

A scenic view of the Seattle skyline featuring the Space Needle on the left, a dense cluster of buildings in the center, and a large white and green ferry boat moving across the water in the foreground. The sky is blue with light clouds.

***SEATTLE***  
***JULY 14-17, 2015***

***10TH 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 30, 2015.** Checks should be made payable to NAACA (Fed. Tax ID No. 42-1676557). Credit cards are not accepted.

## DISCOUNTS AVAILABLE

**Courts located in the 9th Circuit** (Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon and Washington) receive a 10% discount off regular tuition. **If any court sends 5 or more attorneys**, there will be a 20% discount off of tuition.

## 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](http://NAACAonline.sharepoint.com)

## ACCOMMODATIONS

The Conference is being held at the Mayflower Park Hotel in downtown Seattle. The room rate is \$179 for queen bed rooms and \$199 for double queen rooms. Reservations can be made by calling 800-426-5100. Be sure and identify that you are affiliated with NAACA.

**Conference rates extend 3 days before and after end of conference.**

**Reservations made after July 14, 2015 will be made on rate and space availability only.** For more information on the hotel, go to [www.mayflowerpark.com](http://www.mayflowerpark.com).

## AIRLINE AND GROUND TRANSPORTATION

SeaTac Airport is served by all major airlines. The Light Rail takes just 30 minutes from the airport to the hotel and trains run every 7-15 minutes (get off at the Westlake Center which is connected to the hotel). Cost is only \$2-\$2.75.



Crabs on display at Pikes Street Market

## SOCIAL EVENTS

To enhance informal interaction among attendees, two planned social events are being held at this year's conference. The opening reception will take place on Tuesday, July 14, at the hotel. On Wednesday evening, the T-Shirt Lottery reception will take place at the lovely home of one of our members, Mary Neel.



## 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 30. There will be no refunds for cancellations received after June 30.

**WHAT TO PACK** Dress is casual.

## QUESTIONS

Contact: Mary Ellen Donaghy, 804/288-4109

[mdonaghy@richmond.edu](mailto:mdonaghy@richmond.edu)

[Naacaonline.sharepoint.com](http://Naacaonline.sharepoint.com)

# Program Agenda

## Tuesday, July 14

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

## Wednesday, July 15

9-10:30a **High Times in Washington: Marching Toward Marijuana Legalization**

*Alison Holcomb, ACLU National Director*

Either medical or recreational marijuana is now legal in approximately half of the states. Leading the way toward legalization, in 2012, Washington and Colorado voters passed initiatives to legalize and comprehensively regulate recreational marijuana. This session will explore why marijuana reform, once a fringe movement, has recently attracted national interest and political support. Ms. Holcomb will describe the basic provisions of Washington's legislation and discuss legal issues, including federalism and preemption, implicated by state marijuana reform legislation.

10:45a-12:15p Breakouts

### **1. Write, Revise, Repeat: Writing for Professionals**

*Prof. Laurel Oates, Seattle Univ. Law School*

This session will assist experienced legal writers sharpen and energize their analytical writing skills. In addition, we will explore ways in which supervisors may guide and encourage such continued development in their staff's writing skills.

### **2. Crawford v. Washington: Where Are We? Where Are We Going?**

*Prof. Jeffrey Fisher, Stanford Univ. Law School*

More than ten years have passed since Crawford v. Washington. Jeffrey Fisher, who has argued several major confrontation cases in the United States Supreme Court, beginning with Crawford and most recently this term in Ohio v. Clark, discusses the current status of Crawford in light of the Supreme Court's most recent decision and continuing judicial and academic criticism. He will also explore what we can expect in the next ten years.

1:30-3:00p Breakouts

### **1. Drones: Coming to Skies Near You**

*Donna Dulo, U.S. Dept. of Defense*

Many experts anticipate a great proliferation of commercial and civilian use of unmanned aerial vehicles (UAVs) or unmanned aerial systems (UASs), better known as drones, in the near future. The state of the law will be described as it relates to drones as well as the myriad of legal implications that are emerging including privacy, constitutional, product liability, and insurance issues as well as evolving airspace integration, safety and security legal challenges.

### **2. Talk to Me: The Language of Productivity**

*Teri Brantley, Esq., Senior U.S. Probation Officer, U.S. District Court for the Central District of California*

An introduction to how employees and their supervisors can work together to improve productivity by making The Five Choices for Extraordinary Productivity, based on the Franklin Covey book by Kory Kogon, Adam Merrill, & Leena Rinne.

3-4:30p **Supreme Court Review-Criminal**

*Prof. Deborah Ahrens, Seattle Univ. Law School*

We welcome Professor Deborah Ahrens to NAACA for her review of the Supreme Court's 2014-15 criminal cases

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

## Thursday, July 16

9-10:30a **The Voting Rights Act at 50: Big Huzzah or Last Hurrah?**

*Prof. Hank Chambers, Univ. of Richmond Law School*

A discussion of how the Supreme Court's recent and upcoming voting rights cases may gut the Voting Rights Act or reinvigorate it, and why that may mean more work for state and federal appellate courts.

10:45a-12:15p Breakouts

### **1. Roundtable: Utilizing Technology: Successes, Failures, and Lessons Learned**

*Mike Schneider, Chief Staff Atty., US CA, 5th Cir.*

A review of techniques and tips for building a technology leveraged Staff Attorney Office. We will share ways we can use technology in our jobs and discuss techniques to avoid or work around some of the pitfalls associated with technology.

### **2. Military Courts and Article III**

*Prof. Stephen Vladeck, American Univ. Law School*

The largely unnoticed expansions in recent decades of both court martial and military commission jurisdiction has become increasingly difficult to reconcile with traditional notions of the scope of Article III. Professor Vladeck presents a timely reassessment of how military courts do and do not fit into broader understandings of the role of federal courts in general—and the propriety (or lack thereof) of adjudication by “non-Article III” federal judges.

1:30 -3p Breakouts

**1. Are the Kids Alright? Juvenile Immigration Issues**

*Juliann Bildhauer, Staff Attorney, Kids in Need of Support, Seattle, WA*

Thousands of recent juvenile immigrants into the United States currently face a legal limbo. This session explores the impact of such a child's immigration status on other types of legal proceedings, the impact of such other proceedings on immigration status, and the legislative and legal changes on the horizon for these children.

**2. Forensic Science Update**

*Prof. Simon Cole, UC/Irvine Law School*

This presentation will offer an overview of current issues of concern in forensic science in the United States. Topics will include standardization, reporting, discovery, bias, and more. It will also summarize the current work of the National Commission on Forensic Science to enhance the practice and improve the reliability of forensic science and the Organization for Scientific Area Committees (OSAC) that is developing standards and guidelines to improve the quality and consistency of work in the forensic science community.

3:15-4:45p **Secret Evidence, Secret Suits, and Secret Courts: A Look at Developing Judicial Practice**

*Prof. Stephen Vladeck, American Univ. Law School*

Continuing themes from his presentations at past NAACA conferences, Professor Vladeck reviews emerging case law on how courts handle national security secrets

**Friday, July 18**

9-10:30a **Supreme Court Review - Civil**

*Dean Erwin Chemerinsky, U of C, Irvine*

Prof. Chemerinsky's much-anticipated yearly review of the Supreme Court's civil cases.



10:45a-12:15p Breakouts

**1. As Families Evolve, Courts Lurch Forward to Keep Up**

*Prof. Terry Price, Univ. of Washington Law School*

The changing nature of families continues to be a challenge for courts. Family law disputes generally present to judges before the legislative branch has a chance to consider the issues. This session will explore some of the cutting edge issues for courts, including *de facto* parentage, financial issues, and how matters may stretch across state and national borders.

**2. The Myth of Objectivity: Understanding the Role of Heuristics, Implicit Bias and Intuition in Judicial Decision Making**

*Judge Pamela Abernethy, OR Circuit Court Judge (Ret'd)*

Judges and court staff strive to be neutral, impartial and logical decision makers yet even they are not exempt from implicit bias. Judge Abernethy will discuss emerging research from cognitive science and the factors which can lead to systematic errors in judgment. She will also address the limited role for intuition in judicial decision making and how to combat implicit bias by improving our ability to objectively listen, perceive, find facts and make decisions.

12:15-1:30p **NAACA Business Lunch and Meeting Members Only**

1:30-3p **Into the Wild: When Staff Attorneys Can or Should Go Off Trail in Raising and Researching Issues**

*Chief Justice Scott Bales, Arizona SC*

An interactive session to be conducted in a "Phil Donahue" style where the moderator will present questions/scenarios to the audience. The questions and scenarios will focus on the **ethics** of addressing issues "sua sponte" and will cover issues such as: when is it permissible to raise issues not identified by the parties, when might it be obligatory, and how does this relate, or not, to limits on doing "sua sponte" research beyond the scope of the materials presented by the parties.

3:15-4:45p **Judging the Supreme Court – The Case Against the Supreme Court**

*Dean Erwin Chemerinsky, U of C, Irvine*

Prof. Chemerinsky brings our 2015 conference to a thought-provoking conclusion with a discussion of his new book, The Case Against the Supreme Court – reflections on the legacy of our highest court and the nature of judicial review.

## 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](mailto: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-**choose only one per time period**)

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

\_\_\_\_ Writing for Professionals  
\_\_\_\_ Confrontation Clause Issues

**Wednesday, July 15 (1:30-3p)**

\_\_\_\_ Drones  
\_\_\_\_ Productivity

**Thursday, July 16 (10:45a-12:15p)**

\_\_\_\_ Technology Roundtable  
\_\_\_\_ Military Courts

**Thursday, July 16 (1:30-3p)**

\_\_\_\_ Juvenile Immigration Issues  
\_\_\_\_ Forensic Science Update

**Friday, July 17 (10:45a-12:15p)**

\_\_\_\_ Judicial Bias  
\_\_\_\_ Family Law

### 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)** \_\_\_\_\_

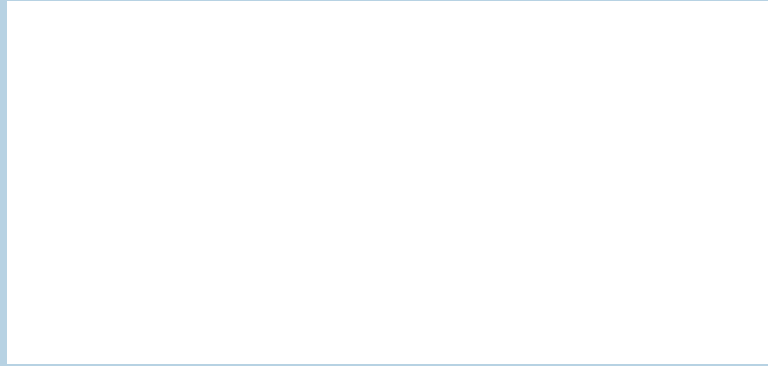
**Social Signup:** Tuesday Opening Reception (#) \_\_\_\_ & Wednesday T-Shirt Lottery Reception (#) \_\_\_\_  
((\$30 single guest; \$35 family— cost covers both events)

Please list any special needs (including dietary) your guest(s) may have:





NAACA  
Law School  
University of Richmond, VA 23173



We are pleased to invite you to attend the tenth 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 Seattle!

# SEATTLE PRIDE OF THE PACIFIC

**July in the Emerald City** – expect sunny days with a temperature around 75 degrees. With a coffee in your hand, plan to fall head over heels in love with Seattle as you explore its endless attractions, including:

- **Pike Place Market** located right downtown, offers a bounty of fresh produce & local goods
- **Seattle waterfront** is just minutes from the market, take in views of Elliott Bay and the Olympic Mountains
- **Space Needle** take an elevator ride to the 520-foot-high observation deck
- **Evening Dining** take a sunset dinner cruise, Or cruise to Tillicum Village for a Native American traditional salmon dinner. For those who prefer to stay on solid ground, taste Seattle’s famous Northwest cuisine at a huge selection of great restaurants.

Pre or post conference, Seattle is your gateway to the Pacific Northwest. From here, three national parks are within a two-hour drive. Washington wine country features more than 800 wineries. The San Juan Islands are just a ferry trip away. Take a “two-nation vacation” to Victoria or Vancouver.

More tourist info can be found at [visitseattle.org](http://visitseattle.org)

