

WSBA CLE #24504 WEB



Encore Presentation: A Day of Ethics THURSDAY, SEPTEMBER 5, 2024

Approved for 7.25 CLE credits, including
6.25 Ethics and 1.0 Ethics - Equity credit
\$275 - Standard

Washington State Bar Association
1325 Fourth Ave, Ste 600
Seattle, WA 98101

WEBCAST ONLY

DESCRIPTION

This is an encore presentation of webcasts originally broadcast on March 5, 2024 and December 15, 2023. Please note that per APR 11 (c)(2) a lawyer, LLLT, or LPO cannot receive credit for an identical activity more than once during the same reporting period. If you have any questions, please contact MCLE at mcle@wsba.org.

Join us for a full day of ethics programming. This encore presentation consists of sessions from our March program, ALPS Ethics: "The Firm Retreat", as well as sessions from the 20th Anniversary Edition of the WSBA's Law of Lawyering program.

From ALPS ethics, attendees will be shown three video vignettes designed to shed light on ethical issues that many attorneys routinely face. After each video, a panel of experts will discuss a series of questions that address the issues raised in each vignette.

Sessions from the 20th anniversary of the Law of Lawyering cover a new RPC Model Rule requiring lawyers to conduct client investigations, law firm mandatory reporting of beneficial ownership information under the Corporate Transparency Act, a comprehensive analysis of artificial intelligence and the law, a look back at race and justice by a legendary lawyer, and a review of 2023's significant ethics opinions and lawyer professional liability decisional authority.

SCHEDULE

8:10 a.m. > Webcast Lobby Opens

8:25 a.m. Welcome and Introductions

8:30 a.m. > Vignette One: The Plan Comes Together

60 Minutes, 1.0 Ethics

In this first vignette, the panel will explore and discuss issues involving communications between an attorney proceeding pro se and an opposing party who is represented, concerns with the use of "reply all" when responding to an email, application permissions when using a smart phone for work, the tension between client confidentiality and courthouse security, and issues surrounding the filing of a disciplinary complaint.

- **Mark Bassingthwaighte, Esq.** - ALPS Risk Manager, St. Cloud, FL
- **Jeanne Marie Clavere** - Washington State Bar Association, Seattle
- **Ralph E. Cromwell, Jr.** - Byrnes Keller Cromwell LLP, Seattle

9:30 a.m. > BREAK

9:45 a.m. > Vignette Two: Down to Business

60 Minutes, 1.00 Ethics

In this second vignette, the topics presented for discussion will be the death of a client during settlement negotiations, concerns surrounding the use of crowdfunding, use of the term "minimum fees" in an engagement agreement, and the responsibilities that arise when deploying generative AI in the practice of law.

- **Mark Bassingthwaighte, Esq.** - ALPS Risk Manager, St. Cloud, FL
- **Jeanne Marie Clavere** - Washington State Bar Association, Seattle
- **Ralph E. Cromwell, Jr.** - Byrnes Keller Cromwell LLP, Seattle

10:45 a.m. > Vignette Three: The Debrief

60 Minutes, 1.00 Ethics

In this final vignette, the panel concludes the presentation by exploring the tension between wellness and burnout in the practice of law, the benefits and risks that come with deploying communication channels intended to replace traditional email, attorney departure concerns (to include when an attorney retires), and the use of independent contractors and legal staffing companies to meet staffing needs.

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SCHEDULE

11:45 a.m. > Lunch

12:45 p.m. > "Semi" Confidentiality... Investigating, and Informing On, Our Clients

75 minutes, 1.25 Ethics

This important and timely segment will address the ABA's newly proposed client investigation amendment to RPC 1.16 and the newly enacted Corporate Transparency Act reporting requirements which are applicable to lawyers.

- **Russell M. Aoki** – *Aoki Law PLLC, Seattle*
- **Douglas Ende** – *Washington State Bar Association, Seattle*
- **Benjamin Hutten** – *Orrick, Herrington & Sutcliffe LLP, New York City, NY*
- **John Wolfe** – *Orrick, Herrington & Sutcliffe LLP, Seattle*

2 p.m. > Artificial Intelligence and the Law

60 Minutes, 1.00 Ethics

Learn from a preeminent lawyer-expert in the field of artificial intelligence and the law.

- **Anthony Davis** – *FisherBroyles LLP, New York City, NY*

3 p.m. > Break

3:15 p.m. > A Lion in Winter

60 minutes, 1.00 Ethics – Equity credit

Lembhard G. "Lem" Howell, admitted to practice in 1966, (WSBA # 133) will reflect on issues of race and justice that he faced during his over five-decade career as a Plaintiffs' civil rights, police misconduct, and tort lawyer practicing in Seattle. Lem, a founder of the Loren Miller Bar Association, was the first black lawyer to hold a national office with the Association of Trial Lawyers of America (now the American Association for Justice). In addition to addressing race relations between Seattle bar and bench, he will discuss some of his landmark civil rights cases, including a 1969 lawsuit that ended Washington State's construction trade union's exclusion of African American workers and a case that upheld affirmative-action employment policies for Seattle firefighters.

- **Lembhard Howell** – *Lembhard Goldstone Howell, Seattle*

4:15 p.m. > "Ketchup" with the Co-Chairs

60 minutes, 1.0 Ethics credit

The Law of Lawyering's co-chairs cover 2023's important ethics opinions, and disciplinary and attorney professional liability decisional authority.

- **Mark J. Fucile** – *Fucile and Reising LLP, Portland, OR*
- **Mark Johnson** – *Johnson Flora Sprangers PLLC, Seattle*

5:15 p.m. > Complete Online Evaluations • Adjourn

REGISTRATION

Please fill out the registration form and mail to WSBA seven business days prior to the program. To register online, go to www.wsba.org and enter **24504** in the search box. For your security, do not email or fax credit card information.

First Name: _____ M.I. ____ Last Name _____

WSBA No: _____ Firm/Company Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: () _____ Email: _____

If special accommodations are needed, please email cle@wsba.org or call toll-free at 1-800-945-9722.

Please omit my name from the networking list made available to exhibitors and/or attendees.

PAYMENT INFORMATION

#24504 WEB, attend via webcast, 9/5/24

\$275 - Standard/Non-Section Members

Check enclosed payable to WSBA

Visa **MasterCard** **AmEx**



Card No.



Cardholder Name (print)

Exp. Date



Authorized Signature

Registrations received less than 48 hours before a seminar are not guaranteed a coursebook or other presentation materials on-site.

Seminar Registration Transfers, Refunds and Cancellations

In most circumstances, if you cannot attend the live event, we can transfer your registration to the on-demand product, once available (8-10 weeks from the program delivery date). Generally, for webcast/webinar registrations, tuition fees may be refunded, less \$25 for processing, for written cancellations postmarked, emailed, or faxed up to the start of the event. For in-person registrations, tuition fees may be refunded, less \$25 for processing, for written cancellations postmarked, emailed, or faxed by 5 p.m. up to three business days before the event. No refunds will be provided after the dates specified. You may also send a substitute in lieu of canceling. *When applicable, specific exceptions to these policies will be noted on individual event registration pages.* Please email cle@wsba.org with any requests or questions.

ONLINE > Go to www.wsba.org and enter **24504** in the search box. Payment by credit card.

PHONE > Call **800-945-9722** or **206-443-9722** with credit card and registration/order form in hand. Our service provider will charge you a separate, non-refundable transaction fee of 2.5% on all bank card transactions.

MAIL > Please fill out this registration form and mail to WSBA seven business days prior to the program along with your check payable to WSBA. Credit card payments by mail or fax are no longer accepted.