Friday, May 31, 2019

12:00PM – 12:30PM  |  Registration
Marriott, Parq Grand Ballroom Pre-Function Area, 2nd Fl

12:30PM – 12:45PM  |  Welcome and Introduction
Marriott, Kitsilano Ballroom D, 2nd Fl
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
Marriott, Kitsilano Ballroom D, 2nd Fl
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, Director of UPL Litigation/Senior Counsel Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois
Minerva Elizaga*, Senior Counsel Office of Attorney Services at the Supreme Court of Ohio

2:15PM – 3:30PM  |  Innovations in Claims Investigations
Marriott, Kitsilano Ballroom D, 2nd Fl
Attendees will explore innovative solutions to common problems encountered during the claims investigation process.
Facilitators: Alecia M. Ruswinckel, Professional Standards Assistant Division Director State Bar of Michigan
Michael Harmon*, President National Client Protection Organization Deputy Director Office of Professional Conduct of the Arkansas Judiciary

3:30PM – 3:45PM  |  Refreshment Break
Breakout Sessions

Breakout #1

Succession Planning

Marriott, Kitsilano Ballroom D, 2nd Fl

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

Panelists: Eileen Donahue, Director, Client Protection
Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois

Dean A. Schaffer, Appeals and Special Projects Office of the Chief Disciplinary Counsel
State Bar of Texas

Eric Seiff, Of Counsel, Storch Amini P.C.
Chair, New York Lawyers’ Fund

Breakout #2


(Joint Session with National Conference on Professional Responsibility)

Marriott, Kitsilano Ballroom B & C, 2nd Fl

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
Texas A&M University School of Law

Panelists: Carol J. Bernick, Chief Executive Officer
Oregon Professional Liability Fund
Maureen Ryan Braley, Assistant Director
Idaho State Bar

Douglas J. Ende, Chief Disciplinary Counsel
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**  
*Mariott, Fairview Ballroom & Terrace, 2nd Fl*

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**Saturday, June 1, 2019**

**7:00AM – 4:00PM**

**Registration**  
*Mariott, Parq Grand Ballroom Pre-Function Area, 2nd Fl*

**7:00AM – 8:45AM**

**Networking Breakfast**  
*Mariott, Fairview IV-V & Terrace, 2nd Fl*

**9:00AM – 10:15AM**

**Hot Topics for Client Protection Funds**  
*Mariott, Granville, 2nd Fl*

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**  
*Mariott, Granville, 2nd Fl*

As the lawyer population continues to age, the conversation surrounding lawyers suffering from age-related impairments and transitioning them to dignified retirement continue. In addition to discussing issues relating to lawyer competence and proper maintenance of client funds under Model Rules of Professional Conduct 1.1 and 1.15, as well as other duties owed to clients under the ethics rules, there are implications for client protection funds. There is a meaningful relationship between client losses, whether intentional through direct misappropriation or unintentional through unearned fees (which also implicates Model Rule 1.5), and the impact on claimants and lawyers’ funds. This session will discuss those challenges, as well as existing and potential solutions.
Moderators: Dawn Miller Evans*, Disciplinary Counsel and Director of Regulatory Services Oregon State Bar

Panelists: Frank X. Neuner, Jr., Partner, Chair ABA Standing Committee on Public Protection Founder and Managing Partner, NeunerPate, LLC
Derek LaCroix QC, Executive Director Lawyers Assistance Program of B.C.
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
Marriott, Granville, 2nd Fl

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

Panelists: Lindsey D. Draper, CPR CLE and Diversity Committee Member Janet Green-Marbley, Administrator, Lawyers’ Fund for Client Protection Supreme Court of Ohio

2:15PM – 2:30PM

Break

2:30PM – 4:00PM

Difficult Claims Interactive Workshop
(Presented by the National Client Protection Organization)
Marriott, Granville, 2nd Fl

Moderator: Michael T. McCormick, Senior Counsel New Jersey Lawyers’ Fund for Client Protection

Facilitators: Trinity M. Braun-Arana, Assistant Director for Boards and Commissions, Clients’ Security Commission Iowa Judicial Branch Andrew J. (Drew) Cloutier, Partner, Hinkle Shanor LLP Chair, New Mexico Client Protection Fund Julia Crossland, Deputy Bar Counsel Client Assistance Fund Idaho State Bar
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4:00PM – 4:05PM

Root Edmonson, Deputy Counsel
North Carolina State Bar, Client Security Fund

Karen D. O'Toole, General Counsel
Massachusetts Clients' Security Board

David Weyant, QC, President and Chief Executive Officer
ALIA, ALIEX

Law Society of Alberta

Closing Remarks
Marriott, Granville, 2nd Fl

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

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 9.25 CLE credit hours in 60-minute states, and 11.10 credit hours 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.