

# DETAILED SESSION INFORMATION

All sessions held at Stanford Law School, room assignments available upon arrival

\* indicates session chair

## FRIDAY, JULY 16

### 9:00-9:15am Welcome

*Deborah L. Rhode*, E.W. McFarland Professor of Law; Director, Center on the Legal Profession, Stanford Law School, U.S.

### 9:15-10:45am Session #1 -- Plenary

#### 1A: Lawyers as Leaders

Summary: This panel will explore the role of lawyers as leaders and the rationale for addressing that role in legal education in general and in the legal ethics course in particular. Attention will focus on their historical and contemporary contributions, and the special challenges faced by lawyers of color.

#### Panelists:

*Robert W. Gordon*, Chancellor Kent Professor of Law and Legal History, Yale Law School, U.S.

*Geoffrey Hazard*, Thomas E. Miller Distinguished Professor of Law, UC Hastings College of the Law, U.S.

\**Deborah L. Rhode*, Ernest W. McFarland Professor of Law; Director, Center on the Legal Profession, Stanford Law School, U.S.; Paper: "Lawyers as Leaders"

*David Wilkins*, Lester Killer Professor of Law; Director, Program on the Legal Profession, Harvard Law School, U.S.

#### 1B: Roundtable on Legal Ethics in Legal Education: Should it be a Required Course?

Summary: This panel will consider the appropriate content for legal ethics instruction and the rationale for making it mandatory in legal education, particularly in countries that currently lack such a requirement.

#### Panelists:

*Andrew Boon*, Dean, University of Westminster School of Law, UK

*Brent Cotter*, Dean, College of Law, University of Saskatchewan, Canada

\**Kim Economides*, Professor of Law; Director, Legal Issues Centre, University of Otago, New Zealand

*Christine Parker*, Associate Professor and Reader, University of Melbourne Law School, Australia

*Stephen L. Pepper*, Professor, University of Denver Sturm College of Law, U.S.; Paper: "Ethics Theory in the Basic Required Course"

*Richard Wu*, Associate Professor of Law, University of Hong Kong

**11:00-12:30pm Session #2**

### **2A: Access to Justice: Confronting the Roadblocks**

Summary: This panel will explore challenges in making effective legal counsel available in different cultural settings in Europe, Africa, Singapore, and the United Kingdom.

Panelists:

*M. Elvira Méndez-Pinedo*, Associate Professor of European Law, University of Iceland; Paper: "Access to Justice in European Law: From Procedural Rules on Access to Courts to Substantive Social Justice"

*Amari Omaka*, Director, Ebonyi State University Law Clinic, Nigeria; Paper: "The Lawyer and his Client: A Critical View on Bail, Corruption, and Ethics in Criminal Justice Administration in Sub Saharan Africa"

\**Hannah Quirk*, Lecturer in Criminal Law and Justice, University of Manchester School of Law, UK; Paper: "Legal Advice and the Right to Silence: Tipping the Balance at the Police Station"

*Helena Whalen-Bridge*, Assistant Professor, Faculty of Law, National University of Singapore; Paper: "A Criminal Defendant's Right to Counsel and Pro Bono: An Odd Couple in the Access to Justice Arena"

### **2B: Comparative Studies in Lawyer Deviance and Discipline: Canada, Australia, New Zealand, and the United States**

Summary: This panel will explore the different ways that lawyer misconduct is handled in English-speaking countries with somewhat similar legal systems.

Panelists:

\**Richard Abel*, Michael J. Connell Professor of Law (Emeritus), UCLA School of Law, U.S.

*Donna Buckingham*, Associate Professor, Faculty of Law, University of Otago, New Zealand

*Kim Economides*, Professor of Law; Director, Legal Issues Centre, University of Otago, New Zealand

*Linda Haller*, Senior Lecturer, University of Melbourne Law School, Australia

*Selene Mize*, Faculty of Law, University of Otago, New Zealand

*Alice Woolley*, Associate Professor, Faculty of Law, University of Calgary, Canada

### **2C: Confidentiality and Conflicts of Interest**

Summary: This panel will focus on current issues raised by rules governing confidentiality and conflicts of interest in Europe, Canada, and the United States.

Panelists:

*Rebecca Aviel*, Assistant Professor, University of Denver, Sturm College of Law, U.S.; Paper: "Resolving Confidentiality Conflicts"

*Jonathan Goldsmith*, Secretary General, Council of Bars and Societies of Europe

\**Donald B. Hilliker*, Of Counsel, McDermott, Will & Emery, Chicago, U.S.

*Nancy Moore*, Professor of Law and Nancy E. Barton Scholar, Boston University School of Law, U.S.

*Ramon Mullerat*, OBE, Former President of the Council of the Bars and Law Societies of the European Union (CCBE); KPMG Abogados, Barcelona, Spain

*Paul D. Paton*, Professor of Law; Director, Ethics Across the Professions Initiative, University of the Pacific, McGeorge School of Law, U.S.

## **2D: Legal Culture and Legal Ethics**

Summary: This panel will address cultural influences on legal practice in Northern Ireland, Germany, and the United States.

Panelists:

\**Kieran McEvoy*, Professor of Law and Transitional Justice, Queen's University, Belfast School of Law, Northern Ireland; Paper: "Lawyers Under Pressure: Professionalism, Conflict and the Culture of Quietism in Northern Ireland"

*Gabriele Plickert*, Research Fellow, Program on the Legal Profession, Harvard Law School, U.S.; Paper: "What Rules the Ethical Rule? A Snapshot of Legal Cultures in the United States and Germany"

## **2E: Legal Ethics and Constitutional Values**

Summary: This panel will look at how issues of free speech, national security, and effective assistance of counsel play out in various legal practice settings.

Panelists:

*Kathleen Clark*, Professor of Law, Washington University Law School, U.S.; Paper: "Congress's Right to Counsel in Intelligence Oversight"

*Renee Newman Knake*, Assistant Professor of Professional Responsibility, Michigan State University College of Law, U.S.; Paper: "Attorney Advice and the First Amendment"

\**Peter S. Margulies*, Professor of Law, Roger Williams University School of Law, U.S.; Paper: "Changing of the Guard: National Security Decisions, the Obama Administration, and Transitional Legal Ethics"

*Rachel Spencer*, Director, Professional Programs, University of South Australia School of Law, Australia; Paper: "Legal Ethics and the Media: Are the Ethics of Lawyers and Journalists Irretrievably at Odds?"

## **2F: The Global Law Firm: Relationships of Trust and Regulation of the Legal Profession in the 21st Century**

Summary: This panel will consider how professional and cultural values play out in the structure of contemporary legal practice.

Panelists:

*Susan Fortney*, Paul Whitfield Horn Professor of Law, Texas Tech University School of Law, U.S.; Paper: "Changing Times, Changing Controls, Changing Culture, and Changing Conduct in Law Firms"

*Russell G. Pearce*, Faculty Director, Institute on Religion, Law, and Lawyers' Work, Fordham University School of Law, U.S.

*Laurel S. Terry*, Harvey A. Feldman Distinguished Faculty Scholar and Professor of Law, Penn State University Dickinson School of Law, U.S.

\**Robert Vischer*, Associate Professor, University of St. Thomas School of Law, U.S.; Paper: "Trust and the Global Law Firm: Are Relationships of Trust Still Central to the 21st Century Legal Profession?"

*Brad Wendel*, Professor of Law, Cornell University Law School, U.S.

**12:45-1:45pm Session #3 -- Lunch**

Keynote Speaker: *Carolyn Lamm*, President, American Bar Association

**2:00-3:30pm Session #4**

**4A: Cause Lawyering**

Summary: This panel will explore issues in educating, socializing, inspiring, and subsidizing lawyers working for social causes and underrepresented groups in different cultural settings.

Panelists:

*Susan Carle*, Professor of Law, American University, Washington College of Law, U.S.;  
Paper: "Legal Ethics and Structural Change: A Case Study"

*Mae C. Quinn*, Professor of Law; Co-Director, Civil Justice Clinic, Washington University Law School, U.S.; Paper: "Teaching Public Citizen Lawyering: Notes from the Road of Aspiration to Inspiration"

*Rebecca Sandefur*, Assistant Professor of Sociology and (by courtesy) Law, Stanford University, U.S.; Paper: "The Private Subsidy of Public-Serving Lawyers"

\**Hilary Sommerlad*, Director, Centre for Diversity in the Professions, Leeds Metropolitan University, UK; Paper: "Neo Liberal Governance and the Crisis of Ethics: The Case of Legal Aid Reform in England and Wales"

*Limor Zer-Gutman*, Lecturer, The College of Management Academic Studies, School of Law, Israel; Paper: "The Israeli Bar v. Cause Lawyering and Legal Education Clinics"

**4B: Ethics Under Pressure: Changing Regulation of Global Law Practice**

Summary: This panel will offer perspectives on the regulation of legal practice in the United States and United Kingdom, and its implication for global law firms and the delivery of legal services.

Panelists:

\**Andrew Boon*, Dean, University of Westminster School of Law, UK

*Anthony E. Davis*, Partner, Hinshaw & Culbertson, New York, U.S.; Paper: "Regulation of the Legal Profession in the United States and the Future of Global Law Practice"

*John Flood*, Professor of Law & Sociology, University of Westminster School of Law, UK

*Judith L. Maute*, William J. Alley Professor of Law, University of Oklahoma College of Law, U.S.; Paper: "Implementation of the U.K. Legal Services Act (2007) and its Potential Impact There and Afar: A Gaze Into the Future"

*Daniel Muzio*, Senior Lecturer in Employment Relations, Leeds University Business School, UK

**4C: Global Approaches to Legal Ethics in Class Actions**

Summary: This panel will explore the growing interest in lawyer-driven class action litigation in Australia, Canada and Europe, and the lessons that can be drawn from the American experience.

Panelists:

*Peter Cashman*, Kim Santow Chair in Law & Social Justice; Director of Social Justice Program, University of Sydney, Australia

*Deborah R. Hensler*, Judge John W. Ford Professor of Dispute Resolution; Associate Dean for Graduate Studies, Stanford Law School, U.S.

\**Jasminka Kalajdzic*, Assistant Professor, Faculty of Law, University of Windsor, Canada

*Nancy Moore*, Professor of Law and Nancy E. Barton Scholar, Boston University School of Law, U.S.

*Lorne Sossin*, Dean, Osgoode Hall Law School, York University, Canada

*Ianika Tzankova*, Senior Associate, Nauta Diltih; Professor, Tilburg University, Netherlands

#### **4D: Legal Ethics and Professionalism in Legal Education: Global Collaboration**

Summary: This panel will discuss innovative approaches to teaching professionalism in legal education in different cultural settings.

Panelists:

*Charlotte Alexander*, Deputy Director, National Institute for Teaching Ethics and Professionalism, Georgia State University College of Law, U.S.

\**Clark D. Cunningham*, W. Lee Burge Professor of Law & Ethics, Georgia State University College of Law, U.S.

*Nigel Duncan*, Principal Lecturer, The City Law School, City University London, UK

*Paul Marharg*, Professor of Legal Education, Northumbria Law School, UK

#### **4E: Legal Practice and Business Imperatives: Reintegrating Ethics into Economics and Law**

Summary: Building on work on the ethical foundations of economics and on the moral content of lawyering, this panel will explore approaches to law practice that take seriously both its business aspects and ethical commitments. The central premise is that if economic exchanges and jurisprudence have significant moral dimensions, then law practice as a business necessarily entails substantial moral responsibility.

Panelists:

*David Luban*, Frederick J. Haas Professor of Law & Philosophy, Georgetown Law Center, U.S.

\**Russell G. Pearce*, Faculty Director, Institute on Religion, Law, and Lawyers' Work, Fordham University School of Law, U.S.

*William H. Simon*, Arthur Levitt Professor of Law; Everett B. Birch Professor in Professional Responsibility, Columbia Law School, U.S.

*Eli Wald*, Charles W. Delaney, Jr. Associate Professor of Law, University of Denver, Sturm College of Law, U.S.

**3:45-5:15pm Session #5**

#### **5A: A Modern Legal Ethics: Author Meets Critics**

Summary: This panel will explore the ethical issues raised by Daniel Markovits' book *A Modern Legal Ethics: Adversary Advocacy in a Democratic Age*. Particular attention will focus on issues of role morality and the contributions of philosophical approaches to dilemmas of legal practice.

Panelists:

*Gregory Cooper*, Associate Professor; Director, Society and the Professions, Washington and Lee University Law School, U.S.

*Tim Dare*, Associate Professor, Department of Philosophy, University of Auckland, New Zealand

*David Luban*, Frederick J. Haas Professor of Law & Philosophy, Georgetown Law Center, U.S.

*Daniel Markovits*, Professor of Law, Yale Law School, U.S.

\**Brad Wendel*, Professor of Law, Cornell University Law School, U.S.

*Alice Woolley*, Associate Professor, Faculty of Law, University of Calgary, Canada

### **5B: Regulating Legal Practice: Global Perspectives**

Summary: This panel will focus on current regulatory issues and lessons that can be drawn from experiences in Australia, the United Kingdom, and the United States.

Panelists:

*Lawton P. Cummings*, Assistant Professor of Law, Washington & Lee University Law School, U.S.; Paper addressing the Financial Action Task Force and the Know Your Client Rules

\**Stephen Gillers*, Emily Kempin Professor of Law, New York University Law School, U.S.

*Ted Schneyer*, Milton O. Riepe Professor of Law, University of Arizona, James E. Rogers College of Law, U.S.; Paper: "If the Major Reforms in the Regulation of Law Practice that are Underway in the U.K. and Australia are Considered for Adoption in the U.S., Will the Substantial Literature on Organizational and Regulatory Theory That Informed the Policymaking Process in Those Countries Get Similar Attention?"

### **5C: Legal Ethics Education in Cultural Context**

Summary: This panel will explore the challenges of teaching legal ethics and moral and professional development in different cultural and clinical settings, including Nigeria and Singapore.

Panelists:

*Sampson Erugo*, Senior Lecturer in Law; Coordinator, Clinical Legal Education Programme, Abia State University, Uturu, Nigeria; Paper: "Teaching Ethics in a Clinical Legal Education Programme: The Nigerian Experience"

*Ernest Ojukwu*, Deputy Director-General and Head, Nigerian Law School, Nnanami Campus; Paper: "Teaching Ethics in a Clinical Legal Education Programme: The Nigerian Experience"

*Kevwe Omoragbon*, University of Ibadan, Nigeria; Paper: "Teaching Ethics in a Clinical Legal Education Programme: The Nigerian Experience"

*Seow Hon Tan*, Associate Professor of Law, Singapore Management University, Singapore; Paper: "Law School and the Making of the Law Student into a Lawyer"

\**Leah Wortham*, Professor, Catholic University of America, Columbus School of Law, U.S.; Paper: "Teaching Legal Ethics in a Corrupt Legal System"

### **5D: Professional Values**

Summary: This panel will consider the different ways that ethical values and reputational interests could and should affect the practice of law and the regulation of lawyers.

Panelists:

*Rakesh K. Anand*, Associate Professor, Syracuse University College of Law, U.S.; Paper: “Advancing Understanding of the Cultural Study of the Lawyer: Philosophical Claims and Comparative Normative Inquiries”

*Rob E. Atkinson, Jr.*, Ruden, McClosky Professor, Florida State University College of Law, U.S.; Paper: “Assessing the Foundations of Neo-Classical Professionalism in Law and Business: Remodeling the Temple, Phase II”

*Emily Hughes*, Associate Professor of Law, Washington University Law School, U.S.; Paper: “Mitigating Ethics” [with particular attention to capital defense teams]

\**Selene Mize*, Faculty of Law, University of Otago, New Zealand; Paper addressing the ways in which the reputation of the profession should (or shouldn't) be taken into account in decision-making by professional societies

*Stephen L. Pepper*, Professor, University of Denver Sturm College of Law, U.S.; Paper: “Three Dichotomies in Lawyers’ Ethics”

**5E: Social and Organizational Psychology**

Summary: This panel will explore how organizational dynamics affect lawyers’ ethical conduct and how professional regulatory structures should respond.

Panelists:

*John Briton*, Legal Services Commissioner, Queensland, Australia

*Elizabeth Chambliss*, Professor of Law; Co-Director, Center for Professional Values and Practice, New York Law School, U.S.

*John Darley*, Warren Professor of Psychology, Princeton University, U.S.

*Christine Parker*, Associate Professor and Reader, University of Melbourne Law School, Australia

\**Milton C. Regan*, Professor of Law; Co-Director, Center for the Study of the Legal Profession, Georgetown Law Center, U.S.

**5F: Technology and Outsourcing**

Summary: This panel will address the opportunities and challenges created by technological advances in the delivery of legal services and the outsourcing of legal tasks across jurisdictional boundaries.

Panelists:

*Swethaa Ballakrishnen*, Research Fellow, Program on the Legal Profession, Harvard Law School, U.S.

*Vikramaditya S. Khanna*, Professor of Law, University of Michigan Law School, U.S.; Paper: “Exploring the Effects of Legal Process Outsourcing to India”

*Cassandra Burke Robertson*, Assistant Professor, Case Western Reserve University School of Law, U.S.; Paper: “Organizational Behavior and International Legal Outsourcing”

*Mark Ross*, Vice President of Legal Services, Integreon

\**Carole Silver*, Professor; Director, Law School Survey of Student Engagement, Indiana University Maurer School of Law, U.S.

*David Wilkins*, Lester Killer Professor of Law; Director, Program on the Legal Profession, Harvard Law School, U.S.

## SATURDAY, JULY 17

9:00-10:30am

Session #6

### 6A: Conflicts of Interest and Contingency Fees

Summary: This panel will explore how lawyers' conflicts of interest, particularly those arising in contingent fee arrangements, can compromise the delivery of legal services, and what structural reforms might be appropriate.

Panelists:

*Simon Chester*, Partner, Heenan Blaikie, Toronto, Canada; Paper comparing how tight markets for legal resources may affect the application of conflict of interest principles

\**Nora Freeman Engstrom*, Assistant Professor of Law, Stanford Law School, U.S.; Paper: "Run-of-the-Mill Justice"

*Annette Morris*, Lecturer, Cardiff University Law School, UK; Paper: "Claims for Sale: Injured Ethics?"

*Adam Shajnfeld*, Law Clerk, The Honorable Paul C. Huck, U.S. District Court for the Southern District of Florida, U.S.; Paper: "A Critical Survey of the Law, Ethics, and Economics of Attorney Contingent Fee Arrangements"

### 6B: Heroic Lawyering: Should Political Liberalism Be A Collective Ethics for Lawyers Worldwide?

Summary: This panel will address the ways in which liberal ideals have influenced lawyers' defense of fundamental human rights and social justice in both historical and contemporary contexts.

Panelists:

*Linda Haller*, Senior Lecturer, University of Melbourne Law School, Australia; Paper: "Political Liberalism as an Ethical Ideal: Comparative and Historical Evidence on Lawyers and the Fight for Basic Legal Freedoms"

\**Terence Halliday*, Research Professor, American Bar Foundation, U.S.; Paper: "Political Liberalism as an Ethical Ideal: Comparative and Historical Evidence on Lawyers and the Fight for Basic Legal Freedoms"

*David Luban*, Frederick J. Haas Professor of Law & Philosophy, Georgetown Law Center, U.S.; Paper: "Guantanamo Lawyers Under Fire"

### 6C: Rural Lawyering

Summary: This panel will focus on the challenges of delivering legal services in rural contexts in Australia and the United States.

Panelists:

*Caroline Hart*, Lecturer in Law, University of Southern Queensland, Australia; Paper: "The Sustainability of Regional, Rural and Remote Area Practice in Queensland"

\**Reid Mortensen*, Professor, Faculty of Business and School of Law, University of Southern Queensland, Australia; Paper: "Bush Lawyers in Australia: A Biographical Survey of Ethics"

*Lisa R. Pruitt*, Professor of Law, University of California, Davis School of Law, U.S.; Paper: "Lawyering in Rural America: An Agenda for Research"



### **6D: Legal Ethics in China and Japan**

Summary: This panel will focus on the emerging issues of legal and judicial ethics, and the rule of law in Japan and China.

Panelists:

*Kay-Wah Chan*, Senior Lecturer, Department of Business Law, Macquarie University, Australia; Paper: “Justice System Reform and Legal Ethics in Japan”

*Lawrence K. Hellman*, Dean and Professor of Law, Oklahoma City University School of Law, U.S.

\**Judith A. McMorrow*, Professor of Law, Boston College Law School, U.S.; Paper: “Creation of Professional Identity in the Chinese Legal Profession”

*Michael Santoro*, Associate Professor, Rutgers University Business School, U.S.; Paper: “The Role of Foreign Business Lawyers in Promoting the Rule of Law in China”

*Richard Wu*, Associate Professor, Faculty of Law, University of Hong Kong; Paper: “Judicial Ethics in the People’s Republic of China: Challenges and Reforms”

### **6E: Legal Ethics and Professional Development in Cultural Context**

Summary: This panel will focus on strategies for encouraging continuing education in legal ethics, and developing models of ethics education and regulation that cut across cultural contexts.

Panelists:

\**Richard Devlin*, Professor, Schulich School of Law, Dalhousie University, Canada; Paper: “Lifelong Learning, Continuing Professional Development and Legal Ethics Education”

*Jocelyn Downie*, Professor, Faculties of Law & Medicine; Canada Research Chair in Health Law & Policy, Schulich School of Law, Dalhousie University, Canada; Paper: “Lifelong Learning, Continuing Professional Development and Legal Ethics Education”

*Philip Genty*, Clinical Professor of Law, Columbia Law School, U.S.; Paper: “The Challenges of Developing Cross-Contextual Legal Ethics Education and Professional Regulation”

### **6F: Professional Regulation: Cross-Cultural Perspectives on the Role of Courts, Professional Bodies, and Rules Governing Ethical Conduct**

Summary: This panel will examine the role of courts, professional rules, and regulatory structures in governing lawyer conduct.

Panelists:

\**Renee Newman Knake*, Assistant Professor of Professional Responsibility, Michigan State University College of Law, U.S.; Paper: “The United States Supreme Court’s Increased Attention to Professional Responsibility Issues: Mere Coincidence or Something More?”

*Suzanne LeMire*, Lecturer, Law School, University of Adelaide, Australia; Paper addressing the conception of independence in the professional conduct rules and court decisions in Australia, the UK, and Canada

*Lisa Webley*, Faculty Member, University of Westminster, School of Law, UK; Paper: “The Role of Professional Bodies in the Regulation of Professional Development of Solicitors and Family Mediators in England and Wales”

### **6G: The Advocate's Role in Adversarial and Non-Adversarial Contexts**

Summary: This panel will offer cross-cultural perspectives on the role of lawyers in various adversarial and alternative dispute resolution settings in Australia and the United States.

Panelists:

*Judy Gutman*, Faculty of Law and Management, La Trobe University School of Law, Australia;  
Paper: "Legal Ethics in the Time of Non-Adversarial Justice: Transformation and Turbulence"

\**Geoffrey Hazard*, Thomas E. Miller Distinguished Professor of Law, UC Hastings College of the Law, U.S.; Paper: "NOT: Against Advocacy"

*Dana Remus Irwin*, Professor of Law, Franklin Pierce Law Center, U.S.;  
Paper: "NOT: Against Advocacy"

*Bobette Wolski*, Associate Professor (Law), Bond University, Australia;  
Paper: "An Analysis of the Factors Affecting the Ethics of Legal Representatives in Mediation, Ideally and in Practice"

10:45-12:15pm

Session #7

### **7A: A Model for International Choice of Law and Coordination of Attorney Regulation**

Summary: This panel will address issues related to choice-of-law dilemmas in global legal practice, focusing on contexts in which inconsistent rules apply to attorney conduct.

Panelists:

*Stephen Denyer*, Partner, Allen & Overy, Germany

*Catherine A. Rogers*, Professor of Law, Penn State University Dickinson School of Law, U.S.

\**Laurel S. Terry*, Harvey A. Feldman Distinguished Faculty Scholar and Professor of Law, Penn State University Dickinson School of Law, U.S.

### **7B: Judicial Ethics: Contemporary Challenges**

Summary: This panel will explore issues of judicial impartiality, independence, and ideology and the impact of various structures governing the selection and regulation of the bench.

Panelists:

*David Applebaum*, Professor of History, Rowan University, U.S.; Paper: "Cause Judges and Judicial Ethics: The First Strike of the Syndicat de la Magistrature in France"

*Dmitry Bam*, Fellow, Center on the Legal Profession, Stanford Law School, U.S.;  
Paper: "Making Appearances Matter: Judicial Impartiality, Disqualification, and the Appearance of Bias"

*Sarah Cravens*, Associate Professor, University of Akron School of Law, U.S.; Paper addressing the ethical propriety of the use of judicial opinions to state disagreement with the current status of the law that governs the case before the judge

\**Keith Swisher*, Assistant Professor, Phoenix School of Law, U.S.;  
Paper: "Re-Election of Judges and the Denial of Due Process"

### **7C: Lawyers and Clients: Case Histories**

Summary: This panel will present results of empirical research on lawyer-client relationships in Germany, and the experience of African-American lawyers in Louisiana.

Panelists:

*Matthias Kilian*, Senior Lecturer; Director, Soldan Institute for Law & Practice Management, University of Cologne, Germany; Paper: "Lawyers and Clients: Results of An Empirical Study"

\**Okechukwu Oko*, Professor, Southern University Law Center, U.S.; Paper: "Practicing Law from the Edges: The Practice Conditions of African-American Lawyers in Private Practice in Louisiana"

### **7D: Lawyers in Practice: Ethical Decision Making in Context**

Summary: This panel will focus on the ethical issues that arise in particular practice areas and the ethical rules, substantive law, and contextual factors that influence lawyers' conduct. The panelists will focus on the practice areas of corporate litigation, prosecution, immigration, and tax.

Panelists:

*Elizabeth Chambliss*, Professor of Law; Co-Director, Center for Professional Values and Practice, New York Law School, U.S.

*Bruce Green*, Louis Stein Professor; Director, Stein Center, Fordham University School of Law, U.S.

*Kimberly Kirkland*, Professor of Law, Franklin Pierce Law Center, U.S.

\**Leslie Levin*, Professor of Law, University of Connecticut School of Law, U.S.

*Tanina Rostain*, Professor of Law; Co-Director, Center for Professional Values and Practice, New York Law School, U.S.

*Ellen Yaroshesky*, Clinical Professor of Law; Director, Jacob Burns Center for Ethics in the Practice of Law, Benjamin N. Cardozo School of Law, Yeshiva University, U.S.

### **7E: Pro Bono Services: Confronting the Challenges**

Summary: This panel will offer cross-cultural perspectives on pro bono service, and the impact of economic forces, demographic factors, regulatory structures, and law firm policies.

Panelists:

*Stephen Daniels*, Senior Research Professor, American Bar Foundation, U.S.; Paper: "The Challenges of Pro Bono in a Declining Economy: The Effects of Law Firm Restructuring on the Provision of Pro Bono Services"

\**Robert Granfield*, Professor and Chair, Department of Sociology, University of Buffalo, State University of New York, U.S.; Paper: "The Social Structure of Ethical Obligation: How Race, Gender, and Workplace Context Affect Delivery of Pro Bono Legal Services"

*Joanne Martin*, American Bar Foundation, U.S.; Paper: "The Challenges of Pro Bono in a Declining Economy: The Effects of Law Firm Restructuring on the Provision of Pro Bono Services"

*Deborah L. Rhode*, Ernest W. McFarland Professor of Law; Director, Center on the Legal Profession, Stanford Law School, U.S.;

Paper: “Managing Pro Bono: Doing Well by Doing Better”

*Maria Twomey*, National Pro Bono Resource Centre, Australia; Paper on Australian efforts to facilitate access to justice through both “carrot” and “stick” approaches

### **7F: The Duty of Loyalty and Competing Interests, Part I**

Summary: This panel will view duties of loyalties and public service based on experiences in Canada, Australia, and the United States.

Panelists:

\**Richard Devlin*, Professor, Schulich School of Law, Dalhousie University, Canada

*Adam Dodek*, Associate Professor, Faculty of Law, University of Ottawa, Canada;  
Paper: “Conflicted Identities: The Duty of Loyalty in Canada”

*John Dzienkowski*, Dean John F. Sutton Jr. Chair in Lawyering and the Legal Process, University of Texas at Austin Law School, U.S.; Paper: “Reforming the Ethics Rules to Reduce Disincentives for Public Interest Lawyering”

*Kath Hall*, Senior Lecturer in Law, Australian National University College of Law, Australia;  
Paper: “Duty of Loyalty or Duty of Good Faith? What Corporate Law Has to Tell us About Lawyers’ Duties to Their Clients”

*Kay Lauchland*, Associate Professor of Law, Bond University, Australia

### **12:15-1:15pm Lunch (Opportunities for Affinity Groups)**

### **1:30-3:00pm Session #8**

#### **8A: Challenges in Representing Clients with Diminished Capacity**

Summary: This panel will look at approaches for lawyers representing clients with diminished capacity. One topic will be a proposed “relationship-centered approach” to dealing with clients with Fetal Alcohol Spectrum Disorder. In addition, the panel will discuss the ethical principles and guidelines considered and agreed upon by a committee addressing the problem in Australia.

Panelists:

*David Boulding*, Consultant, British Columbia, Canada; Paper: “Ethical Issues in Representing Clients with Cognitive Challenges: A Relationship-Centered Approach”

\**Susan Brooks*, Associate Dean for Experiential Learning; Associate Professor of Law, Drexel University, Earle Mack School of Law, U.S.; Paper: “Ethical Issues in Representing Clients with Cognitive Challenges: A Relationship-Centered Approach”

*Jonathan Wells*, Barrister, Hanson Chambers, Adelaide, South Australia;  
Paper: “The Ethical Response of the Lawyer to Doubts About Client Capacity”

#### **8B: Comparative Judicial Ethics**

Summary: This panel will offer comparative perspectives on creating norms and structures for judicial ethics.

Panelists:

\**Michele Benedetto Neitz*, Associate Professor of Law, Golden Gate University School of Law, U.S.; Paper addressing the role of juvenile court judges in the United States

*Yasutomo Morigiwa*, Professor, Nagoya University Graduate School of Law, Japan

*Brad Wendel*, Professor of Law, Cornell University Law School, U.S.

**8C: Ethics in Practice: Contemporary Challenges**

Summary: This panel will address both theoretical and practical issues in regulating professional conduct in different settings. Topics will include the challenges of ethical assessment, as well as ethical issues that arise in intellectual property claims, SEC compliance, and other corporate litigation contexts.

Panelists:

*Anthony V. Alfieri*, Professor of Law, University of Miami School of Law, U.S.

*Michele DeStefano Beardslee*, Associate Professor of Law, University of Miami School of Law, U.S.; Paper: "The SEC's Unofficial Stance on Compliance Departments: To Comply or Not Comply?"

\**Adrian Evans*, Associate Professor, Monash University School of Law, Australia; Paper: "'Ethics' Assessment for Lawyers: A Reasonable Response to Misbehaviour or an Oppressive Regulatory Initiative?"

*William Gallagher*, Associate Professor of Law, Golden Gate University School of Law, U.S.; Paper: "Strategic Intellectual Property Litigation: An Empirical Study of Everyday Legal Ethics in the Enforcement of Intellectual Property Claims"

*Michael Santoro*, Associate Professor, Rutgers University Business School, U.S.; Paper: "Beyond the McNulty Memorandum: The Burgeoning Role of Government in Attorney-Client Relations"

**8D: The Case for Ethics in a Context of Change**

Summary: This panel will explore the challenges of sustaining ethical values in times of economic pressure and changing conditions of practice.

Panelists:

*Linda Baxter*, Director, Continuing Professional Development, Leo Cullen Institute, Australia; Paper: "Practising Lawyers, Budgets and Ethics: Persuading Lawyers that Ethics is Good Business"

*Judith Dickson*, Director, Practical Training Course, Leo Cullen Institute, Australia; Paper: "Practising Lawyers, Budgets and Ethics: Persuading Lawyers that Ethics is Good Business"

\**Kim Economides*, Professor of Law; Director, Legal Issues Centre, University of Otago, New Zealand; Paper: "New Challenges for Ethical Lawyering"

*Julian Webb*, Professor of Legal Education; Director, UK Centre for Legal Education, University of Warwick School of Law, UK; Paper: "Lawyering in Liquid Times: Values and Professionalism in an Age of Uncertainty"

**8E: Restrictions on Practice and Cross-Jurisdictional Boundaries**

Summary: This panel will explore the regulation of cross jurisdictional practice in an increasingly global legal market.

Panelists:

*Dubravka Aksamovic*, Assistant Professor, University of Osijek, Croatia; Paper: "EU Integration and its Impacts on the Legal Profession: The Right to Practice Law in the EU"

*Carol Needham*, Professor of Law, Saint Louis University School of Law, U.S.; Paper: "Cross-Border Legal Practice: An Evaluation of Licensing Requirements and

Restrictions on Multijurisdictional Practice”

\**John P. Sahl*, Professor of Law; Faculty Director, Miller-Becker Institute for Professional Responsibility, University of Akron School of Law, U.S.; Paper addressing lawyers crossing borders

**8F: Teaching Judgment and Moral Engagement**

Summary: This panel will consider ways that legal education could better prepare lawyers for the exercise of moral judgment in legal practice. Specific attention will be paid to the lessons that law schools can draw from the experiences and mistakes of medical educators, as well as a proposed teaching model to prepare law students for decision making in large organizational practices.

Panelists:

\**Kath Hall*, Senior Lecturer in Law, Australian National University College of Law; Paper: “Educating Lawyers on Ethical Decision Making in Organisational Contexts”

*Vivien Holmes*, Senior Lecturer, Legal Workshop, Australian National University College of Law; Paper: “Educating Lawyers on Ethical Decision Making in Organisational Contexts”

*Emily Hughes*, Associate Professor of Law, Washington University Law School, U.S.; Paper: “Teaching Judgment”

**8G: The Duty of Loyalty and Competing Interests, Part II**

Summary: This panel will offer cross-cultural perspectives on regulating lawyers’ ethical obligations in various practice settings in the UK, South Africa, and Australia.

Panelists:

\**Richard Devlin*, Professor, Schulich School of Law, Dalhousie University, Canada

*Joan Loughrey*, Senior Lecturer, School of Law, University of Leeds, UK; Paper: “Client Identity and the English Corporate Lawyer”

*Freddy Mnyongani*, Senior Lecturer, University of South Africa School of Law; Paper: “Lawyering Beyond the Client: Some Perspectives from South Africa”

*Joanne Stagg-Taylor*, Barrister of Supreme Court of Queensland and High Court of Australia; Legal Practice Centre of Griffith University, Australia; Paper: “Lawyers’ Business: Conflicts of Duties Arising from Lawyers’ Business Models”

**3:15-5:00pm Session #9 -- Plenary**

**9A: Neuroscience and Moral Cognition**

Summary: This panel will look at recent developments in neuroscience and what they can tell us about lawyers’ moral reasoning.

Panelists:

*Daniel Bartels*, Columbia University, U.S.

*Jana Schaich Borg*, Stanford University, U.S.

*John Mikhail*, Professor of Law, Georgetown Law Center, U.S.

\**Milton C. Regan*, Professor of Law; Co-Director, Center for the Study of the Legal

Profession, Georgetown Law Center, U.S.

**9B: Jurisprudence and Legal Ethics**

Summary: This panel will discuss jurisprudential issues related to legal ethics. Questions to be addressed will include: (1) whether and how jurisprudential commitments translate into approaches to legal ethics; (2) what the rule of law means to the profession; and (3) the extent of the connection between political philosophy and legal ethics.

Panelists:

*Tim Dare*, Associate Professor, Department of Philosophy, University of Auckland, New Zealand

*Katherine Kruse*, Professor of Law, University of Nevada Las Vegas, William S. Boyd School of Law, U.S.

\**David Luban*, Frederick J. Haas Professor of Law & Philosophy, Georgetown Law Center, U.S.

*Stephen L. Pepper*, Professor, University of Denver Sturm College of Law, U.S.

*William H. Simon*, Arthur Levitt Professor of Law; Everett B. Birch Professor in Professional Responsibility, Columbia Law School, U.S.

*Brad Wendel*, Professor of Law, Cornell University Law School, U.S.

*Alice Woolley*, Associate Professor, Faculty of Law, University of Calgary, Canada