

**Appellate Judges Education Institute (AJEI)  
2011 Summit  
Washington, DC  
November 10-13, 2011**

The annual AJEI Summit provides a timely, lively, and highly informative continuing legal education program designed by and for appellate judges, appellate lawyers, and appellate staff attorneys.

This year's Summit will open on Thursday afternoon, November 10, 2011 with remarks by Supreme Court Justice Sonia Sotomayor. A reception at the U.S. Supreme Court will be held on Thursday evening. On Friday November 11, author Scott Turow will speak at the noon luncheon. The AJEI Annual Dinner on Saturday, November 12, will include entertainment by Washington's noted comedy troupe *The Capitol Steps*.

The four day program will include presentations from scholars, appellate practitioners, and members of the judiciary. A detailed list of speakers confirmed to date appears below.

The AJEI has obtained affordably priced rooms at the Omni Shoreham Hotel, which will serve as the location for most of the 2011 AJEI Summit programs. Registration fees will include continental breakfasts, lunches, receptions, and admission to the AJEI Annual dinner, making the 2011 Summit an exceptional CLE value. Registration forms will be posted on this website when formal registration opens on July 18, 2011.

The 2011 AJEI Summit is sponsored by the Appellate Judges Conference of the American Bar Association's Judicial Division and by the SMU Dedman School of Law.

**Appellate Judges Education Institute  
2011 Summit for Appellate Judges, Lawyers and Staff Attorneys**

**Thursday, November 10, 2011**

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| <b>9:00 a.m. – 12:30 p.m.</b> | <b>Registration</b>  |
| <b>1:30 p.m. – 1:45 p.m.</b>  | <b>Welcome</b>   |
| <b>1:45 p.m. – 2:45 p.m.</b>  | <b>A Conversation with Justice Sotomayor</b><br>Honorable Sonia Sotomayor, <i>Supreme Court of the United States</i><br>Honorable Margret G. Robb, <i>Indiana Court of Appeals</i><br>Kevin C. Newsom, <i>Bradley Arant Boult Cummings LLP</i> |
| <b>2:45 p.m. – 3:00 p.m.</b>  | <b>Break</b>   |

3:00 p.m. – 4:15 p.m.

**Breakout I:**

**Preparing for the Important Argument: A Survey of Approaches and Styles**

Moderator: Mark Stancil, *Robbins Russell Englert Orseck Untereiner & Sauber LLP*

Honorable Jeffrey S. Sutton, *U.S. Court of Appeals, Sixth Circuit*

Paul D. Clement, *Bancroft PLLC*

Roy T. Englert, Jr., *Robbins Russell Englert Orseck Untereiner & Sauber LLP*

Mike Hatchell, *Locke Lord Bissell & Liddell LLP*

**Breakout II:**

**Habeas Corpus – Recent Developments**

Professor Ira P. Robbins, *American University, Washington College of Law*

6:00 p.m. - 7:30 p.m.

**Reception at the Supreme Court of the United States**

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**Friday, November 11, 2011**

7:00 a.m. – 8:00 a.m.

**Continental Breakfast**

8:00 a.m. – 9:15 a.m.

**Supreme Court Review – Civil**

Dean Erwin Chemerinsky, *University of California, Irvine School of Law*

9:15 a.m. – 9:30 a.m.

**Break**

9:30 a.m. – 10:30 a.m.

**Breakout I:**

**Supreme Court Retrospective – Criminal**

Dean Erwin Chemerinsky, *University of California, Irvine School of Law*

**Breakout II:**

**From Your Court to the Supreme Court: Discretionary Review in the Supreme Court of the United States**

Moderator: Professor Steven H. Goldblatt, *Faculty Director, Supreme Court Institute and Director, Appellate Litigation Program, Georgetown University Law Center*

Jamesa Drake, *Kentucky Department of Public Advocacy*

Professor Irv Gornstein, *Georgetown University Law Center*

Thomas C. Goldstein, *Goldstein, Howe & Russell, P.C., co-founder of SCOTUSblog*

Patricia A. Millett, *Akin Gump Strauss Hauer & Feld LLP.*

10:30 a.m. – 10:45 a.m.

**Break**

- 10:45 a.m. – 11:45 a.m.**      **Inside the Judicial Sanctum: The Art and Science of Judicial Decision-Making**  
Moderator: Kirsten M. Castañeda, *Locke Lord Bissell & Liddell LLP*  
Honorable Edith Hollan Jones, *U.S. Court of Appeals, 5th Circuit*  
Honorable Brett M. Kavanaugh, *U.S. Court of Appeals, D.C. Circuit*  
Honorable Mark D. Martin, *Supreme Court of North Carolina*  
Honorable Eugene F. Pigott, Jr., *New York Court of Appeals*
- 11:45 a.m. – 1:15 p.m.**      **Lunch**  
With featured speaker Scott Turow
- 2:00 p.m. – 4:00 p.m.**      Optional offsite guided tours with law-related themes: US Capitol; National Archives; National Portrait Gallery
- 4:45 p.m. – 6:15 p.m.**      **Treason – An Oral Argument Based on the 1807 Trial of Aaron Burr**  
*Location: U.S. Court of Appeals for the Armed Forces, 450 E Street, NW*
- Introduction by David O. Stewart, *Ropes & Gray LLP*, author of the forthcoming book, *American Emperor, Aaron Burr's Challenge to Jefferson's America*
- Court:  
Honorable David B. Sentelle, *U.S. Court of Appeals, D.C. Circuit*  
Honorable Royce C. Lamberth, *U.S. District Court, D.C.*  
Honorable Andrew S. Effron, *U.S. Court of Appeals for the Armed Forces*
- Counsel for the Prosecution:  
John P. Elwood, *Vinson & Elkins LLP*  
Deanne E. Maynard, *Morrison & Foerster LLP*
- Counsel for the Defense:  
Jeremy B. Rosen, *Horvitz & Levy LLP*  
Professor Edward J. Larson, *Pepperdine Law School*, author of *A Magnificent Catastrophe: The Tumultuous Election of 1800, America's First Presidential Campaign* (2007)
- 7:00 p.m.**      **CASA T-Shirt Exchange and Dinner**  
**Location:**      Petits Plats French Restaurant  
2653 Connecticut Avenue NW, Washington, DC

**Saturday, November 12, 2011**

- 7:00 a.m. – 8:00 a.m.**      **Continental Breakfast**
- 8:00 a.m. – 9:15 a.m.**      **The Founding of the Constitution**  
Professor Michael J. Klarman, *Harvard Law School*

9:15 a.m. – 9:30 a.m.

**Break**

9:30 a.m. – 10:30 a.m.

**Supreme Court – Current Term Preview**

Dean John B. Attanasio, *SMU Dedman School of Law*

Paul D. Clement, *Bancroft PLLC*

Professor Drew S. Days, III, *Yale Law School*

10:30 a.m. – 10:45 a.m.

**Break**

10:45 a.m. – 11:45 a.m.

**Breakout I:**

**The Second Amendment in the Courts After *Heller* and *McDonald***

Moderator: Honorable Phyllis D. Thompson, *District of Columbia Court of Appeals*

Professor Mark Tushnet, *Harvard Law School*

Professor Eugene Volokh, *UCLA School of Law*

**Breakout II:**

**Yours, Mine and Ours: The Evolving Relationship Between Appellate Counsel and Trial Counsel**

Moderator: Deena Jo Schneider, *Schnader Harrison Segal & Lewis LLP*

Jerrold J. Ganzfried, *Holland & Knight LLP*

Thomas J. Nolan, *Skadden, Arps, Slate, Meagher & Flom LLP*

A. Kaiper Wilson, *Chief Counsel, Litigation, Metropolitan Life Insurance Company.*

**Breakout III:**

**Representation of Veterans**

Professor Michael P. Allen, *Stetson University College of Law*

11:45 a.m. – 1:00 p.m.

**Lunch**

1:10 p.m. – 2:10 p.m.

**Breakout I:**

**Strengthening Rule of Law – The Role of International Humanitarian Activities by Lawyers and Judges**

Honorable Patricia A. Riley, *Indiana Court of Appeals*

Michael McCullough, *Director, ABA Rule of Law Initiative*

Professor Fran Quigley, *Indiana University School of Law - Indianapolis*

**Breakout II:**

**Fourth Amendment Ferment**

Moderator: Honorable John R. Fisher, *D.C. Court of Appeals*

Marc Rotenberg, Executive Director, *Electronic Privacy Information Center*

Josh Goldfoot

**Breakout III:**

**Work-Life Balance – Is it possible?**

Moderator: Deborah Epstein Henry, *Flex-Time Lawyers, LLC*

Honorable Brent E. Dickson, *Indiana Supreme Court*

Deena Jo Schneider, *Schnader Harrison Segal & Lewis LLP*

Cliffie Jane Wesson, *Texas Fifth District Court of Appeals*

**2:10 p.m. – 2:20 p.m.**

**Break**

**2:20 p.m. – 3:20 p.m.**

**Breakout I:**

**Building an Appellate Practice in the 21<sup>st</sup> Century**

Moderator: David M. Axelrad, *Horvitz & Levy LLP*

Michele L. Odorizzi, *Mayer Brown LLP*

Roger D. Townsend, *Alexander Dubose & Townsend LLP*

Steven L. Tucker, *Tucker Law Firm, P.C.*

**Breakout II:**

**Ethics – Part A**

Moderator: Linda Eads, *Associate Provost, Southern Methodist University*

Honorable Judith L. Haller, *California Court of Appeal*

Honorable Glenn T. Harrell, Jr., *Court of Appeals of Maryland*

Jan Horbaly, *Clerk of Court, U.S. Court of Appeals for the Federal Circuit*

**3:20 p.m. – 3:30 p.m.**

**Break**

**3:30 p.m. – 4:30 p.m.**

**Breakout I:**

**Paperless Courts**

Moderator: Judge Christel Marquardt, *Kansas Court of Appeals*

Honorable Henry duPont Ridgely, *Delaware Supreme Court*

Thomas D. Hall, *Clerk of the Court, Florida Supreme Court*

Rory L. Perry, II, *Clerk of Court, Supreme Court of Appeals of West Virginia*

**Breakout II:**

**Emerging Issues in Criminal Law**

Moderator: Honorable W. Scott Bales, *Supreme Court of Arizona*

Professor Jeffrey Bellin, *SMU Dedman School of Law*

Professor Douglas A. Berman, *Ohio State University, Moritz College of Law*

Professor Rory Little, *University of California, Hastings College of the Law*

**Breakout III:**

**Ethics – Part B**

(See Ethics - Part A for panelists)

**6:00 p.m. – 6:45 p.m.**

**Reception**

**6:45 p.m. – 9:00 p.m.**      **AJEI Annual Dinner and Entertainment**  
Greetings from American Bar Association President Wm. T. (Bill)  
Robinson III  
Reflections - From D-Day to Veterans Day, Honorable James E. Baker,  
*U.S. Court of Appeals for the Armed Forces*

**Entertainment – The Capitol Steps**

**9:00 p.m. – 10:30 p.m.**      **Conversation and “Just Desserts”**

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**Sunday, November 13, 2011**

**7:30 a.m. – 8:30 a.m.**      **Continental Breakfast**

**8:30 a.m. – 9:30 a.m.**      **Breakout I:**  
**Re-Imagining the Appellate Brief**  
Moderator: Susan K. Alexander, *Robbins Gellar Rudman & Dowd LLP*  
Honorable Michael Daly Hawkins, *U.S. Court of Appeals, 9th Circuit*  
Robert Dubose, *Alexander Dubose & Townsend LLP*  
Hon. Leah Ward Sears, *Chief Justice of Georgia Supreme Court (Ret.)*,  
*Schiff Hardin LLP*

**Breakout II:**  
**Appellate Mediation and Settlement Programs**  
Moderator: Claudia Bernard, *Chief Circuit Mediator, U.S. Court of*  
*Appeals, Ninth Circuit*  
Honorable William C. Pryor, *D.C. Court of Appeals*  
Honorable Joseph H. Pellegrino, *Connecticut Appellate Court*  
Amy Wind, *Chief Circuit Mediator, U.S. Court of Appeals, D.C. Circuit*

**9:30 a.m. – 9:45 a.m.**      **Break**

**9:45 a.m. – 10:45 a.m.**      **The Constitution in Wartime – Historical Perspective**  
Professor Jack Goldsmith, *Harvard Law School*