Friday, May 31, 2019

12:00PM – 12:30PM  Registration

12:30PM – 12:45PM  Welcome and Introduction

Frank X. Neuner, Jr., Chair
ABA Standing Committee on Public Protection in the Provision of Legal Services
Founder and Managing Partner, NeunerPate, LLC

12:45PM – 2:15PM  Town Hall Meeting

Representatives from each jurisdiction present will highlight the major accomplishments of their client protection programs during the past year, and will address issues or problems they are currently confronting. Jurisdictions should assign a representative to provide a brief update of their fund’s activities, not to exceed 3 minutes.

Facilitators: Scott Kozlov, UPL Counsel
Attorney Registration and Disciplinary Commission of the Illinois Supreme Court

Minerva Elizaga*, Senior Counsel
Office of Attorney Services at the Supreme Court of Ohio

2:15PM – 3:30PM  Innovations in Claims Investigations

Attendees will explore innovative solutions to common problems encountered during the claims investigating process.

Facilitators: Alecia M. Ruswinckel, Professional Standards Assistant Counsel
State Bar of Michigan

Michael Harmon*, President
National Client Protection Organization
Deputy Director
Office of Professional Conduct of the Arkansas Judiciary

3:30PM – 3:40PM  Refreshment Break

3:40PM – 5:00PM  Breakout Sessions

Breakout #1  Succession Planning

What jurisdictions currently require some form of succession planning by lawyers in private practice? What are the pros and cons of succession planning and how do they specifically benefit lawyers’ funds for client protection? If there is a benefit to lawyers’ funds, should funds be more active in promoting the adoption of mandatory succession planning? Attendees will engage in a
discussion about these and other questions on this increasingly important subject.

Moderator:  H.T. Moore*, Partner
Goodwin Moore, PLLC

Breakout #2
(Joint Session with National Conference on Professional Responsibility)

Does mandating that lawyers secure professional liability coverage protect the public? Does mandatory disclosure of coverage protect clients? Oregon and Idaho require that lawyers in private practice in their states carry professional liability insurance and a number of other states require disclosure of insurance status. California and Washington are examining the possibility. The panelists for this Joint Session with the National Conference on Professional Responsibility will discuss the public protection, ethics, economic and market issues presented when lawyers are required to secure and/or disclose whether they carry professional liability insurance.

Moderator:  Susan Saab Fortney, Professor of Law and Director of the Program for the Advancement of Legal Ethics

Panelists:  Carol J. Bernick, Chief Executive Officer
Oregon Professional Liability Fund

Steve Crossland, Crossland Law Office
Past President
Washington State Bar Association

Randall A. Miller, Founding Partner
Miller Law Associates & Chair of the State Bar of California
Malpractice Insurance Working Group

5:00PM – 6:30PM  Joint Reception w/ National Conference on Professional Responsibility

Saturday, June 1, 2019
7:00AM – 4:00PM  Registration
7:00AM – 8:45AM  Networking Breakfast
9:00AM – 10:15AM  Hot Topics for Client Protection Funds
Using issues and concerns raised during Friday’s Town Hall Meeting as a launching pad, this moderated discussion will focus on current challenges facing lawyers’ funds
for client protection and other client protection mechanisms. The Model Rules for Lawyers’ Funds for Client Protection, the NCPO Standards, jurisdictional rules and standards, as well as established precedent will be applied to help attendees evaluate and propose solutions to emerging client protection matters.

Moderator: Karen D. O’Toole, General Counsel
Massachusetts Clients’ Security Board

10:15AM – 10:30AM Refreshment Break

10:30AM – 11:45AM Age Related Impairment and Transitioning into Retirement

As the lawyer population continues to age, the conversation surrounding lawyers suffering from age related impairments and transitioning them to dignified retirement continue. There is a meaningful relationship between client losses, whether intentional through direct misappropriation or unintentional through unearned fees when the lawyer is simply unable to complete the scope of work, and the impact on claimants and lawyers’ funds. This session will discuss those challenges, as well as existing and potential solutions.

Moderator: Dawn Miller Evans*, Disciplinary Counsel and Director of Regulatory Services
Oregon State Bar

Frank X. Neuner, Jr., Partner, NeunerPate, LLC
Chair, ABA Standing Committee on Client Protection

Panelists: William D. Slease, Chief Disciplinary Counsel
Disciplinary Board of the New Mexico Supreme Court

Janet Welch, Executive Director
State Bar of Michigan

11:45AM – 1:00PM Lunch (On Your Own)

1:00PM – 2:15PM Lawyer Well-Being as A Loss Prevention Mechanism

There’s an old saying that “hurt people hurt people.” The same is often true for lawyers – hurt lawyers harm clients. This session will engage attendees in a discussion about the importance of lawyer well-being programs as a loss prevention mechanism and how intervention can mitigate client losses and claims to lawyers’ funds.

Moderator: Renu M Brennan*, Deputy Director
Virginia State Bar Association

Panelists: Minerva Elizaga*, Senior Counselor
Office of Attorney Services at the Supreme Court of Ohio
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| 2:15PM – 4:00PM | **Difficult Claims Interactive Workshop**  
Presented by the National Client Protection Organization  
The NCPO will lead an interactive discussion of such issues as difficult claims, restitution and subrogation as they pertain to lawyers' funds for client protection in the United States and Canada.  
Facilitator: Daniel R. Hendi, Director  
New Jersey Lawyers’ Fund for Client Protection |
| 4:00PM – 4:05PM | **MCLE**  
The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, ME, MN, MS, MO, MP, MT, NH, NJ, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for CLE credit hours in 60-minute states, and in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states.  
For more information about CLE accreditation in your state, visit http://ambar.org/CPREvents or contact Annie Kuhlman at annie.kuhlman@americanbar.org.  
**SCHOLARSHIPS:** A limited number of scholarships to defray tuition expenses for lawyers who are unable to attend the program due to cost considerations are available for this program. To receive additional information, please contact Annie Kuhlman (annie.kuhlman@americanbar.org). Scholarship requests must be received by no later than 30 days prior to the program presentation.