



2009
Government Counsel
CLE Series

**In partnership with the
State of Tennessee
Department of Human Resources
and the
Nashville Bar Association**



REGISTRATION FORM

Indicate registration choice— package or individual seminars. Agencies will be billed by journal voucher for the cost of the program(s) selected. Follow your agency standard approval process for in-service training. Changing attorney registration option to and from “Special Seminar Package” and “Individual Seminars” will not be accepted after the August 7th package registration deadline.

Cancellation Policy: Additional charges will be incurred by your agency if cancellations are not made 2 business days before the seminar date. Charges will be assessed at the Individual Seminar rate of \$39.00 per CLE hour. Substitutions are permitted after the cancellation deadline without penalty, however DOHR should be notified before the event.

SPECIAL SEMINAR PACKAGE

Must be received by August 7, 2009

\$526 Seminar Package
(15 Hours CLE)

August 14, 2009

Government Practice

6.0 Hours CLE

November 19, 2009

Ethics & Professionalism

3.0 Hours CLE (E&P)

INDIVIDUAL SEMINARS

\$234 August 14th

Government Practice

6 Hours CLE

Register by August 11th

\$117 November 19th

Ethics & Professionalism

3.0 Hours CLE (E&P)

Register by November 12th

\$39 Per CLE Hour:

Additional NBA Seminars

Note: Package price covers the two (2) major seminars plus six (6) additional hours of regular CLE training. (Package pricing does not include CLE Video Programs or Special Seminars offered by the Nashville Bar Association at special seminar rates.) **Registration form must be completed in its entirety before registration will be accepted or confirmed for seminars. Any form missing Edison Employee ID or Agency billing information will be returned to the agency's human resource office for completion.** E-mail reminders with course title, location and times will be sent to each participants registered for CLE Training a minimum of 24 hours before each CLE Seminar.

Name: _____

Agency: _____

Address: _____

City/Zip _____

Phone: _____

Fax: _____

SSN: _____

E-mail Address: _____

Edison Employee ID: _____

Board of Professional Responsibility Number: _____

Edison Agency Billing Code: _____

Mail or Fax Registration to:
Sharon Buwalda
TN Department of Human Resources
James K. Polk Building, 1st Floor
505 Deaderick Street
Nashville, TN 37243-0635

Phone: 615.741-5622

Fax: 615.532.0728

E-mail: Sharon.Buwalda@tn.gov

Also forward a copy of your registration form to your agency training coordinator.

Additional CLE Seminars

Name: _____ BPR#: _____ Package: **YES/NO**
Please circle

Agency: _____

Individual seminar(s) are at a rate of \$39.00 per CLE hour.

<input type="checkbox"/>	August 19, 2009	1.0 CLE	LUNCH & LEARN NIGHTMARE ON 2 ND AVENUE CONTINUES: DUI – NEW LAWS & PRACTICE UPDATE
<input type="checkbox"/>	August 25, 2009	6.0 CLE	MAKING YOUR CASE WITH A BETTER MEMORY
<input type="checkbox"/>	September 1, 2009	1.0 CLE	LUNCH & LEARN HONORABLE PHILIP SMITH
<input type="checkbox"/>	September 17, 2009	3.0 CLE	TIMELY TOPICS IN ARBITRATION AND MEDIATION— AN ADR BONANZA
<input type="checkbox"/>	September 22, 2009	3.0 CLE	SUMMARY JUDGMENTS IN TENNESSEE
<input type="checkbox"/>	October 8, 2009	4.0 CLE	FAMILY LAW INSTITUTE
<input type="checkbox"/>	October 13, 2009	4.0 CLE	ESTATE PLANNING & PROBATE PRACTICE INSTITUTE
<input type="checkbox"/>	October 22, 2009	6.0 CLE	PRACTICE INSTITUTE: SPEAKING TO WIN
<input type="checkbox"/>	October 27, 2009	3.0 CLE - E&P or General	ETHICS AND PROFESSIONALISM: ETHICS, LIES AND VIDEOTAPE, PART VII
<input type="checkbox"/>	October 29, 2009	4.0 CLE	EMPLOYMENT LAW INSTITUTE
<input type="checkbox"/>	November 5, 2009	3.0 CLE	INTRODUCTION TO FEDERAL COURT PRACTICE
<input type="checkbox"/>	December 10, 2009	3.0 CLE - Dual	CLARENCE DARROW: CRIMES, CAUSES AND THE COURTROOM
<input type="checkbox"/>	December 10, 2009	3.0 CLE - Dual	LINCOLN ON PROFESSIONALISM

Please return form by fax: (615)532-0728 or e-mail: Sharon.Buwalda@tn.gov

Cancellation Policy: Additional charges will be incurred by your agency if cancellations are not made 2 business days before the seminar date. Charges will be assessed at the Individual Seminar rate of \$39.00 per CLE hour. Substitutions are permitted after the cancellation deadline without penalty, however DOHR should be notified before the event.

2009 GOVERNMENT COUNSEL CLE SERIES
“GOVERNMENT PRACTICE”
AUGUST 14, 2009

SERIES PRODUCERS: **CATHERINE CASTER, Esq.**
Co-Chair, NBA Government Lawyers Committee
BRIAN CARROLL
Tennessee Department of Transportation
Co-Chair, NBA Government Lawyers Committee

REGISTRATION: **7:30 - 8:00 A.M.**

PROGRAM: **8:00 A.M. - 4:15 P.M.**

CREDIT: **6.0 CLE HOURS - GENERAL**

LOCATION: **SHERATON NASHVILLE DOWNTOWN HOTEL**
623 UNION STREET
NASHVILLE, TN 37219

NOTE: Ballroom temperatures are regulated in relation to the size of the room and the number of individuals in the room. **Please bring a sweater or jacket** JUST IN CASE you are too cold.

PARKING: **Parking fees are not included in registration fee.**

NOTE: The Sheraton parking garage is automated, and you must pay self-parking with a credit or debit card. Seminar participants receive a day-of-program parking discount; obtain your parking discount ticket at the seminar registration table. Overnight parking is at the hotel’s standard rate of \$20 self-parking and \$24 valet parking.

Discount day-of-seminar rate:

Self-parking:	\$11.00
Valet parking:	\$12.00 0-2 hours \$17.00 for 2 – 12 hours

8:00 - 8:15 A.M. WELCOME and INTRODUCTION OF FIRST SESSION

8:15 - 9:15 A.M. MEDIATION FOR THE MASSES
(MEDIATION FOR GOVERNMENT AGENCIES)

We know that mediation is a viable solution in the private sector when litigation is no longer cost-effective, but does mediation work in the public sector?

This presentation answers questions about the use of mediation as an alternative to litigation when the government is a party.

- “It Ain’t No Ad”
- The hard work behind conducting a successful ADR meeting
- Where, When and What Works Best:
 - ◊ Reframing of the situation by a neutral party
 - ◊ Offering options
 - ◊ Encouraging parties to seek and provide only relevant information
- When Litigation is a Better Option

FACULTY: HONORABLE LYNN ENGLAND

Administrative Judge, Department of State

SESSION PRODUCERS: CATHERINE CASTER, Esq.

HONORABLE MARION WALL

Administrative Judge, Department of State

**9:15 - 10:15 A.M. *ADMINISTRATIVE PROCEDURES 101
GETTING BACK TO THE BASICS***

**A PROGRAM FOR ATTORNEYS NEW TO ADMINISTRATIVE LAW AND/OR FOR THOSE OF US WHO
NEED A REFRESHER COURSE**

THE BEGINNING: You've been handed a file, what next?

- Assessing the file
- T.C.A. § 4-5-320 (c) Notification
- Drafting the petition
- Where does the buck stop? Routing and approval procedures

THE PRELIMINARIES FOR A HEARING

- Where to file / where APD is located
- Notice requirements – how and when
- APA time requirements for regular hearing
 - ◊ How to get a time and place for the hearing
 - ◊ Summary proceedings
- Docket numbers and assignments of judges

DETAILS, DETAILS, DETAILS

- Copies of documents
- Certified mail / regular mail
- What to keep and why

PRELIMINARY DOCUMENTS

- Motions
- Discovery

FACULTY: ERIN BEGLEY, Department of Health

ALISON CLEAVES, Department of Health

HONORABLE TOM STOVALL, Administrative Judge, Department of State

SESSION PRODUCER: SHIVA BOZARTH

Department of Health

TONY GREER

Department of Commerce & Insurance

10:15 - 10:30 A.M. *BREAK*

**10:30 - 11:30 A.M. *THE RULES ON RULEMAKING—
OVERSIGHT OF THE RULEMAKING PROCESS***

The officials directly involved in this important process discuss the significant recent developments in agency rulemaking: the issues, the changes, and the need for oversight.

STATUTORY CHANGES

- Electronic filings
- Effective dates

LEGISLATIVE INPUT

- Desire for increased oversight and authority
- Limits and restrictions
- Improved efficiency of Government Operations Committees through use of Consent calendar and other changes

RULEMAKING ISSUES

- Adequate notice
- Perception of Rulemaking as circumvention of legislation
- Possible abuse of rulemaking process

FACULTY: RICHARD ARNOLD

Director of Publications, Office of the Secretary of State

SUSAN LYNN

Chair, House Government Operations Committee

FRED STANDBROOK

Legislative Attorney, Office of Legal Services, Tennessee General Assembly

SESSION PRODUCER: THAD WATKINS

Department of General Services

11:30 A.M. - 1:00 P.M. **LUNCH (ON YOUR OWN)**

1:00 - 2:00 P.M. **THE DEPO MAN A CAUTIONARY TALE**

There's no better way to learn than by example so LISTEN AND LEARN!

Witness a deposition regarding a worker's comp claim against the "State of Anywhere"

1. **THE WITNESS:** A correction officer with traumatic stress disorder (What did she see?)
2. **HER ATTORNEY:** Does she help or hinder her client's case?
3. **THE DEPOSING ATTORNEY:** Why is she asking all those questions?
And what about all that paperwork?

- **PRE-DEPOSITION: GETTING YOUR DUCKS IN A ROW**
- **INTERROGATORIES / REQUESTS FOR ADMISSION**
- **NOTICES**
- **STIPULATIONS**

FACULTY: MARY FOUST

Office of the Attorney General and Reporter

DAWN JORDAN

Office of the Attorney General and Reporter

REBECCA LYFORD

Office of the Attorney General and Reporter

SESSION PRODUCER: MARY FOUST, Office of the Attorney General and Reporter

2:00 – 3:00 P.M. CASE LAW 2009
A DISCUSSION OF THE LATEST CASE LAW

- **CASE LAW TOPICS**
- **IMPLICATIONS OF CHANGES FOR THE GOVERNMENT ATTORNEY**
Do any of these cases affect your practice of law?
- **OVERTURNED ON APPEAL, HEADING ON UP AND OTHER**
Legal procedures that may or may not affect you.
- **PICK FOR THE MOST SIGNIFICANT CASE OF 2009**

FACULTY: **HONORABLE ANDY BENNETT**
Judge, Court of Appeals of Tennessee, Middle Section
HONORABLE PATRICIA COTTRELL
Judge, Court of Appeals of Tennessee, Middle Section
MICHAEL MOORE
Solicitor General, Office of the Attorney General and Reporter

SESSION PRODUCER: **BRIAN CARROLL**
Department of Transportation
CATHERINE CASTER, Esq.

3:00 – 3:15 P.M. *BREAK*
3:15 – 4:15 P.M. *RIDLEY RECORDINGS PRESENTS:*
THE ASSEMBLY 106 WITH LEAD SINGER NATHAN RIDLEY

HEAR HITS LIKE:

- **SOMETHING'S HAPPENING HERE:**
The legislative year starts out with a bang!
- **SUNRISE, SUNSET:**
The fate of the Ethics Commission and other commissions and agencies
- **JUSTIN TIME:**
The comptroller deals with government swap meets and lay-a-ways
- **THE PARTIES OVER:**
The bill that amends TCA Title 2, Chapter 13, Part 1
- **WHERE DID ALL THE MONEY GO?**
Reductions and reallocations
- **SAVE IT FOR A RAINY DAY:**
The Omnibus Budget Bill/ SB 2357 / HB 2389
- **LOVE CHILD:**
Constitutional Amendment of SJR0127

FACULTY: **NATHAN RIDLEY**
Bradley Arant Boult Cummings LLP

COMING JANUARY 2010 - THE ASSEMBLY 106: "WE'LL BE BACK"

SESSION PRODUCERS: **SAM EDWARDS**
Greater Nashville Regional Council
AARON ROCHELLE
Department of Commerce and Insurance

NBA GOVERNMENT LAWYERS COMMITTEE MEMBERS:

CHRISTY ALLEN, Department of Health
SUSAN W. BLAIR, Nashville Bar Association
SHIVA BOZARTH, Department of Health
BRIAN CARROLL, Department of Transportation, Co-Chair, NBA Government Lawyers Committee
CATHERINE CASTER, Esq., Co-Chair, NBA Government Lawyers Committee
PHYLLIS CHILDS, Office of the Attorney General and Reporter
MARTHA DAVIS, Office of the Attorney General and Reporter
THERESA DENTON, Department of Agriculture
SAMUEL H. EDWARDS, Greater Nashville Regional Council
MARK FINKS, Department of Labor and Workforce Development
MAX FLEISCHER, Department of Environment and Conservation
MARY FOUST, Office of the Attorney General and Reporter
TONY GREER, Department of Commerce & Insurance
GINGER JOHNSON, Department of Human Services
INGRID KLOSE, Department of Human Services
MEGAN MOORE, Department of Revenue
HON. MARGARET ROBERTSON, Department of State, Administrative Procedures Division
AARON ROCHELLE, Department of Commerce and Insurance
STEPHANIE SIMMONS, Department of Human Services
CAROLYN SMITH, Alcoholic Beverage Commission
BRIGITTE TUBBS-JONES, Department of Economic and Community Development
HON. MARION P. WALL, Department of State, Administrative Procedures Division
THAD E. WATKINS, III, Department of General Services

Tennessee Government Counsel
Additional CLE Seminars for the 2009 Session

August 19, 2009

1.0 CLE - General

LUNCH & LEARN

NIGHTMARE ON 2ND AVENUE CONTINUES: DUI – NEW LAWS & PRACTICE UPDATE

REGISTRATION - 11:30 A.M.

SEMINAR - 12:00 - 1:30 P.M.

NOTE EXTENDED TIME

LOCATION: **TENNESSEE STATE UNIVERSITY**
DOWNTOWN, AVON WILLIAMS CAMPUS, **Room 353**
330 10TH AVENUE, NORTH
NASHVILLE, TN 37963-7006

Stay up-to-date on practice developments related to DUI cases.

Attend this program and find out about new pending DUI laws, practice procedures in General Sessions Court, and practice guidelines.

YOU WILL BENEFIT KNOWING ABOUT:

- The New DUI Laws And Their Effects On:
- The Stop
- The Arrest
- The Prosecution

What to Expect in General Sessions Court:

- Offense Consequences
- Underage driving while impaired
- Sentencing & Sentencing Alternatives
- Plea Bargain
- Trial vs. Preliminary Hearing

The Preliminary Hearing-Use It or Lose It:

- DUI testing – blood and breath
- Observations of the Officer
- Field Sobriety Tests – The True Story
- Types of Offense and Practice Guidelines

FACULTY: **ROGER T. MAY & EDWARD S. RYAN**, *May & Ryan, PLC*

August 20, 2009

1.0 CLE

BASICS OF THE FAIR LABOR STANDARDS ACT (FLSA) & RECENT LITIGATION TRENDS

SEMINAR - 5:00 P.M. - 6:00 P.M.

LOCATION: **TENNESSEE STATE UNIVERSITY**
DOWNTOWN, AVON WILLIAMS CAMPUS
Room 353; 330 10TH AVENUE, NORTH
NASHVILLE, TN 37963-7006

Expert faculty will provide a basic overview of the FLSA and focus on litigation involving both collective and individual actions including recent litigation trends in this area of law. Facilitator will present the technical points of the procedural mechanisms of collective actions and the issues involved in litigating a case with “opt-in” plaintiffs.

This program is designed for litigators with little or no experience with the FLSA or collective actions.

YOU WILL BENEFIT KNOWING:

- Nuts and bolts pursuing or defending an FLSA collective or individual action
- General synopsis of what the FLSA covers

FACULTY: **JERRY MARTIN**, *Barrett, Johnston & Parsley*
 ANDREW NAYLOR, *Waller, Lansden Dortch & Davis, LLP*

August 25, 2009

6.0 CLE

MAKING YOUR CASE WITH A BETTER MEMORY

8:30 A.M. - REGISTRATION

9:00 - 4:45 P.M. SEMINAR

6.0 CLE - GENERAL

LOCATION : **TENNESSEE STATE UNIVERSITY,**
 DOWNTOWN, AVON WILLIAMS CAMPUS, ROOM 353,
 330 10TH AVE., NORTH, NASHVILLE, TN 963-7006.

Guest Faculty: Paul Mellor a nationally known memory training consultant who has been featured and quoted in several media, including *Newsweek*, the *Wall Street Journal*, *CBN Television*, and *USA Today*. A graduate of Western Carolina University, Paul was a finalist in the 2006 USA Memory Championship held each year in New York City. Paul’s skills have helped lawyers across the country to be more persuasive, more influential, and more powerful with the use of a trained memory. He conducts his seminars for bar associations across the country, including the Pennsylvania Bar Institute, Delaware Bar, California Bar, Hawaii Bar, Atlanta, Cincinnati, Columbus, and Nashville Bar Associations and many more.

As attorneys, we seldom leave home without our computers, cell phones, and “blackberries.” They’re convenient, affordable and most of all, they come with a lot of memory. Unfortunately, one of the most powerful memory tools we own is seldom plugged in – our own!

You CAN improve your memory. And, when you do, you will improve your chances of winning.

AGENDA

8:30 a.m. Registration

9:00 -10:15 a.m. Deposition Demonstration

Introduction and demonstration of the lightening speed of a trained memory. You’ll see the ease of remembering information from a deposition. Emphasis placed on why we forget and how we can remember.

10:15-10:30 a.m. BREAK

10:30 a.m. - 12:15 pm How to Speak Without Notes to Jurors

Discover secrets on how to present a case without notes. Learn step by step techniques on drafting your remarks, preparing your mind and delivering a powerful presentation. To keep the jury in the palm of your hand you’ll have to let go of your notes.

12:15-1:30 pm LUNCH

1:30 -3:00 p.m. Cross Examination with Confidence

Using the two step method in recall, you’ll acquire the skill in remembering to ask key questions during cross examination.

Use of examples and illustrations help reinforce the proficiency when dealing with those on the witness stand.

3:00 – 3:15 p.m. BREAK

3:15 – 4:45 p.m. Remember Names and Faces of Jurors in Trial, Clients in Presentations and in Other Professional Settings

You'll learn the FACIAL FORMULA to quickly remember a name. Attention is placed on concentration techniques and focusing on recalling the name correctly. Use of pictures and examples create a proven system in correctly matching a name to a face. You'll learn how to remember first names, last names and groups of people.

September 1, 2009

1.0 CLE - General

**LUNCH & LEARN
HONORABLE PHILIP SMITH**

REGISTRATION - 11:30 A.M.

SEMINAR - 12:00 - 1:00 P.M.

LOCATION: **TENNESSEE STATE UNIVERSITY**
DOWNTOWN, AVON WILLIAMS CAMPUS, **Room 353**
330 10TH AVENUE, NORTH
NASHVILLE, TN 37963-7006

Parking:

Free parking available next to the building at the reserved spaces on McLemore Street (between Charlotte Ave. and Church St.) next to the TSU building. Additional parking located in the TSU parking lot (enter from 10th Ave) – park only in the white lined parking spaces. **DISPLAY PARKING PASS.** Provide e-mail address when you receive pass the day before the seminar.

OVERVIEW: Fourth Circuit Court Judge Philip Smith will offer observations and suggestions for facilitating practice in the Fourth Circuit.

LEARN ABOUT:

- Judge Smith's practice preferences
- Effective submissions
- Effective argument
- Observations from the Bench

FACULTY: **HONORABLE PHILIP E. SMITH**, *Judge, Fourth Circuit Court, Davidson County*

September 17, 2009

3.0 CLE

TIMELY TOPICS IN ARBITRATION AND MEDIATION—AN ADR BONANZA

REGISTRATION - 1:00 P.M.

SEMINAR - 1:30 P.M. - 4:50 P.M.

LOCATION: **TENNESSEE STATE UNIVERSITY**
DOWNTOWN, AVON WILLIAMS CAMPUS, **Room 353**
330 10TH AVENUE, NORTH
NASHVILLE, TN 37963-7006

Parking:

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and Church St.) next to the TSU building. Additional parking located in the TSU parking lot (enter from 10th Ave) – park only in the white lined parking spaces. **DISPLAY PARKING PASS.** Provide e-mail address when you receive pass the day before the seminar.

More and more disputes are being resolved through arbitration and mediation. It is increasingly important for attorneys to understand how these procedures work and how best to represent your client during an arbitration or mediation. Our seminar features experts in the ADR field: the Region Vice President of the American Arbitration Association (AAA), an attorney who has handled numerous arbitrations in Tennessee and Florida, and the Programs Manager for the Administrative Office of the Courts in Tennessee.

1:30 – 2:30 p.m. AMERICAN ARBITRATION ASSOCIATION

- The services offered by the AAA
- How to become a neutral for the AAA
- Arbitration and mediation procedures

FACULTY: CHAUNCEY B. DAVIS, *Region Vice President
American Arbitration Association, Atlanta, Georgia*

2:30 – 2:40 p.m. BREAK

2:40 – 3:40 p.m. CASE LAW UPDATE & KEY PRACTICE TIPS

- Recent case law on arbitration and mediation
- How to draft an effective ADR clause in an agreement

FACULTY: STEVE STINSON, *James A. Freeman & Associates, Nashville*

3:40 – 3:50 p.m. BREAK

3:50 – 4:50 p.m. MEDIATION: ETHICAL ISSUES & GRIEVANCE PROCEDURES

- Advisory ethics opinions in mediation
- Grievance procedures for mediation disputes

FACULTY: ANNE-LOUISE WIRTHLIN, *Programs Manager, Administrative Office of the Courts*

September 22, 2009

3.0 CLE

SUMMARY JUDGMENTS IN TENNESSEE

1:30 P.M. – 4:50 P.M. – SEMINAR

Producer: GINO BULSO, Leader, Bulso, Nolan & Burnstein PLC

FAMILY LAW INSTITUTE

11:30 A.M. REGISTRATION

(BRING YOUR LUNCH OR PURCHASE ONE IN THE CAFETERIA)

12:00 – 4:20 P.M. INSTITUTE

LOCATION: AT&T BUILDING (FORMERLY BELL SOUTH)

1ST FLOOR AUDITORIUM

333 COMMERCE ST.

NASHVILLE TENNESSEE

Parking: Garages located on Commerce Street across from AT&T
Premier Garage on Third Avenue near Union St. -- an easy walk to AT&T on
Commerce Street. **Allow adequate time to park prior to the Institute.**

PRODUCER: JAMES "JAY" DRESCHER, *Drescher & Sharp, PC*

PLANNING COMMITTEE:

JAMES DRESCHER, *Drescher & Sharp, PC*

PHILLIP ROBINSON, Esquire

ESTATE PLANNING & PROBATE PRACTICE INSTITUTE

11:30 A.M. REGISTRATION

(BRING YOUR LUNCH OR PURCHASE ONE IN THE CAFETERIA)

12:00 – 4:20 P.M. INSTITUTE

LOCATION: AT&T BUILDING (FORMERLY BELL SOUTH)

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PRODUCERS: PAUL GONTAREK, *Waller Lansden Dortch & Davis*

PAUL HAYES, *Waller Lansden Dortch & Davis*

PLANNING COMMITTEE:

JULIE BOSWELL, *Thraikill, Harris, Wood & Boswell, PLC*

PAUL GONTAREK, *Waller Lansden Dortch & Davis*

PAUL HAYES, *Waller Lansden Dortch & Davis*

DAVID HELLER, *Drescher & Sharp, PC*

RALPH LEVY, *Frost Brown Todd, LLC*

ROB LINEBERGER, *Diversified Trust Company*

BLAINE SMITH, *Bass, Berry & Sims, PLC*

JOHN McDONALD, *Stites & Harbison, PLLC*

PRACTICE INSTITUTE: SPEAKING TO WIN

NATIONALLY ACCLAIMED SPEAKER AND AUTHOR **STEVEN STARK** RETURNS TO THE NASHVILLE BAR ASSOCIATION TO UNVEIL HIS PROVEN STRATEGIES FOR POLISHING THE ART OF ORAL PRESENTATION

8:30 A.M. – REGISTRATION

9:00 A.M. – 4:25 P.M. - INSTITUTE

LOCATION: **AT&T BUILDING (FORMERLY BELL SOUTH)**

1ST FLOOR AUDITORIUM

333 COMMERCE ST.

NASHVILLE TENNESSEE

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Commerce Street. **Allow adequate time to park prior to the Institute.**

PRODUCER: **SUSAN BLAIR**, *Nashville Bar Association*

Guest Faculty: **STEVEN STARK**, Esq., has presented hundreds of writing and speaking CLE courses to lawyers, judges, and other professionals in over 30 states and provinces in the United States and Canada. A former cultural commentator for *CNN*, *National Public Radio*, and the *Voice of America*, he is the author of three books and one e-book and has written frequently for the *New York Times*, the *Los Angeles Times*, the *Atlantic Monthly*, and the *Boston Globe* where he was an op-ed columnist.

A lawyer and former Lecturer on Law at Harvard Law School, he is a graduate of Harvard College and Yale Law School. Visit Stark's website at: starkwriting.com

Learn Stark's proven strategies for **acing oral arguments**, **finessing** your **delivery**, **controlling** your nervous **butterflies**, and **dozens of everyday useful strategies to help you speak capably**. Featuring fun and practical demonstrations, Steven will guide you through exercises that will improve your skills and conquer anxiety. Bring to the courtroom Stark's winning strategies for captivating judge and jury.

**ETHICS AND PROFESSIONALISM:
ETHICS, LIES AND VIDEOTAPE, PART VII**

1:00 P.M.– 4:15 P.M.

Producer: **ED LANQUIST**, *Wadley & Patterson*

October 29, 2009

4.0 CLE

EMPLOYMENT LAW INSTITUTE

11:30 A.M. REGISTRATION

(BRING YOUR LUNCH OR PURCHASE ONE IN THE CAFETERIA)

12:00 – 4:20 P.M. INSTITUTE

LOCATION: AT&T BUILDING (FORMERLY BELL SOUTH)

1ST FLOOR AUDITORIUM

333 COMMERCE ST.

NASHVILLE TENNESSEE

Parking: Garages located on Commerce Street across from AT&T
Premier Garage on Third Avenue near Union St. -- an easy walk to AT&T on
Commerce Street. **Allow adequate time to park prior to the Institute.**

PRODUCERS: DAVID JOHNSON, *Miller & Martin, PLLC*
SAM PAYNE, *Rudy, Wood & Winstead, PLLC*

PLANNING COMMITTEE:

JOHN "CHRIS" ANDERSON, *Miller & Martin, PLLC*

MARTHA BOYD, *Boult, Cummings, Conners & Berry, PLC*

DAVID JOHNSON, *Miller & Martin, PLLC*

SAM PAYNE, *Rudy, Wood & Winstead, PLLC*

November 5, 2009

3.0 CLE

INTRODUCTION TO FEDERAL COURT PRACTICE

November 19, 2009

3.0 CLE

Ethics & Professionalism in Government Practice

CLARENCE DARROW: CRIMES, CAUSES AND THE COURTROOM**REGISTRATION: 8:00 A.M.****SEMINAR: 8:30—11:45 A.M.****FEATURING: GRAHAM THATCHER****LOCATION: AT&T BUILDING****333 COMMERCE STREET****1ST FLOOR AUDITORIUM****NASHVILLE, TN**

Produced by *Periakto*s Productions who brought you *The Women Lawyers Club*, *Thurgood Marshall's Coming!*, *Impeach Justice Douglas*, and *Maxims, Monarchy and Sir Thomas More*

Clarence Darrow's life was the stuff of which legends, myths, and dramas are made. A master of the courtroom stage who possessed an uncanny understanding of human character, he was arguably the greatest trial lawyer of the twentieth century. Darrow was an adamant opponent of capital punishment and a passionate proponent of civil and human rights. Fighting for the underdog and taking on criminal cases thought to be hopeless, he was often called the "attorney for the Damned." Yet, while commanding respect as a trial lawyer, Darrow was often embroiled in bitter controversy for his unpopular stands on many issues and criticized for his purported unethical professional behavior.

The movie features veteran actor, Graham Thatcher in a spellbinding and realistic character portrait of Darrow and his deeply held beliefs and hard fought courtroom battles as portrayed through four of the lawyer's most famous cases. Professionally filmed in the historic courthouse in Deadwood, South Dakota, Graham Thatcher's solo performances uses Darrow's own thoughts and courtroom summations -- replete with humor, humanity and intense courtroom drama -- and invites you to explore the timeless social, legal and ethical issues that lawyers must face every day.

Following the movie, an expert panel from the bench and bar will explore with you the contemporary issues of ethical and moral decisions faced in today's legal practice.

AGENDA - CLARENCE DARROW: Crimes, Causes and the Courtroom MOVIE

- *Loeb and Leopold Trial*
- *Henry Sweet Trial*
- *McNamara Trial*
- *Scopes Trial*

PANEL DISCUSSION**Discussion Leader: BARBARA D. HOLMES, Harwell, Howard, Hyne, Gabbert & Manner, PC****Panelists: To Be Announced**

LINCOLN ON PROFESSIONALISM

Never stir up litigation. A worse man can scarcely be found who does this...A moral tone ought to be infused into the profession which should drive such men out of it."

-- Abraham Lincoln

REGISTRATION: 12:30 P.M.

SEMINAR: 1:00—4:15 P.M.

**LOCATION: AT&T BUILDING
333 COMMERCE STREET
1ST FLOOR AUDITORIUM
NASHVILLE, TN**

Developed & produced by the Atlanta Bar Association in Cooperation with Georgia's Supreme Court Chief Justice's Commission on Professionalism.

12:30 p.m. - Registration

1:00 p.m. - 4:15 p.m. Seminar

Lincoln is regarded by many as one of our greatest and most significant American lawyer-presidents, and his actions and oratory were greatly influenced by his legal background. As a lawyer, Lincoln was known for his truthfulness and integrity, and he was diligent in infusing those values into the practice of law. While speaking to the role of lawyers, Lincoln encouraged his peers to *"resolve to be honest at all event; and if in your own judgment you cannot be an honest lawyer, resolve to be honest without being a lawyer."*

This year marks the bicentennial of Abraham Lincoln's birth, and the American Bar Association honored him on Law Day with the theme *A Legacy of Liberty – Celebrating Lincoln's Bicentennial*. H. Thomas Wells Jr., President of the American Bar Association, wrote, *"While Lincoln is remembered as one of the most eloquent presidents, his legacy does not end at his written and spoken words. We celebrate Lincoln as an American president who united a nation and fought for justice. Lincoln's presidency began during turbulent times in our young nation's fragile history. By appealing to the fundamental values of human equality, justice, and liberty as set forth in our nation's founding documents – especially the Declaration of Independence – and adhering to his own moral values, Lincoln emerged as a prominent and inspiring leader whose legacy lives on today."*

The documentary program, *Lincoln on Professionalism*, is based on Lincoln's life as a lawyer, using his own writings and reflections on the practice of law as the program's foundation. Ten ideals of professionalism are explored in the documentary, holding Lincoln as the embodiment of these ideals. Following each segment, an expert panel from the bench and bar will explore with you the ethical and professional standards that Lincoln's example compels.

AGENDA – LINCOLN ON PROFESSIONALISM

Documentary Segments and Panel Discussion

- Lincoln's Lack of Vanity
- Candor with the Court
- Honesty and Honor
- Candor to Opposing Counsel
- Dignity and Civility
- Courtesy and Goodwill
- Brevity and Clarity
- Candor to Client
- Diligence
- Summary and Conclusion

Discussion Leader: BARBARA D. HOLMES, Harwell, Howard, Hyne, Gabbert & Manner, PC