

Midyear Meeting Highlights

BY KYO SUH

The Section held its Midyear Meeting in New Orleans from February 3 to 5. In addition to scheduled committee and business meetings, the Section offered the following CLE programs on white collar crime, cyber crime, diversion, and juvenile justice:

A Comprehensive View of Where Cyber Crime Is Heading in 2012. Panelists provided an overview of the laws relating to cyber crime and proposed changes, and the problems and emerging trends in cyber crime investigations. Panelists focused on the area of cyber security and the types of breaches that occur as a result of cyber attacks, internal compromises by disgruntled and former employees, negligence, vulnerable software, and inadvertent user error. Other topics included social media as an instrument of crime, and as a source of evidence, and legislation around the country regarding cyber-bullying. Panelists included Pablo A. Martinez, deputy special agent in charge, US Secret Service, Washington, D.C.; Erez Liebermann, assistant US attorney for the District of New Jersey; Jordan Ginsberg, assistant US attorney for the Eastern District of Louisiana; Virginia Schlueter, federal public defender of the Eastern District of Louisiana; John Reed Stark, managing director and deputy general counsel, Stroz Friedberg, Washington, D.C.; Eric Christopher Nemecek, Ian N. Friedman & Associates, LLC, Cleveland, Ohio; and Matthew A.S. Esworthy, partner at Shapiro Sher Guinot & Sandler in Baltimore.

Why Is Qui Tam Litigation Often so Difficult to Resolve. This panel discussed the new paradigm and the practices and procedures that can be utilized to find quicker, more efficient, and more equitable settlements of appropriate qui tam cases. The panel also examined what has and has not worked in the resolution of complex FCA cases and what should be more carefully examined going forward to adapt to the ever-changing face of vigorous qui tam enforcement. Panelists included Marc S. Raspanti, Pietragallo Gordon Alfano Bosick &

Raspanti, LLP, Philadelphia; David L. Douglass, Shook, Hardy & Bacon LLP, Washington, D.C.; Margaret (Peg) Hutchinson, chief, Civil Division, USAO for the EDPA, Philadelphia; and Meredith S. Auten, Morgan Lewis, Philadelphia.

Caught in the Crosshairs: Crossover, Dual Jurisdiction, and Multi-System Youth. Panelists included Louisiana State University Law School Professor Lucy S. McGough; Christopher D. Chiles, prosecuting attorney for the Cabell County Prosecuting Attorney's Office; Hon. Ernestine Gray, chief judge of the Orleans Parish Juvenile Court, Section "A"; Robert Schwartz, executive director of the Juvenile Law Center; and Ira H. Thomas Sr., board member of the Orleans Parish School Board.

Diversion: Best Practices to Ensure Fairness, Conserve Public Funds and Enhance Public Safety. The panelists for this program, organized by the State Policy Implementation Project Task Force, included Hon. Matthew J. D'Emic of the New York State Supreme Court; Hon. Arthur L. Hunter, Jr., of the Orleans Parish Criminal District Court; Hon. Bernette Joshua Johnson of the Louisiana Supreme Court; Andree Mattix, director of Social Services with the Orleans Parish District Attorney's Office; Tim Murray, executive director of the Pretrial Justice Institute; Jee Park, special litigation counsel with the Orleans Public Defenders; and Robert Weisengoff, director of Maryland Pretrial Release Services.

The Section also sponsored *Careers in Criminal Law Panel Discussion* at Tulane Law School. During the CJS reception, Mary Haviland, executive director of the NYC Alliance Against Sexual Assault, received the Section's Frank Carrington Crime Victim Attorney Award.

New Resources

The Global Anti-Corruption Task Force published a special report drafted by the University of Chicago Law School Corporate Lab and co-sponsored by Microsoft Corporation, entitled: *Complying with the Foreign Corrupt Practices Act: A Practical Primer*. This report highlights the importance of FCPA compliance programs, presents a comprehensive framework for understanding and designing such programs, and provides detailed metrics that aim to improve the efficacy of compliance programs. It is a significant contribution to the literature of corporate compliance. The report is available free of charge at the task force's website at www2.americanbar.org.

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org/sections/criminaljustice/CR121212.

The Federalization of Criminal Law, a 1998 report by the ABA-CJS Task Force on the Federalization of Criminal Law, is back in demand. The book is out of print, but is now available online at the “Resources” page of the CJS website at www.americanbar.org/crimjust.

The Winter 2012 edition of the *White Collar Crime Committee Newsletter* is available online at www.americanbar.org/crimjust.

The CJS Video Project showcases CJS member testimonials and policy perspectives. The CJS YouTube™ Channel is at www.youtube.com/user/ABACriminalJustice. ■