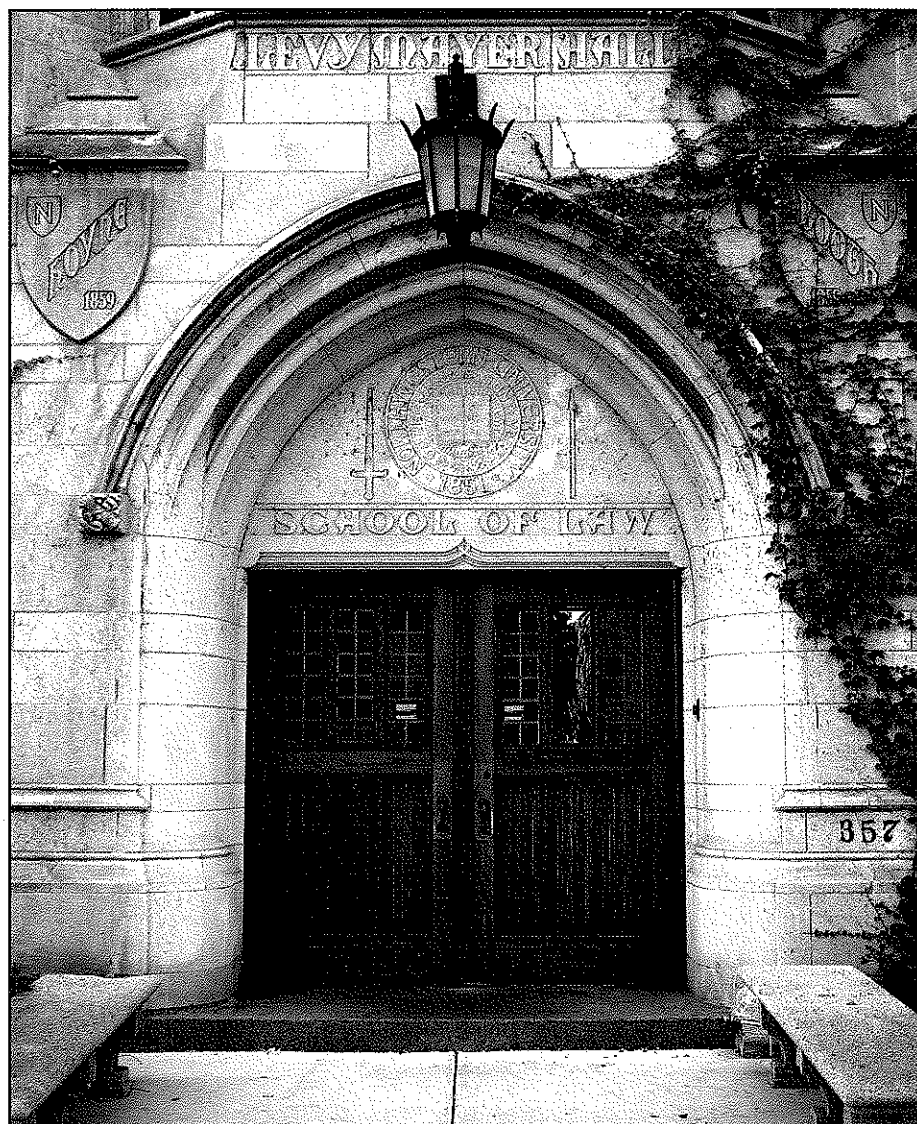


14TH APPELLATE PRACTICE INSTITUTE

THE NATION'S PREMIER APPELLATE PRACTICE PROGRAM

*Learn Skills and Strategies to Be a Better Oral Advocate and
Brief Writer from Leading Appellate Judges and Lawyers*



*Presented by the ABA's Judicial Division
Appellate Judges Conference
and the Council of Appellate Lawyers*

Hosted by Northwestern Law School

FACULTY

LAWYERS

Tim Berg
Phoenix, Arizona

Bennett Evan Cooper
Phoenix, Arizona

Andrew Frey
Washington, D.C.

Sharon Freytag
Dallas, Texas

Jerry Ganzfried
Washington, D.C.

Michael King
Seattle, Washington

Matthew Lembke
Birmingham, Alabama

Leane Medford
Dallas, Texas

Julia Pendery
Dallas, Texas

Dan Polsenberg
Las Vegas, Nevada

Sidney Powell
Dallas, Texas

Mary Massaron Ross
Detroit, Michigan

Sanford Svetcov
San Francisco, California

Roger Townsend
Houston, Texas

James Westwood
Portland, Oregon

STATE JUDGES

Hon. Rebecca Berch
Arizona Supreme Court

Hon. Jerry Cope
Florida Court of Appeal

Hon. Betty Ellerin
*New York Supreme Court,
Appellate Division*

Hon. John Greaney
*Massachusetts Supreme
Judicial Court*

Hon. Adele Hedges
Texas Court of Appeals

Hon. John Irwin
Nebraska Court of Appeals

Hon. Joetta Katz
Connecticut Supreme Court

Hon. Elizabeth Lacy
Virginia Supreme Court

Hon. Virginia Linder
Oregon Supreme Court

Hon. Gary Lynch
Missouri Court of Appeals

Hon. Nathan Mihara
California Court of Appeal

Hon. Arthur Scotland
California Court of Appeal

Hon. Matthew Stevenson
Florida Court of Appeals

Hon. Thomas Woodall
Alabama Supreme Court

FEDERAL JUDGES

Hon. Richard Clifton
U.S. Court of Appeals, 9th Circuit

Hon. Ronald Gilman
U.S. Court of Appeals, 6th Circuit

Hon. Susan Graber
U.S. Court of Appeals, 9th Circuit

Hon. Harris Hartz
U.S. Court of Appeals, 10th Circuit

Hon. Catharina Haynes
U.S. Court of Appeals, 5th Circuit

Hon. Sandra Ikuta
U.S. Court of Appeals, 9th Circuit

Hon. Kent Jordan
U.S. Court of Appeals, 3rd Circuit

Hon. Kermit Lipetz
U.S. Court of Appeals, 1st Circuit

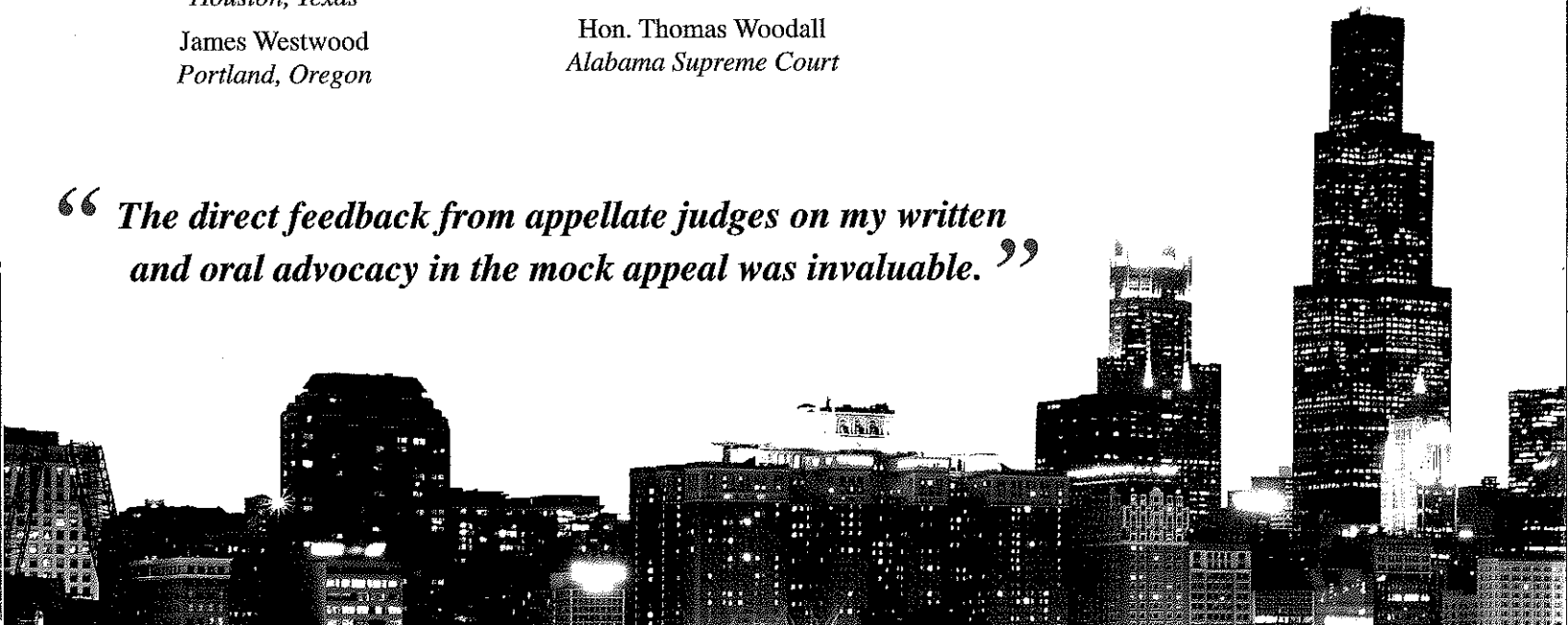
Hon. Debra Livingston
U.S. Court of Appeals, 2nd Circuit

Hon. William Riley
U.S. Court of Appeals, 8th Circuit

Hon. Gerald Tjoflat
U.S. Court of Appeals, 11th Circuit

Hon. Diane Wood
U.S. Court of Appeals, 7th Circuit

“ *The direct feedback from appellate judges on my written and oral advocacy in the mock appeal was invaluable.* ”



SCHEDULE OF EVENTS*

14TH APPELLATE PRACTICE INSTITUTE PROGRAM

FRIDAY, MAY 29

- 7:30-8:30am **Registration**
- 8:30-8:40am **Opening Remarks**
Hon. Arthur England, *Washington, D.C.*
- 8:40-10:15am **Plenary Session on Brief Writing**
Panelists: Hon. Arthur Scotland
California Court of Appeal
Hon. Debra Livingston
*U.S. Court of Appeals,
2d Circuit*
Sanford Svetcov
San Francisco, California
Roger Townsend
Houston, Texas
Moderator: Hon. Arthur England
Washington D.C.
- 10:30am-12:00pm **Small Group Workshops**
- 12:00-1:15pm **Luncheon**
Speaker: Carter Phillips
Washington, D.C.
- 1:30-3:30pm **Individual Brief Critiques**
- 3:45-5:45pm **Plenary Session on Oral Argument**
Panelists: Hon. Harris Hartz
*U.S. Court of Appeals,
10th Circuit*
Hon. Elizabeth Lacy
Virginia Supreme Court
Mary Massaron Ross
Detroit, Michigan
Jerry Ganzfried
Washington, D.C.
Matt Lembke
Birmingham, Alabama
Moderator: Sharon Freytag
Dallas, Texas
- 6:30pm **Reception**

SATURDAY, MAY 30

- 8:00am-1:00pm **Individual Oral Arguments and Critiques** (30 minutes each)
- 1:00-2:15pm **Luncheon with speaker**
- 2:30-4:30pm **Model Oral Argument**
Advocates: David Frederick
Washington, D.C.
David Domina
Omaha, Nebraska
Judges: Hon. Rebecca Berch
Arizona Supreme Court
Hon. Susan Graber
*U.S. Court of Appeals,
9th Circuit*
Hon. John Irwin
Nebraska Court of Appeals
Moderator: Dan Polsenberg
Las Vegas, Nevada
- 5:30pm **Reception and Dinner**
Knickerbocker Hotel

SUNDAY, MAY 31

- 8:30-10:30am **Breakfast and Roundtable Discussions with Faculty** (Ethics Credit)
Knickerbocker Hotel

* All events will take place at Northwestern Law School unless otherwise noted.

“Easily the best seminar
—appellate or otherwise—
that I have ever attended”



WHO SHOULD ATTEND

The Appellate Practice Institute is designed for public and private practitioners who currently appear in federal and state appellate courts, as well as for those attorneys who want to prepare themselves for appellate practice. The program will focus on appellate writing and oral advocacy skills, as well as common mistakes and pitfalls in the appellate process. The program will also provide valuable insights from experienced advocates and perspectives from the bench. Every appellate advocate can benefit from knowing how appellate judges view appellate lawyers. Experienced and novice advocates alike, as well as repeat participants, have expressed great satisfaction with the skills honed by attendance.

SPECIAL BONUS FEATURES FOR PARTICIPANTS

Model Oral Argument

A long-time favorite for participants in the Appellate Practice Institute is the model oral argument, involving nationally known appellate practitioners who argue the same case assigned to the participants. The program includes the advocates' and judges' insights and expectations before the argument; the actual argument; and a judges' conference after the argument.

Social Time

In addition to the educational benefits to be gained from interaction with the distinguished faculty, there will also be numerous opportunities for the participants to interact with the faculty and other participants in a social setting. Not only will this enable participants to continue the discussions begun in the program sessions, but it will also provide participants with a great opportunity to network and develop professional camaraderie with practicing attorneys from throughout the nation.

WHAT YOU WILL EXPERIENCE

Each participant is assigned to write a brief for either an appellant or an appellee. This is not a research exercise; a short list of case authorities is provided, along with a record of proceedings below. There is a 15-page limit for briefs. A model appellant's brief is provided for those assigned to write an appellee's brief. All briefs are due by May 1, 2009. The pre-selected case involves a trademark infringement claim between two brothers who each operate a bar and use the family name in the bar's name or advertising.

Each participant's brief is sent to a faculty member for review before you arrive in Chicago. At the Appellate Practice Institute, a private critique session takes place between each participant and the faculty member who reviewed the participant's brief.

Each participant will also present oral argument to three faculty members – a federal judge, a state judge, and a seasoned attorney. The faculty members will then provide immediate feedback and a constructive critique of the participant's oral argument.

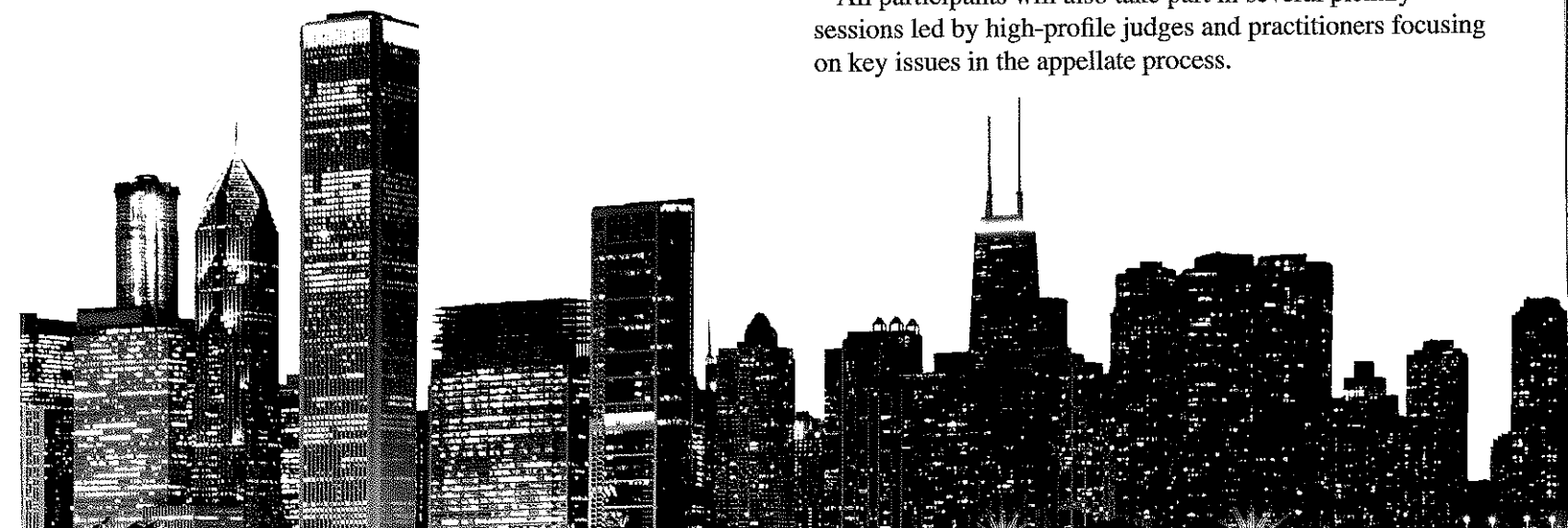
Every participant will also be assigned to a workshop consisting of no more than 12 participants. The workshop will be led by the three faculty members who heard the participant's oral argument. During the workshop sessions, the faculty will discuss common pitfalls related to the briefs and arguments of the participant, as well as address areas of interest determined by the participants. The workshops are designed for direct give-and-take between each participant and members of the faculty.

You will learn:

- How to address key issues in your brief
- What judges expect from your oral arguments
- How to structure and organize your appellate advocacy.

The advice is designed to be practical.

All participants will also take part in several plenary sessions led by high-profile judges and practitioners focusing on key issues in the appellate process.



HOTEL ACCOMMODATIONS

A block of rooms has been reserved at the Knickerbocker Hotel and at the Sofitel Chicago Water Tower.

The **Knickerbocker Hotel** is located at 163 East Walton Place. Log on to www.millenniumhotels.com/knickerbocker. Rooms have been reserved at the rate of \$289. Reservations will be made by individuals calling the Knickerbocker Hotel directly at 312.751.8100 or 800.621.8140 and referring to the ABA Judicial Division 14th Appellate Practice Institute. All room rates are subject to city occupancy and sales tax, and unclaimed rooms will be released Monday, May 4, 2009, after which the hotel will accept reservations on a space-available basis only. The Hotel shall fax or email a confirmation to each individual within five days from the date on which the reservation is made. Hotel cancellations must be made with the Hotel 48 hours prior to the scheduled day of arrival to avoid a one-night cancellation charge.

The **Sofitel Chicago Water Tower** is located at 20 East Chestnut Street. Log on to www.sofitelchicagowatertower.com. Rooms have been reserved at the rate of \$345. Reservations will be made by individuals calling the Sofitel hotel directly at 312.324.4000 or 877.813.7700 and referring to the ABA Judicial Division 14th Appellate Practice Institute. All room rates are subject to city occupancy and sales tax, and unclaimed rooms will be released Monday, April 27, 2009, after which the hotel will accept reservations on a space-available basis only. The Hotel shall fax or email a confirmation to each individual within five days from the date on which the reservation is made. Hotel cancellations must be made with the Hotel 72 hours prior to the scheduled day of arrival to avoid a one-night cancellation charge.

“ It gives an inside look into the minds of appellate judges that years of practice could not give.”

“ The finest, most worthwhile, enjoyable CLE I have ever attended”

AIRPORT & GROUND TRANSPORTATION INFORMATION

Chicago is serviced by O'Hare International Airport (ORD) and Midway International Airport (MDW). Discounted airfares are available from ABA Orbitz for Business. To book online, go to www.abanet.org/travel and click under the Orbitz for Business logo at the top of the page, then click on the appropriate link in the Self Paid Travel box.

O'Hare is approximately 18 miles northwest of downtown Chicago or approximately one-hour away from the hotels via taxicab or limousine. Cab fare one-way from O'Hare to downtown Chicago typically costs \$50-55 (plus tip) depending on traffic. Midway is approx, 12 miles and 45 minutes from downtown Chicago. Cab fares one-way from Midway to downtown cost \$35-\$40 (plus tip) depending on traffic.

Continental Airport Express offers a more economical choice. For rates and more information, call 773-247-1200 or visit <http://www.airportexpress.com>.

Chicago Transit Authority (CTA) offers train service directly from both O'Hare international Airport and Midway Airport to downtown Chicago. Base fare is \$2. For more information, log on to www.transitchicago.com.

CONTINUING LEGAL EDUCATION CREDIT

The requisite sponsor documents will be forwarded to states with general MCLE requirements. Certificates of Attendance will be provided onsite at the API. You may contact the ABA Service Center at 800-285-2221 or the Conference staff at 312-988-5450 for confirmation of the number of CLE credit hours requested by the ABA or approved by an individual state. To ensure that you receive proper credit, please bring your state member number to the seminar.



REGISTRATION FORM

REGISTRATION INFORMATION

To register, go online at www.abanet.org/jd/ajc/cal or complete the registration form below and return it to the ABA Judicial Division, API, 321 N. Clark Street, 19th Floor, Chicago, IL 60654 or fax it to 312-988-5709. Checks should be made payable to the American Bar Association.

Registration fees are noted below. If you are not a member of the ABA Judicial Division you can join by calling 800-285-2221 or by visiting the Judicial Division website at www.abanet.org/jd. All seminar materials and program certificates are included in the registration fee.

ABA Member ID # _____

- \$875** Private Practice Attorney, ABA Member
Must present member ID above
- \$925** Private Practice, Non-ABA Member
- \$725** Government Attorney, ABA Member rate
Must present member ID above
- \$775** Government Attorney, Non-ABA Member

“ On a scale of one to ten, I would rate this course a twenty.”

FINANCIAL ASSISTANCE

The Appellate Practice Institute may be able to offer a limited number of scholarships to attorneys who wish to attend. If you are interested in being considered for a scholarship, please contact ABA staff by email at raiblea@staff.abanet.org.

PLEASE MAIL THIS REGISTRATION FORM TO:

ABA Judicial Division, API
321 N. Clark Street, 19th Floor,
Chicago, IL 60654

OR FAX TO:

312-988-5709

PAYMENT

1. Enclosed is my check payable to the ABA
2. Please bill my credit card
 Visa MasterCard Amex

Account # _____

Exp: _____

Signature: _____



ABA JUDICIAL DIVISION, API
321 N. Clark Street, 19th Floor
Chicago, IL 60654

ADDRESS SERVICE REQUESTED

Non Profit Org
U.S. Postage Paid
Documentation