## Thursday, November 7, 2019

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>8:00AM – 9:00AM</td>
<td>Registration</td>
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<tr>
<td>9:00AM – 9:05AM</td>
<td><strong>Welcome</strong>&lt;br&gt;Scott Kozlov, Director, Unauthorized Practice of Law Litigation, Senior Counsel, Attorney Registration &amp; Disciplinary Commission of the Supreme Court of Illinois (ARDC)</td>
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<td>9:05AM – 9:30AM</td>
<td><strong>Keynote Address</strong>&lt;br&gt;Justice Melody J. Stewart, Supreme Court of Ohio</td>
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<td>9:30AM – 10:30AM</td>
<td><strong>Meet the Players</strong>&lt;br&gt;Meet attendees from represented jurisdictions and enforcement agencies. The moderator will use interactive polling technology to gauge trends and challenges in UPL enforcement. Attendees should be prepared to discuss the status of unauthorized practice of law activities in their jurisdiction, including enforcement successes and challenges. Minerva B. Elizaga, Assistant Director, Office of Attorney Services, Supreme Court of Ohio</td>
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<td>10:30AM – 10:45AM</td>
<td>Refreshment Break</td>
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<td>10:45AM – 12:00PM</td>
<td><strong>Breakout Sessions</strong>&lt;br&gt;<strong>Breakout #1</strong>&lt;br&gt;<strong>Nonlawyer Online Legal Services: Where Technology Intersects With the Practice of Law</strong>&lt;br&gt;The proliferation of nonlawyer owned websites offering legal services continues unabated with no signs of slowing down. While offering forms of legal services to those who may not otherwise be able to afford or access them, these sites continue to raise UPL concerns and ethical issues for lawyers who work with them. Mindful of the need to protect the public while not stifling access, UPL regulators have pursued these sites with mixed results. What should the future hold in terms of investigating and pursuing UPL cases? Discussion and analysis of a current UPL case involving a nonlawyer website will help the audience decide. Moderator: William A. Spillias, Unlicensed Practice of Law Counsel, The Florida Bar&lt;br&gt;Panelist: David P. Atkins, Head of Professional Liability Section, Pullman Comley LLC</td>
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Breakout #4

Shining Example or Risky Business…Regulating Nonlawyer Practice Before Federal Agencies

Certain federal agencies permit lawyer and nonlawyer practitioners to render legal services. This session will explore examples of nonlawyer practice before federal agencies and address how these individuals are regulated by those entities versus how they regulate lawyers. Do such regulatory constructs differ for lawyer versus nonlawyer practitioners? Should they? What are the advantages and disadvantages of permitting nonlawyer practice before these entities? Is the public interest adequately protected?
Moderator: Christopher Adeloye, Staff Attorney, Office of General Counsel
U.S. Department of Veterans Affairs

Panelist: William J. Griffin, Deputy Director, Office of Enrollment & Discipline (OED), United States Patent & Trademark Office (USPTO)

Refreshment Break

Breakout Sessions

Breakout #5

**UPL Investigative Tools and Techniques**
This presentation will discuss the nuts and bolts of investigating and prosecuting a UPL case. Using real cases, attendees will learn about investigative “rules of thumb,” be provided with useful tips regarding how investigations and discovery should proceed, and learn about common defense tactics, among other topics.

Moderator: Minerva B. Elizaga, Assistant Director, Office of Attorney Services, Supreme Court of Ohio

Speaker: David Kutik, Senior Advisor at Legal Aid Society of Cleveland; Adjunct Professor at Case Western Reserve University School of Law

Breakout #6

**Nonlawyer Involvement in Immigration – How and Why Do Clients Use UPL Practitioners?**
This panel explores how immigrants wittingly or unwittingly become involved with UPL practitioners, using a sociological perspective of the role of legal professionals around the world. The context of legal systems and the role of lawyers in their home countries informs how immigrants to the U.S. decide from whom to seek assistance when navigating the immigration process.

Moderator: Rachel Kao, Attorney at Law

Panelists: Royal Berg, Attorney at Law

Ambassador Reyna Torres Mendivil, Consul General of Mexico, Chicago, Illinois
Friday, November 8, 2019

Breakout Sessions

Breakout #1

**Unlikely Partners – Collaborating with Other Agencies**

Sometimes, helpful investigatory resources are hidden in plain sight. All we need to do is reach out and ask. Panelists will engage attendees in a discussion about how to best identify, contact, and collaborate with other agencies at the state and federal level to help facilitate UPL investigations and prosecutions. By exploring the options, attendees will take away new ideas to put into practice.

**Moderator:** Jerome E. “Jerry” Larkin, Administrator, Attorney Registration & Disciplinary Commission of the Supreme Court of Illinois (ARDC)

**Panelists:**
- Rigo Reyes, Executive Director, Office of Immigrant Affairs – County of Los Angeles Department of Consumer and Business Affairs (DCBA)
- Mark Sakalares, Supervisory Special Agent, National Insurance Crime Bureau
- David White, Acting Supervising Special Agent, Federal Bureau of Investigation Chicago Division, Transnational Organized Crime

Breakout #2

**Clearly It’s UPL. What Can You Do?**

Jurisdictions handle UPL in a variety of ways. Let’s try to learn from each other. This program will engage attendees in a dialogue about the possible remedies available when an investigation reveals that a respondent is engaging in UPL. Regulators from various jurisdictions will discuss the options that they pursue and seek audience input about how they proceed.

**Moderator:** Melissa Smart, Litigation Manager, Attorney Registration & Disciplinary Commission of the Supreme Court of Illinois (ARDC)

**Panelists:**
- Agustin “Gus” Hernandez, Supervising Attorney, Office of Chief Trial Counsel, The State Bar of California
- James D. “Jim” Lee, Assistant Bar Counsel, State Bar of Arizona
- Rosanne Pulia, Assistant State’s Attorney, Deputy Supervisor, Cook County State’s Attorney’s Office Consumer Fraud Unit, Office of Special Prosecutions
10:20AM – 10:30AM

Refreshment Break

10:30AM – 12:00PM

Closing Plenary

North Carolina State Board of Dental Examiners v. FTC – Has It Taken The Teeth Out of UPL Enforcement?

Panelists, including regulators and representatives from the FTC, will involve attendees in a discussion about the impact of the U.S. Supreme Court’s decision. What are the lessons learned to date, and how will this seminal case impact the regulation of the practice of law and UPL enforcement going forward?

Moderator:  Gregory C. Sapakoff, Deputy Regulation Counsel, Office of Attorney Regulation Counsel, Colorado Supreme Court

Panelists:  Steven J. Kaczkowski, Director, Unlicensed Practice of Law, State Bar of Georgia

Angie L. Ordway, Staff Attorney, Indiana Supreme Court Disciplinary Commission

David O’Toole, Senior Staff Attorney, Federal Trade Commission, Midwest Region

MCLE

The ABA will seek 6.5 hours of CLE credit in 60-minute states, and 7.5 credit hours in 50-minute states. Credit hours are estimated and are subject to each state’s approval and credit rounding rules. Please visit www.americanbar.org/mcle for general information on CLE at the ABA. Please visit the program website at https://www.americanbar.org/events-cle/mitg/inperson/379674755/schedule/ for program CLE details or visit www.americanbar.org/mcle for general information on CLE at the ABA.

For more information about CLE accreditation in your state, visit http://ambar.org/CPREvent or contact Annie Kuhlman.

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.

Scholarship requests must be received by no later than 30 days prior to the program presentation.