



Oregon Law Institute  
of Lewis & Clark Law School

# A Day with the Supremes

*Crossroads: The Oregon  
Supreme Court and Appellate  
Practice in the 21st Century*

**T**his program offers an unparalleled opportunity to gain insight into the fundamentals of effective appellate advocacy from the perspective of the justices themselves. Key topics include the latest developments in the exercise of the “judicial power,” a candid appraisal of the important methodology in *PGE v. BOLI*, Oregon’s most-cited case, practice tips for the appellate advocate, and an examination of both the past and the future for Oregon’s Judicial Branch.

**FRIDAY, OCTOBER 13, 2006**

Oregon Convention Center  
777 NE Martin Luther King Jr., Blvd.  
Portland, Oregon

**5.5 General and 1 Ethics MCLE Credits**

# SCHEDULE

- 8:30 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:55 WELCOME AND INTRODUCTION  
– Justice Robert D. Durham  
– Justice Thomas A. Balmer
- 9:00 - 10:00 **On the Cutting Edge: Recent Decisions on the “Judicial Power”**  
A review of mootness, vacatur, standing, and attorney fees.  
– Chief Justice Paul J. De Muniz  
– Justice W. Michael Gillette  
– Justice Robert D. Durham  
– Justice Rives Kistler
- 10:00 - 11:00 **PGE v. BOLI at 13: Awkward Adolescence or on the Smooth Path to Maturity?**  
An examination of Oregon’s statutory interpretation methodology, including suggestions for successful advocacy regarding the meaning of statutes, constitutional provisions, contracts, and administrative rules.  
– Justice W. Michael Gillette  
– Justice Rives Kistler  
– Hon. Jack L. Landau  
– Keith M. Garza  
– Maureen Leonard
- 11:00 - 11:15 BREAK
- 11:15 - 12:15 **Round-up of the Usual Suspects**  
Recent developments in Bar discipline, including a review of recent cases, ORCPs , and the role of the Oregon Supreme Court.  
– Justice W. Michael Gillette  
– Justice Thomas A. Balmer  
– Jeffrey D. Sapiro
- 12:15 - 1:15 LUNCH (optional lunch at live program)
- 1:15 - 2:30 **Continuity and Change: The View from the Top**  
*Part I:* Former Chief Justice Wallace P. Carson reflects on the challenges and successes of his 24 years on the Supreme Court, including 14 years as Chief Justice of Oregon.  
*Part II:* Chief Justice Paul J. De Muniz charts the course for the Judicial Branch, including the anticipated challenges of the 2007 legislative session. Questions from the audience are welcome.
- 2:30 - 2:45 BREAK
- 2:45 - 4:30 **Appellate Advocacy for the Next Generation: The More Things Change...**  
The justices share their insights on a number of topics in a roundtable discussion that will enhance your confidence and competence as an appellate practitioner:  
■ Successful appellate advocacy before the Oregon Supreme Court  
■ Pet peeves and missed opportunities  
■ When to rely on the writ of mandamus  
■ How to rely on or challenge past precedent  
■ Valuable secrets about the Supreme Court’s caseload and docket  
■ Advocating federal law issues in the state supreme court  
■ The “error apparent” doctrine  
■ Using ORAP to your advantage  
■ Questions and responses from the justices
- 4:30 ADJOURN

# Program Faculty

**Justice Thomas A. Balmer**

*Oregon Supreme Court*

**Justice Wallace P. Carson, Jr.**

*Oregon Supreme Court*

**Chief Justice Paul J. De Muniz**

*Oregon Supreme Court*

**Justice Robert D. Durham**

*Program Planner  
Oregon Supreme Court*

**Keith M. Garza**

*Attorney at Law  
(Former Senior Staff Attorney,  
Oregon Supreme Court)*

**Justice W. Michael Gillette**

*Oregon Supreme Court*

**Justice Rives Kistler**

*Oregon Supreme Court*

**Hon. Jack L. Landau**

*Oregon Court of Appeals*

**Maureen Leonard**

*Attorney at Law*

**Jeffrey D. Sapiro**

*Disciplinary Counsel, Oregon State Bar*

## LIVE PRESENTATION

**Portland – 10/13/06**

Oregon Convention Center  
777 NE MLK Jr. Blvd.

## MCLE CREDIT

*A Day with the Supremes: Crossroads:  
The Oregon Supreme Court and Appellate  
Practice in the 21st Century* will receive  
**5.5** General and **1** Ethics MCLE credits.

## PROGRAM PRODUCTS

Even if you cannot attend, you can still get the program on audiotape, videotape, CD or DVD. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase OLI program products at 50% off the full retail price.

## QUESTIONS?

Please call OLI at (503) 768-6580 in Portland or toll-free in Oregon at (800) 222-8213, e-mail us at [oli@lclark.edu](mailto:oli@lclark.edu); or visit our Web site at [www.lclark.edu/org/oli](http://www.lclark.edu/org/oli).

## VIDEO REPLAYS

Please register at least one week prior to the replay date.

**Bend – 10/27/06**

**Replay 8:30 a.m.**  
Bryant Lovlien & Jarvis  
591 Mill View Way

**Eugene – 10/20/06**

**Replay 8:30 a.m.**  
Harrang Long Gary & Rudnick, P.C.  
360 East 10th Avenue, Ste. 300

**Medford – 10/20/06**

**Replay 8:30 a.m.**  
Kellington, Krack, Richmond,  
Blackhurst & Glatte, LLP  
23 Newtown Street

**Portland – 11/1/06**

**Replay 9:00 a.m.**  
Oregon Law Institute  
Gus J. Solomon Courthouse,  
620 S.W. Main St., Suite 706

# A Day with the Supremes

*Crossroads: The Oregon Supreme Court and Appellate Practice in the 21st Century*

Friday, October 13, 2006

Name \_\_\_\_\_ OSB No. or Profession \_\_\_\_\_

Firm/Organization \_\_\_\_\_

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Live presentation

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## TUITION *(Prices apply to live and video replays.)*

- \$159** "Early Bird" tuition *(received by October 9, 2006)*.
- \$119** "Early Bird" tuition for new attorneys (admitted 2005–2006), paralegals, or secretaries *(received by October 9, 2006)*.
- \$80** Legal aid attorneys and judges *(received by October 9, 2006)*.
- \$15** OLI Annual Pass holder (Annual Pass No. \_\_\_\_\_).
- \$20** Add to above tuition if registration received *after October 9, 2006*.

## OPTIONAL LUNCH AT LIVE SEMINAR

- \$20** Add to above tuition
- Vegetarian     Dietary restrictions: \_\_\_\_\_

## PRODUCT ORDER

*I am unable to attend. Please send me:*

- \$179** Audiotapes and course book *or*  **\$179** Audio CDs and course book
- \$299** Videotapes and course book *or*  **\$299** DVDs and course book
- \$55** Course book only
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Portland, OR 97205-3037

...or fax this registration  
form including credit  
card information to:  
(503) 768-6585.

**QUESTIONS? Call (503) 768-6580 or (800) 222-8213.**  
Check out our website at [www.lclark.edu/org/oli](http://www.lclark.edu/org/oli)  
or email us at [oli@lclark.edu](mailto:oli@lclark.edu).

**CONFIRMATION:** Confirmation will be sent via e-mail or fax one week before the program.  
**CANCELLATION POLICY:** Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by Tuesday, October 10, 2006.  
**NEED ASSISTANCE:** If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.  
**TUITION ASSISTANCE:** A limited number of scholarships are available based on financial need. Contact OLI.