

**FIFTEENTH ANNUAL STATEWIDE  
ETHICS SYMPOSIUM  
UNIVERSITY OF CALIFORNIA – IRVINE**

***Ethics Across the Profession***

*Presented by*

**The State Bar of California Committee on  
Professional Responsibility and Conduct**

**Saturday, April 9, 2014  
9:30 am to 5:15 pm**



SCHOOL OF LAW  
UNIVERSITY of CALIFORNIA • IRVINE

*We gratefully acknowledge the UC Irvine School of Law for the  
contribution of its facility and generous support for this event.*

**401 East Peltason Drive  
Irvine, CA 92697**

**OR VIEW LIVE WEBCAST ONLINE – NEW THIS YEAR!**

**REGISTER FOR IN-PERSON AND WEBCAST ATTENDANCE ONLINE  
[www.calbar.org/ethics-symposium](http://www.calbar.org/ethics-symposium)**

**6 Hours of MCLE Credit in Legal Ethics**

**FIFTEENTH ANNUAL STATEWIDE ETHICS SYMPOSIUM**  
***Ethics Across the Profession***

**8:30 – 9:30 am      REGISTRATION**

**9:30 – 9:45 am**

**WELCOMING REMARKS**

**Shawn Harpen:** Chair, Committee on Professional Responsibility and Conduct

**Bill Hebert:** President, State Bar of California

**9:45 – 11:15 am**

**ETHICS ON THE OUTSIDE: ELECTRONIC COMMUNICATION AND PROFESSIONAL RESPONSIBILITY  
-- CAN THEY COEXIST?**

In an age of electronic communication and social networking, lawyers must be aware of their ethical and professional responsibilities and how they apply within the increasingly public realm of modern electronic communication. This panel will discuss common modern uses of technology in the practice of law such as Cloud Computing, the Virtual Law Office, and issues surrounding the use of e-mail and text messaging with clients. Panelists will also discuss popular social networking sites such as Facebook, Twitter, and LinkedIn, and how the use of such services both professionally and personally can raise issues relating to client confidentiality, the attorney-client privilege, contact with represented parties, ethical attorney advertising, and more.

**Edward McIntyre:** Moderator; Member, Committee on Professional Responsibility and Conduct; Partner, Solomon Ward Seidenwurm & Smith LLP, San Diego

**Tanya Forsheit:** Founding Partner, InfoLawGroup LLP, Manhattan Beach

**Browning Marean:** Sr. Counsel, DLA Piper US LLP, San Diego

**Wendy Patrick:** Vice-Chair, Committee on Professional Responsibility and Conduct; Deputy District Attorney, San Diego

**11:15 – 11:30 am      BREAK**

**11:30 am – 1:00 pm**

**ETHICS ON THE INSIDE**

This panel will explore the ethical issues faced by in-house attorneys. While the same rules that govern attorneys in private practice apply to the in-house attorney, the application of certain of those rules in-house may be surprising and pose some unique challenges. Topics will include identity of client and conflicts of interest, business transactions with client/employer, the attorney-client privilege, the duty of competence, unauthorized practice of law, the "no contact" rule, and sexual relations with client.

**Neil Wertlieb:** Moderator; Member, Committee on Professional Responsibility and Conduct; Partner, Milbank, Tweed, Hadley & McCloy LLP, Los Angeles

**Bryant Danner:** Visiting Prof. USC Law School; former General Counsel, Edison International, Los Angeles

**Jason Weintraub:** Sr. Policy & Compliance Counsel, Broadcom Corp., Irvine

**Aimee Weisner:** Corporate Vice President, General Counsel, Edwards Lifesciences, Irvine

**LUNCH & KEYNOTE ADDRESS**

Lunch 1:00 – 1:40 pm

Keynote Address 1:40 – 2:00 pm

**ERWIN CHEMERINSKY**  
**FOUNDING DEAN, UC IRVINE SCHOOL OF LAW**

**2:00 – 3:30 pm**

**ETHICS, INNOCENCE AND PROSECUTORIAL MISCONDUCT**

The panel will examine the Innocence Project Report and prosecutorial misconduct, and consider the responses of criminal prosecutors and of the State Bar to the Report. Panelists will debate the necessity and wisdom of changes in applicable ethics rules, including Proposed Rule of Professional Conduct 3.8, applicable judicial and attorney reporting requirements, and the adequacy of training programs.

**Carole Buckner:** Advisor, Committee on Professional Responsibility and Conduct; Dean, Abraham Lincoln University School of Law, Los Angeles

**Maurice Possley:** Research Fellow, Santa Clara University Northern California Innocence Project (NCIP); Pulitzer Prize-winning Criminal Justice Journalist, Laguna Hills

**Cydney Batchelor:** Deputy Trial Counsel, State Bar of California Office of Chief Trial Counsel, San Francisco

**3:30 – 3:45 pm     BREAK**

**3:45 – 5:15 pm**

**ETHICS IN LIMBO: PRACTICAL ISSUES FOR LAWYERS AS CHANGES IN THE LAW REGULATING LAWYERS CONTINUE**

New lawyer conduct rules are in the process of being submitted to the California Supreme Court soon. The process continues. The timing of approval and substance of the final rules as adopted by the Supreme Court remain unknown. Using the examples of ethical screening, advance conflict consent, the “no-contact” rule, and transactions with clients, two long-time practitioners of the law of lawyering and members of the Rules Revision Commission will discuss the challenges that face practicing lawyers and those advising them during this interim period of transition, as the current rules remain in place, uncertainty continues to surround the proposed new rules, and case law marches on.

**Dan Carroll:** Moderator; Member, Committee on Professional Responsibility and Conduct; Partner, Downey Brand LLP, Sacramento

**Ellen Peck:** Member, State Bar’s Commission for the Revision of the Rules of Professional Conduct; Law Office of Ellen Peck, Escondido

**Mark Tuft:** Co-Vice-Chair, State Bar’s Commission for the Revision of the Rules of Professional Conduct; Partner, Cooper White & Cooper, San Francisco

***SYMPOSIUM ALSO AVAILABLE VIA LIVE WEBCAST!***

For the first time this year’s Symposium will also be offered as a live webcast in segments by panel. If you would like to consider viewing the Symposium from the convenience of your home or office, register online at:

[www.calbar.org/ethics-symposium](http://www.calbar.org/ethics-symposium)

## **REGISTRATION AND TRAVEL INFORMATION**

### **MCLE CREDIT**

This program offers up to 6 hours of MCLE credit in legal ethics. The State Bar of California and the Committee on Professional Responsibility and Conduct are approved State Bar of California MCLE providers.

**ON-SITE REGISTRATION** is limited and subject to availability. Please register in advance.

### **QUESTIONS**

For registration questions, please call 415.538.2508. For program content, please call 415.538.2167.

### **SPECIAL ASSISTANCE**

Please call 415.538.2167.

### **HOTEL INFORMATION**

Although no special block of rooms have been arranged for this one-day event, the following is a list of possible lodging options located near the UC Irvine campus. As such, you are encouraged to make your reservations early. Hyatt Regency Irvine -- 949.975.1234; Fairmont Newport Beach -- 949.476.2001; Newport Beach Marriott Bayview -- 949.854.4500.

**AIRPORT:** The UC Irvine campus is located 5 miles from the Orange County/John Wayne Airport (SNA).

### **DRIVING DIRECTIONS**

#### From the 405 Freeway Northbound

Exit at University Dr.; Left on University Dr.; Left on Campus Dr.; Right on Stanford Avenue into parking structure.

401 E. Peltason Drive consists of two large gray buildings on the corner of Campus and East Peltason. The Dean's suite is located in Suite 1000 of North building (which has the Education sign on it).

#### From the 405 Freeway Southbound

Exit at Jamboree Rd.; Right on Jamboree Rd.; Left on Campus Dr.; Right on Stanford Avenue into parking structure.

401 E. Peltason Drive consists of two large gray buildings on the corner of Campus and East Peltason. The Dean's suite is located in Suite 1000 of north building (which has the Education sign on it).

### **VISITOR PARKING**

Parking kiosk is located at corner of Stanford Avenue and Xto purchase a parking pass.

- A general use pass allows parking in the Social Sciences structure next to our building, which is denoted by the sign: Law \* Education
- Reserved permits allow parking in any AR Reserved spot in the lot adjacent to the building.

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*Presented by*

The State Bar of California Committee on  
Professional Responsibility and Conduct

**Saturday, April 9, 2011**

**UC Irvine School of Law  
401 East Peltason Drive, Irvine, CA 92697**

**Note: One registrant per form. Photocopies may be used.**

State Bar Number \_\_\_\_\_

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City, State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

*Required for email confirmation*

Your name and address may be disclosed.

Check here if you do not want your information released.

**REGISTRATION FEES (In-Person Attendance)** (Check the appropriate box)

\$135 Program Package includes: 6 hours of MCLE credit, resource materials and lunch

Student Fee: \$50 Program Package includes: resource materials and lunch

Free of charge: admission to program only. No MCLE credit, resource materials or lunch (registration for free attendance is offered on a space available basis) MAIL OR FAX FORM ONLY.

## CREDIT CARD INFORMATION

I authorize the State Bar of California to charge my program registration to my Visa/MasterCard account. (No other credit card will be accepted.)

Account Number \_\_\_\_\_ Exp. Date \_\_\_\_\_

*VISA or MasterCard Only*

Cardholder's Name \_\_\_\_\_

Cardholder's Signature \_\_\_\_\_

**PRE-REGISTRATION DEADLINE** In order to pre-register, your form and check, payable to The State Bar of California, or credit card information, must be received by **April 2, 2011**. Please register early as space is limited.

**REGISTER ONLINE** at [www.calbar.org/ethics-symposium](http://www.calbar.org/ethics-symposium).

**MAIL TO** Program Registration, The State Bar of California, 180 Howard Street, San Francisco, CA 94105.

**FAX TO** Program Registration at 415.538.2368. In order to fax your registration credit card information is MANDATORY. (Photocopies of checks will not be accepted).

**CANCELLATION/REFUND POLICY** All requests for refunds must be received in writing no later than April 2nd. Refunds will not be made for requests received after April 2nd. However, with advance notice, your registration can be transferred to another person.