of Statistical Information and Its Potential for Misuse
Prof. Michael Saks, Arizona State Law School

Statistical methods provide powerful tools for analyzing, understanding, and describing information. Like all tools, these methods (and the results they produce) can be misused. This session – an extension of a similar session at last year's meeting – will provide an overview of statistical methods, including their meaning and proper use, and equip attendees to evaluate, interpret, and recognize misuse of statistical information.

2. Tongue-tied and Hobbled: Providing Language and Disability Accommodations in Appellate Courts
Bob Peck, Center for Constitutional Litigation

Overview of current law governing the provision of translated forms, interpreters, and accessible facilities for litigants and others in the appellate courts.

3-4:30p **Supreme Court Review-Criminal**
Prof. Corinna Lain, UR Law School

A review of the Supreme Court Term's criminal cases.

5:30-7:30p **T-Shirt Lottery Reception**

Thursday, July 10

9-10:30a **National Security Surveillance Before and After the Snowden Leaks**
Prof. Stephen Vladeck, American Univ. Law School

The Edward Snowden leaks have focused unprecedented attention on the national security surveillance practices of the United States. As a result, the government has been under pressure to reform its surveillance programs. In this session, Professor Vladeck will discuss the state of national security surveillance before and after Snowden.

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

1. 4th Amendment
Prof. Corinna Lain, UR Law School

The latest developments concerning the 4th Amendment including the *McNeely* blood draw case.

2. That's Not EXACTly What I Was Thinking - A Look at Taking by Exaction to Protect the Environment
Prof. J. Peter Byrne, Georgetown Law School

With climate change comes many environmental concerns, including coastal erosion, the elimination of wetlands, and damage to ecosystems. During its last term, the United States Supreme Court issued a trilogy of takings decisions. We will look at the effect one of those decisions, *Koontz v. St. Johns River Water Management District*, will have on the government's ability to use exactions to facilitate adaptation to climate change and its consequences.



1:30-3p

Breakouts

1. Roundtable-Keeping Score: Measuring Staff Attorney Productivity

Share ideas with colleagues on tracking, equalizing, and evaluating work assigned to staff attorneys.

2. When Leaking/Whistleblowing/Reporting is a Crime: The Espionage Act and the First Amendment

Prof. Stephen Vladeck, American Univ. Law School

Recent releases of classified government information have highlighted the tension between individual rights and the need for protection of sensitive government information, particularly information relating to national security. This presentation will provide an overview of the law governing the rights and liabilities of leakers, whistleblowers, and reporters who disseminate classified national security information and will consider the relationship between the Espionage Act and the First Amendment.

3:15-4:45p

Gandhi across the Decades

Prof. Charles DiSalvo, West Virginia Law School

Gandhi's law practice is not just for the history books. In this talk on Gandhi's practice (and the broad ethical questions it raises), Professor Charles DiSalvo will use Gandhi's life in the law as a framework for creating the self-examination every twenty-first century lawyer should undertake. Prof. DiSalvo is the author of *M.K. Gandhi, Attorney at Law: The Man before the Mahatma* (Berkeley: University of California Press, 2013)

Friday, July 11

9-10:30a

The 50th Anniversary of the Civil Rights Act - What Progress Has Been Made, What Ground Has Been Lost, and What the Future Holds

Prof. Franita Tolson, Florida State Univ. Law School

The Civil Rights Act of 1964 is considered by many to be the most important law of the 20th century. In recognition of the 50th anniversary of this landmark legislation, we will look at the ground that has been gained and the ground that has been lost in the fight for equality; the impact of recent events, for example, changes to the preclearance requirement contained in the Voting Rights Act, and emerging issues on the civil rights front.

10:45a-12:15p

Breakouts

1. Improving Judicial Performance through Effective Leadership and Motivation

Dr. Robert Christensen, Univ. of Georgia

Effective leadership and motivation are critical to organizational performance. The judiciary is no exception. In this session, attendees will learn how to lead and motivate workers more effectively in order to improve the performance of their courts.

2. Feeling Better Yet? Sex Offender Treatment and Detention Issues

Prof. Christopher Slobogin, Vanderbilt Law School

Sex offender registration, civil commitment, and intensive supervision or detention have been popular with state and federal legislators, but are these measures effective, and what are legal issues arise from implementation of the federal Adam Walsh Child Protection and Safety Act and state initiatives?

12:15-1:30p

NAACA Business Lunch and Meeting-Members Only

1:30-3p

Breakouts

1. Technology, Relationships, and Law

Profs. Gary Marchant & Yvonne Stevens, Arizona State Univ. Law School

Advances in technology have fundamentally altered the ways in which humans interact and relate. In this session, Professors Marchant and Stevens will discuss how emerging technologies are affecting romantic and marital relationships to create novel legal issues.

2. : #theproofisintwitter[instagram][snapchat][tumblr][facebook] - Evidentiary and Discovery Issues Involving Social Media

Danielle Giroux, Harman, Claytor et al, Richmond VA

With the trend towards telling it all on social media, comes the desire to use that information as evidence. But the rules of evidence were enacted before the internet was even a twinkle in Al Gore's eye. We will look at issues, such as authentication, that litigators and judges are facing when information gleaned from social media is sought to be admitted as evidence.

3:15-4:45p

Deciding What Windsor Decided

Prof. Dale Carpenter, Univ. of Minnesota Law School

There are a number of potential explanations for why the Supreme Court thought DOMA was unconstitutional. These possibilities are presented, along with their implications for future marriage litigation at the Court.

Registration Form

Identifying information provided on this form will be distributed only to conference attendees. Please complete all information and mail to NAACA, Law School, University of Richmond, VA 23173, fax to 804/289-8992 or email to mdonaghy@richmond.edu. Checks should be payable to NAACA. Credit cards not accepted.

First Name	MI	Last Name	
Title/Position		Court	
Mailing Address	City	State	Zip
Business Telephone	Business Fax	Email	

I will be requesting CLE Credit from the following state _____. Note: if more than one state is requested, there may be a charge.

Breakout Sessions (Please check the sessions you plan to attend-**can only choose one per time period**)

Wednesday, July 9 (10:45-12:15p)

- ___ Praying for Guidance
- ___ Writing for your Audience

Wednesday, July 9 (1:15-2:45p)

- ___ Value of Statistical Information
- ___ Language/disability Accommodations

Thursday, July 10 (10:45a-12:15p)

- ___ 4th Amendment
- ___ Taking by Exaction

Thursday, July 10 (1:30-3p)

- ___ Keeping Score
- ___ The Espionage Act and the First Amendment

Friday, July 11 (10:45a-12:15p)

- ___ Improving Judicial Performance
- ___ Sex Offender Treatment

Friday, July 11 (1:30-3p)

- ___ Technology, Relationships, and Law
- ___ Evidentiary /Discovery Issues Re: Social Media

Registrant Information

Tuition

- \$370/members _____
- \$595/nonmembers _____
- Other _____

Social Events Signup

- Tuesday Opening Reception (free) _____
- Wednesday T-Shirt Lottery Reception (free) _____
- Friday, Business Lunch (members only-free) _____

Please list any special needs (including dietary) you may have:

Guest Information

Name of Guest (s) _____

Social Signup: Tuesday Opening Reception (#) _____ & Wednesday T-Shirt Lottery Reception (#) _____
(\$30 single guest; \$35 family— cost covers both events)





NAACA

Law School

University of Richmond, VA 23173



We are pleased to invite you to attend the ninth annual National Association of Appellate Court Attorneys (NAACA) conference. This three-day seminar, which is co-sponsored by the University of Richmond Law School, 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 in Savannah!

SAVANNAH

The Sultry Southern Belle of the Georgia Coast

ESCAPE THE ORDINARY

Let yourself be captivated by Savannah's beauty, heritage and charm. One of the greenest and most pedestrian-friendly cities in America, stroll along the Savannah River or through the 22 beautiful park-like squares—each a precious jewel. Discover the garden city—historic but hip; classic but cool.

- For history buffs, explore key colonial, Revolutionary War, Civil War and African-American sites.
- Foodies won't be disappointed. Besides its legendary Southern and seafood specialties, Savannah has become a center of award-winning restaurants featuring many international cuisines.

Pre or post conference, visit Tybee Island, Savannah's beach town on the Atlantic Ocean.

