Committee Programs — Requirements and Best Practices

The following list of Committee programs “best practices” was developed by the Committee Operations Committee. If you want further information or wish to discuss any of these points, call:

- Committee Officer
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- Committee Operations Co-Chairs
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- ABA Staff
  Bill Stanton (312.988.5702, William.Stanton@americanbar.org)

1. Planning

A. Committee Programs Guidelines.

i. “Committee programs” (formerly known as “brown bag programs”) are short, relatively informal telephonic programs that typically take place with all participants calling in to a dial-in number. Committee programs are intended to be inexpensive and should require less lead-time than more formal continuing legal education programs with written materials and CLE credit (called “teleseminars”). Advance planning, however, is essential.

ii. Participants typically dial in individually, but use of satellite locations (e.g. conference rooms in law firms or government agencies where participants based in one location can share a single dial-in line) is encouraged to save costs. Committee programs should be promoted as telephonic programs with satellite options for anyone interested in gathering collectively. While it is permissible to offer an in-person option, that must truly be a functional option and the use of an in-person option is subject to the limitations described below. “Committee Networking Events” are no longer permitted under the Section’s Regional Networking Events approach.

iii. The forms and general guidelines for Committee programs are available on the Antitrust Section Leadership Portal. If you have not reviewed it recently, please take a look before you get too far down the road planning a Committee program.

iv. In particular, remember that Committee programs must be approved by the Committee Officer, Jonathan Gleklen. You
may find the Committee program approval form at
https://abanet.qualtrics.com/SE/?SID=SV_cOsp6smUUtwCVw0
Clicking on “submit” will automatically send the request to the
Committee Officer and all others who need to receive
notification. Bill Stanton will notify you when the Committee
program has been approved.

B. Selecting a Topic.

i. One approach is to plan a program well in advance around a
subject of general member interest.

ii. Another approach is to respond promptly to a new
development. If you have a “new development” program in
mind, don’t let the subject get stale (and don’t be pre-empted
by another program inside or out of the Section!).

iii. Programs not accepted for the Spring Meeting often make
good Committee program topics. But don’t wait to plan
Committee programs until decisions on Spring Meeting
programs are made in the fall – Committee programs should
be done all year long to serve your members.

iv. Consider topics of interest outside Washington, D.C., such as
Committee programs with local enforcement officials (state,
DOJ and FTC field offices).

C. Scheduling.

i. Look for an available date on the Google planning calendar.
To access it, log into the leadership portal:
https://www.americanbar.org/groups/antitrust_law/leadership
/antitrust_section_leadership_portal.html. Click on the
Resources icon/click on “other resources”/click on Google
planning calendar (halfway down the list).

ii. When selecting a time for your program, it is best to pick a
time when West Coast members can join, i.e., not before
noon. Generally, programs start at 12:00 or 12:15 p.m. EST.
The duration of the program should normally be about 1 1/2
hours.

iii. Once a preferred date and time are selected, email Bill Stanton
(William.Stanton@americanbar.org) to ask him to hold the
date on the Google planning calendar.

iv. Jonathan Gleklen and Bill Stanton are sensitive to potential
conflicts, which can be avoided if clearance is obtained
sufficiently far in advance. As a general rule, the approval form
should be submitted at least three to four weeks prior to the
scheduled date to allow for adequate planning and publicity.

v. While simultaneous Committee programs are discouraged, in
some circumstances, two Committee programs will be
permitted to proceed on the same day if their topics and target audiences are markedly different and the programs are not at the same time. Under no circumstances will three or more Committee programs be approved for the same day.

vi. It is important that Committee programs are not publicized until you receive notice of approval.

D. Co-Sponsors.

i. Co-sponsoring a program with another Antitrust Section committee can be a good way to share the work and improve the promotion of the program, although it can complicate the logistics of running the program.

ii. Co-sponsoring a program with a state or local bar association, or an entity outside the ABA, also can be an excellent vehicle to increase attendance. All events co-sponsored with an outside entity must be pre-approved by the Operations and Communications Committee of the ABA Board of Governors, which meets five times per year. Unless the co-sponsoring organization has been pre-approved (see the complete list of pre-approved cosponsoring organizations at the end of the document), please allow yourself at least 90 days to obtain the necessary clearance and contact Bill Stanton as soon as you can to coordinate scheduling. Board of Governors deadline dates are listed on the Leadership Portal.

E. Speakers.

i. The first priority is always to ensure the quality of the program.

ii. Keep in mind the Section’s desire to promote diversity and highlight members who may not have spoken at programs previously; don’t rely on the same speakers who have spoken on the issue in the past – no matter how good they may be. Be creative in selecting appropriate speakers – with a diversity of viewpoints, employers (there may be no more than one person from any organization on each program, with very limited exceptions!), geographies, genders, demographics, and backgrounds.

iii. Please consult the Committee Program Diversity Policy (available on the Leadership Portal) for more information about the “one speaker per organization” rule and the exception for recurring Committee programs (such as the Corporate Counseling Committee monthly updates, which are typically presented by lawyers from a single firm).

iv. The opportunity to participate and be highlighted in a program also can be used effectively as a reward for committee members who have worked hard on other projects.
F. Government Officials.

i. To avoid conflicts and prioritize the Section’s requests to senior government officials, committees must obtain approval of the Committee Officer at least seven days in advance of any request for participation in any Committee program (including both interviews and speaking engagements) by the Attorney General, Assistant Attorney General for Antitrust or any Deputy Assistant Attorney General, the FTC Chair or any FTC Commissioner, a FTC Bureau Director, or any judge. In addition, Section policy requires that the Chair of the Section personally extend any invitation to certain high-level government officials to participate in Section events.

ii. All requests for DOJ personnel participation must be routed through William Rinner (william.rinner@usdoj.gov or (202) 353-6181). This will aid with coordination issues at the Division and also should avoid scheduling issues within the Section. Program chairs at all levels should not reach out directly to DOJ attorneys with invitations to speak at conferences, workshops, Committee programs, the Spring Meeting, or any other Section event, but should route those requests through William.

G. Mechanics, Costs and Charges.

i. The sponsoring committee is responsible for planning the program, arranging for speakers, obtaining speaker releases before the program, finding sponsors for remote sites (if any), arranging for publicity, obtaining and distributing any written materials, and generally running the on-site program. The programs will be monitored for quality control.

ii. Section staff (through Bill Stanton) will arrange for the telephone links.

iii. Dial-in programs with an operator impose a significant charge for each line used. Setting up a satellite location – where several (or many) people can listen in on one line, helps to cut down the cost of the Committee program.

iv. When hosting a webinar through Webex, there also are costs to the Section, so please plan events that you believe will be well attended and of service to your members.

v. For all programs, participants will simply register by either clicking a link in the program announcement or by clicking on the program title on the Section of Antitrust Law events webpage. Registrants will automatically receive an email confirmation with the dial-in number. Bill will provide the Committee program contact person with the appropriate dial-in numbers for the speakers.
vi. The Committee Contact will be instructed to place the call to the conference operator approximately 20 minutes before the program is scheduled to begin, which provides an opportunity for the conference operator to run a sound check and confirm the procedures for introducing the program, taking questions and so forth.

H. Rules for Telephonic Programs Offering an In-Person Option

i. Any committee program must be primarily a telephonic program with content that works for dial-in participants

ii. Where an in-person option is offered, panelist participation cannot be conditioned on the panelist’s ability to participate in person.

iii. Where an in-person option is offered, the Section is unable to offer reimbursement for the expenses of hosting the program.

iv. There can be no law firm branding or non-ABA co-sponsors for committee programs with an in-person option.

v. All committee programs must begin before 3:30 Central/4:30 Eastern to ensure staff resources are available for technical support.

vi. No program with an in-person option may be scheduled within 2 weeks before or after a Section program with similar content (e.g. the Merger Workshop, Cartel Workshop, etc.).

vii. Where a committee offers an in-person option, information about all in-person attendees must be gathered for tracking purposes and to follow up with non-Section members.

viii. All Section policies (e.g. Diversity Policy, Open Meetings Policy, Corporate Support Policy, guidelines for inviting government officials) apply equally to in-person programs. **Alcohol cannot be served at ABA events sponsored by committees.**

ix. Programs targeting women, diverse members, and law students are coordinated with Membership & Diversity and subject to different rules

I. CLE.

i. We do not obtain CLE credit for Committee programs.

ii. If you are interested in planning a program that provides CLE credit to attendees, you must follow separate procedures for a Section “teleseminar.” Teleseminars must be approved by the Antitrust Section Programs Officer and Teleseminar Chair several months in advance. To allow time to obtain CLE approval from the state authorities, panelists will be required
to prepare written materials, and there will be a charge for all participants to dial in. If you are interested, contact Bill Stanton for more information.

2. **Publicizing the Committee Program**

   A. **Timing.**
      
      i. The Committee program should not be publicized until you receive notice from Bill Stanton that the program has been approved.
      
      ii. Announcements of upcoming Committee programs should be made on several occasions.

   B. **Notification Channels.**
      
      i. An announcement of all upcoming Committee programs is circulated bi-weekly (every other Monday morning) to the entire Section membership.
      
      ii. Committees should use Connect as their main vehicle for publicizing their Committee programs.
      
      iii. Committee leadership should also publicize their Committee programs through their own networks, including social media and emails to professional contacts.
      
      iv. If a non-ABA group is a co-sponsor, make sure you have a vehicle for reaching its members.

3. **Conducting a Committee Program.**

   A. **Speaker Presentations**
      
      i. Programs can be presented in any format or manner that adequately and professionally covers the topic.
      
      ii. It is very important that every Committee program begin precisely on time, because the on-line participants will be on hold waiting for the program to begin.
      
      iii. Presentations may be made by either a solo or featured speaker, or by a panel. Panel presentations are encouraged and some of our best Committee programs have involved lively discussion among experienced practitioners on the panel.
      
      iv. Often, the moderator will introduce the topic and provide an appropriate level of background information (such as an overview of an appellate decision, if the Committee program covers a recent case).
      
      v. Generally, there should be no more than four speakers; more than that number would be presumptively unworkable.
vi. ABA policy requires that every panelist speaking on an ABA program must complete a speaker release, which is available at [https://americanbar.qualtrics.com/jfe/form/SV_8Bu17PKsKRJHw6F](https://americanbar.qualtrics.com/jfe/form/SV_8Bu17PKsKRJHw6F). If a speaker refuses to complete a speaker release, he/she should not be allowed to speak on the program.

B. Written Materials.

i. Persons attending programs of any kind always appreciate receiving written background materials.

ii. However, Committee programs often are intended to be spontaneous, and a desire for written materials should not get in the way of presenting a Committee program in a timely, economical and informal setting.

iii. If written materials are provided, try to obtain the materials in advance of the meeting so they can be distributed to the attendees. Staff must receive written materials (and/or slides) at least 48 hours in advance of the program in order to get them up on the website. Use the PowerPoint template to create your PowerPoint slides. Speakers are welcome to state their law firm, government, academic or other professional affiliation on the cover page and/or first page of materials or visual presentations (e.g., PowerPoint slides). Speakers also may provide their address, telephone number and/or email address on the cover page and/or first page. However, such affiliation information should not appear on any other pages of the written materials or presentations, e.g. in the header or footer of each page of a document or slide. Affiliation information should not appear on any jackets, folders, or binders used to distribute written materials for the programs.

iv. In any event, consider posting program materials and transcripts on committee websites and including them in newsletters.

C. Questions.

i. Questions are normally solicited first from the audience on site (if applicable) and secondly from persons participating by phone, either from a remote site or on an individual call-in line. The conference is continuously monitored by the conference operator, who will open the phone lines for questions when requested to do so by the moderator.

ii. It is very important that the speaker answering the question repeat the question before it is answered so those on the phone can follow along.
D. Technical Set-Up.

i. Technical issues occasionally have arisen that have interfered with participation at remote (satellite and call-in sites). Following these suggestions will contribute significantly to the success of each Committee program.

ii. You should designate a point person ("facility contact person") at satellite locations (and the location of the in-person option if offered) who is both available before the program begins and accessible during the program to field phone calls from the conference operator. Usually, the facility contact will be an administrative or technical staff members at the host facility. Please make sure the phone number of the facility contact person is set forth on the form. The facility contact person can usually help solve phone problems that develop before or during the program by, for example, re-establishing the phone link if the quality of the phone line is poor.

iii. The quality of the telephone link is monitored continuously during the Committee program by one of the conference center operators. If problems arise, the conference operator is the primary person who will try to resolve those problems, enlisting the assistance of the facility contact person as necessary.

iv. In addition, during the program technical problems may be brought to the attention of the ABA staff (Bill Stanton) by either the operator or persons participating on the call-in lines.

v. Each speaker should have a microphone or, if that is not possible, moderators should make sure that each speaker is speaking very close to a microphone.

vi. You will receive much better reception if you are able to plug the audio equipment directly into the phone system. Trying to pick up voices that may be far away from the conference phone can prove difficult and annoying to dial-in participants.

vii. If possible, cordless or extra microphones should be used for questions from the audience. If that is not possible, the speakers must repeat questions before they are answered.

E. Promotional Announcement at the Beginning of the Program.

i. Begin each Committee program with a message promoting upcoming Section or committee activities.

ii. Remember to cross sell Section publications that might be of particular significance to the topic of the Committee program.

iii. And also remember to ask those in attendance if any are interested in committee work and have them contact you by phone or e-mail (from the committee website).
F. Audio and Video Recording.
   i. Committee programs are recorded and are posted on the Section’s website for Members only following the program.
   ii. The Section does not have the capability to videotape Committee programs, and our standard speaker release does not include consent to videotaping.

G. Follow-Up.
   i. Make sure you provide Bill Stanton with the number of attendees at live and satellite sites (he will know the number of call-ins from the conference operator).
   ii. Consider whether to include a summary of the Committee program (and any materials) via Connect, in the committee newsletter, and on the website.
   iii. Consider conducting a survey at the end of the year regarding your Committee’s meeting its members program needs.
LIST OF COSPONSORING ORGANIZATIONS

**Including All State and Local Bar Associations**

Allen & Overy LLP

Alston & Bird LLP

American Antitrust Institute (AAI)

American Association of Law Schools (AALS)

American Bankers Association

American Corporate Counsel Association

American Intellectual Property Law Association (AIPLA)

American Health Lawyers Association

American Hospital Association

American Society of Association Executives

Andrew Kurth

Arnold & Porter Kaye Scholer

Ausley & McMullen PA

Axinn Veltrop & Harkrider LLP

Baker & McKenzie

Baker Botts

Baker Donelson

Baker McKenzie

Bass Berry & Sims PLC

Barra Mexicana

Bennett Jones LLP

Bingham McCutchen LLP
Dickinson Wright
Drinker Biddle & Reath LLP
Duane Morris LLP
Economists, Inc.
Edgeworth Economists LLC
Energy Bar Association
European Lawyers Association
Federal Bar Association
Federal Communications Bar Association
Federal Trade Commission (FTC)
Foley & Lardner LLP
Food & Drug Law Institute (FDLI)
French Bar Association
Freshfields Bruckhaus Deringer LLP
Fried, Frank, Harris, Shriver & Jacobson LLP
Georgia Chapter of the American Corporate Counsel Association
Gibson Dunn & Crutcher LLP
Greenberg Traurig LLP
Godfrey & Kahn SC
Goodwin Procter LLP
Haynes and Boone, LLP
Hausfeld LLP
Hogan Lovells
Hunton and Williams LLP
Ice Miller LLP
International Bar Association
International Chamber of Commerce
International Competition Network (ICN)
International Franchise Association
Inter Pacific Bar Association
Jones Day
Kelley Drye LLP
King & Spalding LLP
Kirkland & Ellis LLP
K&L Gates LLP
Law Society of England and Wales
Latham & Watkins LLP
Leiff Cabraser Heinman & Bernstein LLP
Linklaters LLP
Loeb & Loeb
Lustigman Firm, PC
Manatt, Phelps & Phillips, LLP
Mayer Brown LLP
McCarthy & Tetrault
McDermott Will & Emery
McGuire Woods LLP
Morgan Lewis & Bockius LLP
McMillan LLP
Mexico Bar Association
Shook Hardy & Bacon
Sidley Austin LLP
Skadden, Arps, Slate, Meagher & Flom LLP
Steptoe & Johnson LLP
Squire Sanders LLP
Sullivan & Cromwell
Thompson & Knight
U.S. Chamber of Commerce
U.S. Department of Justice, Antitrust Division
Vorys, Sater, Seymour and Pease LLP
Venable LLP
Weil, Gotshal & Manges LLP
White & Case LLP
Wiggin & Dana LLP
Williams & Connolly LLP
Wilmer Cutler Pickering Hale & Dorr, LLP
Wilson Sonsini Goodrich & Rosati
Womble Carlyle Sandridge & Rice LLP