



2016
IDAHO STATE BAR
Annual Meeting

AGENDA

2016 Idaho State Bar Annual Meeting Schedule of Events

Boise, Idaho • The Riverside Hotel • July 13-15, 2016

Wednesday, July 13

8:30 a.m. - 3:00 p.m. **Idaho State Bar Board of Commissioners Meeting** - Riverside Board Room
4:00 p.m. - 6:00 p.m. **Registration/Exhibition Hall** - Juniper/Laurel
6:00 p.m. - 7:00 p.m. **President's Reception** - Fireplace Foyer
7:00 p.m. - 9:00 p.m. **Distinguished Lawyer & Jurist Awards Dinner** - Ponderosa/Tamarack
9:00 p.m. - 11:00 p.m. **Idaho Law Foundation Hospitality HQ** - Fireplace Foyer

Thursday, July 14

7:30 a.m. - 5:00 p.m. **Registration/Exhibition Hall** - Juniper/Laurel
7:30 a.m. - 8:30 a.m. **Continental Breakfast** - Juniper/Laurel
7:30 a.m. - 8:30 a.m. **Litigation Section Annual Meeting** - Emerald
7:30 a.m. - 8:30 a.m. **Taxation, Probate & Trust Law Section Meeting** - Delamar
7:30 a.m. - 8:30 a.m. **Diversity Section "Justice for All" Breakfast** - Rose Garden Gazebo
8:30 a.m. - 10:00 a.m. **Plenary Session** - Ponderosa/Tamarack
• Welcome from Idaho State Bar President Trudy Hanson Fouser
• State of the Courts by Idaho Supreme Court Chief Justice Jim Jones
• Keynote Presentation by American Bar Association President Paulette Brown
10:15 a.m. **Idaho Law Foundation Board of Directors Meeting** - Quietbar
10:15 a.m. - 11:45 a.m. **CLE Session #1**
• Hot Topics in Environment & Natural Resources Law - North Star
Sponsored by the Environment & Natural Resources Law Section, 1.5 CLE credits (NAC)
• Idaho Courts: Transitioning to the Electronic Record Part II - Cinnabar
Sponsored by the Idaho Law Foundation, Inc., 1.5 CLE credits (NAC)
• Not Small Potatoes: Branding and The Lanham Act - Liberty
Sponsored by the Intellectual Property Law Section, 1.5 CLE credits
12:00 p.m. - 1:15 p.m. **Service Awards Luncheon/Idaho Law Foundation Annual Meeting** - Ponderosa/Tamarack
The 2016 Service Awards, the 2016 Outstanding Young Lawyer Awards and the Family Law Section Award of Distinction will be presented.
1:30 p.m. - 3:00 p.m. **CLE Session #2**
• Buyer Beware: Your Homeowner's Association May Be More Powerful Than You Think - Liberty
Sponsored by the Real Property Law Section, 1.5 CLE credits (NAC)
• Legislating and Lobbying - North Star
Sponsored by the Idaho Law Foundation, Inc., 1.5 CLE credits of which 0.5 is Ethics (NAC)
• Settler's Remorse: Challenges in Rescinding a Mediated Settlement Agreement - Cinnabar
Co-Sponsored by the Dispute Resolution Section and the University of Idaho College of Law, 1.5 CLE credits of which 0.25 is Ethics
3:00 p.m. - 3:15 p.m. **Community Service Project/Ice Cream Sundae Break** - Juniper/Laurel
3:15 p.m. - 4:45 p.m. **CLE Session #3**
• Civility Matters - North Star
Co-Sponsored by the Litigation Section and the Professionalism & Ethics Section, 1.5 CLE credits of which 1.5 is Ethics
• The Status and Threats to International Law on Freedom of Religion or Belief - Liberty
Co-Sponsored by the International Law Section and the J. Reuben Clark Society - Boise Chapter, 1.5 CLE credits
• Workplace Investigations: Who, What, Where, When & Why - Cinnabar
Sponsored by the Employment & Labor Law Section, 1.5 CLE credits
5:00 p.m. - 6:30 p.m. **Milestone Celebration Reception: Celebrating 25, 40, 50, 60 & 65 Years of Admission** - Aspen

Friday, July 15

7:00 a.m. - 8:00 a.m. **Appellate Practice Section Breakfast Reception** - Delamar
7:30 a.m. - 1:30 p.m. **Registration/Exhibition Hall** - Juniper/Laurel
7:30 a.m. - 8:30 a.m. **Continental Breakfast** - Juniper/Laurel
7:45 a.m. - 8:45 a.m. **District Bar Association Officers and Board of Commissioners Breakfast** - Clearwater
8:00 a.m. - 10:00 a.m. **CLE Session #4**
• Delivery of Veterans Legal Aid and the Idaho Military Alliance - North Star
Sponsored by the Idaho Military Legal Alliance, 2.0 CLE credits (NAC)
• Know Thyself: Unconscious Bias in the Legal Profession - Aspen
Sponsored by Concordia University School of Law, 2.0 CLE credits of which 0.25 is Ethics
• What Happened in the SRBA? Water Rights Basics and Post Adjudication Considerations - Liberty
Sponsored by the Water Law Section, 2.0 CLE credits (NAC)
10:15 a.m. - 11:45 a.m. **CLE Session #5**
• Lessons from the Masters - Aspen
Sponsored by the Idaho Law Foundation, Inc., 1.5 CLE credits of which 0.5 is Ethics (NAC)
12:00 p.m. - 1:15 p.m. **Social Networking Luncheon** - Ponderosa/Tamarack
The 2016 Section of the Year Award and The Advocate Awards will be presented.
1:30 p.m. - 3:30 p.m. **CLE Session #6**
• Transitioning from the Practice of Law: Tools & Resources Await - Aspen
Sponsored by the Idaho State Bar Senior Lawyer Transition Task Force, 2.0 CLE credits of which 0.5 is Ethics (NAC)
3:30 p.m. **Conclusion of the 2016 Idaho State Bar Annual Meeting**

2016 Idaho State Bar Annual Meeting CLE Session Information

Thursday, July 14 - 10:15 a.m. - 11:45 a.m. - CLE Session #1

Hot Topics in Environment & Natural Resources Law - North Star - 1.5 CLE credits (NAC)

An array of speakers will briefly cover the following topics: Eastern Snake Plain Aquifer Settlement; new Idaho Clean Water Act permitting program; sage grouse; hydropower licensing developments; and appropriate inquiry standards in purchases of contaminated properties. *Gregory M. Adams, Richardson Adams, PLLC; Douglas M. Conde, Office of the Attorney General; Samuel J. Eaton, Governor's Office of Species Conservation; Brian Patton, Idaho Water Resource Board; Robie G. Russell, Russell Law Offices*

Idaho Courts: Transitioning to the Electronic Record Part II - Cinnabar - 1.5 CLE credits (NAC)

This session will provide an update of the Odyssey case management system the Idaho Courts adopted and will showcase resources and training opportunities for lawyers and their staff along with best practices and pitfalls to avoid. *Janica Bisharat, Idaho Supreme Court; Kevin Iwerson, Idaho Supreme Court; Michael J. Mehall, Idaho Supreme Court; April O'Berg, Worst Fitzgerald & Stover*

Not Small Potatoes: Branding and The Lanham Act - Liberty - 1.5 CLE credits

A discussion of The Lanham Act, trademarks, certification marks, and the value of a brand and why it's worth protecting. *Rhett Barney, Lee & Hayes; Michael S. Gilmore, Office of the Attorney General*

Thursday, July 14 - 1:30 p.m. - 3:00 p.m. - CLE Session #2

Buyer Beware: Your Homeowner's Association May Be More Powerful Than You Think - Liberty - 1.5 CLE credits (NAC)

Recent Idaho Supreme Court decisions have clarified and perhaps expanded the power of homeowner associations. Additionally, recent Idaho legislation has been introduced to address the Court's views, but is the legislation too little or too late? *Thomas E. Dvorak, Givens Pursley LLP; Jon A. Stenquist, Moffatt Thomas*

Legislating and Lobbying - North Star - 1.5 CLE credits of which 0.5 is Ethics (NAC)

Each year, the Idaho Legislature considers and passes or rejects a myriad of bills that affect you and your clients in your lives and livelihoods. This program will summarize legislative intent in interpreting statutes, will teach you how to draft legislation and will give insight into lobbying and the legislative process. *Tim Hurst, Office of the Secretary of State; Kenneth R. McClure, Givens Pursley LLP; Charles A. "Skip" Smyser, Lobby Idaho*

Settler's Remorse: Challenges in Rescinding a Mediated Settlement Agreement - Cinnabar - 1.5 CLE credits of which 0.25 is Ethics

This presentation will explore what contract law claims and defenses have been used to challenge mediated settlements and whether they have succeeded. Discussed will be duress and coercion, fraud and misrepresentation, mistake and attorney misconduct, incompetence or incapacity, lack of authority or change in terms and confidentiality. *Merlyn W. Clark, Hawley Troxell; Maureen E. Laflin, University of Idaho College of Law*

Thursday, July 14 - 3:15 p.m. - 4:45 p.m. - CLE Session #3

Civility Matters - North Star - 1.5 CLE credits of which 1.5 is Ethics

An American Board of Trial Lawyers (ABOTA) presentation on the importance of civility in the legal profession and how civility benefits both the profession and the clients. *Hon. Linda Copple Trout, Idaho Supreme Court; Richard E. Hall, Duke Scanlan & Hall, PLLC; J. Walter Sinclair, Holland & Hart, LLP*

The Status and Threats to International Law on Freedom of Religion or Belief - Liberty - 1.5 CLE credits

This program will address religious freedom from a primarily international law perspective, addressing the threats facing the freedom of belief in the world, such as official state-sanctioned persecution, restrictions on proselytizing, restrictions on manifesting religious beliefs in one's workplace and in public, and restrictions on religious schools. *Matthew Richards, Brigham Young University International Center for Law and Religion Studies*

Workplace Investigations: Who, What, Where, When & Why - Cinnabar - 1.5 CLE credits

This CLE will maneuver through a variety of topics, including: how to know when a workplace investigation is necessary; who should conduct the investigation; key elements of the investigation and related documentation; and recommended actions and follow-up to consider after the investigation is complete. *Marla S. Henken, Idaho Employment Lawyers, PLLC; Pamela S. Howland, Idaho Employment Lawyers, PLLC; Andrea P. Patterson, Idaho Supreme Court*

Friday, July 15 - 8:00 a.m. - 10:00 a.m. - CLE Session #4

Delivery of Veterans Legal Aid and the Idaho Military Alliance - North Star - 2.0 CLE credits (NAC)

This program will cover the following topics: overview of the Idaho Military Legal Alliance; knowing and understanding the needs of military clients; veterans advocacy vs. civilian advocacy; understanding common veterans legal issues; how to set up and run a legal clinic; local, state and national veteran service organizations; and tips for working with veterans and military members. *Antoinette Balta, Veterans Legal Institute; Captain Stephen A. Stokes, Idaho National Guard*

Know Thyself: Unconscious Bias in the Legal Profession - Aspen - 2.0 CLE credits of which 0.25 is Ethics

As our profession is grounded in principles of integrity and objectivity, it can be challenging to accept that implicit bias plays a role in legal practice. But humans are hardwired to be biased; it is just part of who we are. This program will teach lawyers how to recognize their unconscious biases and implement techniques to mitigate or override them. *Latoria Haney Keith, Concordia University School of Law; Jodi A. Nafziger, Concordia University School of Law*

What Happened in the SRBA? Water Rights Basics and Post-Adjudication Considerations - Liberty - 2.0 CLE credits (NAC)

A summary of what the Snake River Basin Adjudication accomplished; water rights basics; and administrative and adjudication processes to remember in the post-adjudication era. *Hon. Eric J. Wildman, Fifth Judicial District Court; Christopher M. Bromley, McHugh Bromley, PLLC; Cindy Yenter, Idaho Department of Water Resources; Moderator: Candice M. McHugh, McHugh Bromley, PLLC*

Friday, July 15 - 10:15 a.m. - 11:45 a.m. - CLE Session #5

Lessons from the Masters - Aspen - 1.5 CLE credits of which 0.5 is Ethics (NAC)

There is no better way to earn Continuing Legal Education credits than to learn from those who are widely regarded as masters of the legal profession. This distinguished group of individuals represents 123 years of commitment to legal excellence. Three of Idaho's most notable citizens, not just in the legal profession but also in their own respective communities, will illustrate the ups and downs of their careers. *Hon. Deborah A. Bail, Fourth Judicial District Court; Donald L. Burnett, Jr., University of Idaho College of Law; Guy G. Hurlbutt, Former U.S. Attorney & Retired Boise Cascade Executive*

Friday, July 15 - 1:30 p.m. - 3:30 p.m. - CLE Session #6

Transitioning from the Practice of Law: Tools & Resources Await - Aspen - 2.0 CLE credits of which 0.5 is Ethics (NAC)

Succession planning can be a sensitive topic for lawyers. An informal survey found only 23% of Idaho lawyers in private practice have a formal written plan in place. By having an overview of the essentials of a written plan and a basic understanding of tools and resources available, you can save yourself, your clients, your law partners and your family from unnecessary harm. *Bradley G. Andrews, Idaho State Bar; Jamie C. Shropshire, Idaho Lawyers Assistance Program; Dr. Sarah Toevs, Boise State University Center for the Study of Aging; William F. "Bud" Yost, Yost Law, PLLC; Moderator: Hon. Jim Jones, Idaho Supreme Court*

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We hope to see you at the
2017 Annual Meeting
July 12-14, 2017
Moscow, ID

