

**American Bar Association  
2006 Annual Meeting in Honolulu  
Aug. 3 – 8**

**Programs and Events**

Annual Meeting programs are listed below by topic. A complete listing of all Meeting programs is also accessible. Because the location and times of programs are subject to change, this page will be updated up to and throughout the Annual Meeting.

A Press Room for working journalists, located in the Hawaii Convention Center, 3rd floor, Room 324, will open for on-site registration beginning at noon on Thursday, Aug. 3, and daily thereafter at 8 a.m. It will close one hour after the adjournment of the House of Delegates on Tuesday, Aug. 8. Beginning Aug. 3, the press room phone number will be 808/792-6622.

For more information or with questions call the ABA Division for Media Relations and Communication Services at 312/988-6171 or email [abanews@abanet.org](mailto:abanews@abanet.org).

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**GENERAL ADVISORY**

Programs slated throughout the meeting will cover nearly every area of law and explore such cutting-edge topics as birthright citizenship, international war criminal prosecution, disaster preparedness, and legal challenges surrounding intellectual property law and evolving technology.

Among featured speakers is U.S. Supreme Court Justice Anthony M. Kennedy who will speak at the International Rule of Law Luncheon, Aug. 5, noon – 2 p.m. at the Hawaii Convention Center, and again later that day at the ABA Annual Meeting Opening Assembly, 4 – 6 p.m. at the Sheraton Waikiki.

**Thursday, Aug. 3**

**“The Legal Status of Native Hawaiians”**

Although Native Hawaiians are indigenous, laws applied to other indigenous populations are not uniformly applied to them. This roundtable event will explore the history and present legal status of Native Hawaiians following the U.S. Supreme Court's decision in *Rice v. Cayetano*.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd floor, Room 310

**“Military Tribunals Begin: Must Fairness Give Way to National Security”** will explore the issue of military tribunals from several perspectives, including the need for national security and the enhancements of the U.S. proceedings over similar trials such as the international tribunals in Rwanda and Yugoslavia where the prosecution could appeal “not guilty” verdicts. Also addressed will be restrictions on the ability of counsel to communicate with clients, the possible exclusion of defendants from portions of a trial and the evidence rules adopted for use in the tribunals.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd floor, Room 320

**“Hawaii: A Look at the Legal Profession in a Multiethnic Community”** features leaders of the legal profession in Hawaii offering their insights on how the state’s multiethnic society affects the practice of law. Find out what practicing law is like when no “majority” exists and when lawyers of color lead the major law firms and bar associations.

11:30 a.m. – 1:00 p.m.

Hawaii Convention Center, 3rd Floor, Room 301A

#### **Friday, Aug. 4**

##### **“Migration in the Interdependent World”**

This program will review the Global Commission on International Migration’s report, “Migration in an Interdependent World: New Directions for Action.” Using the report as a guide, the program will explore public policy concerns regarding liberalization of the global labor market, the demand for irregular migration of workers, temporary migration programs to address economic needs, the creation of economic opportunities in developing countries and more.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, Room 319B

##### **“Federal Land Use and the Environment under the Roberts’ Court”**

This seminar will review recent U.S. Supreme Court jurisprudence on federal oversight of land use and federalist approaches to environmental regulation, with a particular focus on the new Roberts Court.

7:30 a.m. – 9 a.m.

Hawaii Convention Center, 3rd Floor, Room 313C

**“Prosecuting the World’s Worst War Criminals: From Sierra Leone to The Hague,”** This moderated roundtable discussion will outline the changes that took place over the last year at the International Criminal Court, the Special Court of Sierra Leone and the Iraqi Special Tribunal, and place them in the context of U.S. governmental policy.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, 318A

##### **“Climate Change & International M&A Transactions: Getting the Deal Done Right”**

Experts from San Francisco, New York, Toronto and Lugano, Switzerland, are slated to discuss climate change issues that are now arising in merger and acquisition transactions. Panelists will explore the issues that will affect merger and acquisition lawyers in performing due diligence and transaction structuring.

9 – 11 a.m.

Waikiki Beach Marriott, 3rd floor, Waikiki Ballroom 1, Paoakalani Tower

**“Getting Older Just Got Harder: Healthcare Challenges for the Elderly”** will focus on practical challenges faced in servicing the aging population, including physical and procedural accommodations, the creative planning necessary to deal with the special issues of the elderly, such as Medicare and the new Part D, Medicaid and long-term care insurance, and the nuts-and-bolts of planning for end-of-life decisions.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd floor Room 310,

##### **“Executive Compensation: Where is the Disclosure Going?”**

This forum will explore the impact of the newly proposed SEC rules on executive compensation disclosure. Panelists will also discuss innovative approaches to handling disclosure.

11 a.m. – 1 p.m.

Waikiki Beach Marriott, 3rd floor, Waikiki Ballroom 1, Paoakalani Tower

**“Disaster Preparedness – Continuity of Courtroom Operations in a Crisis”** will be a panel discussion about maintaining courtroom operations when a natural or man-made disaster strikes. Topics to be discussed include whether a physical location of the court must be moved, and the policies and procedures needed for fast and efficient implementation, security operations, movement of case files and movement of in-custody defendants.

11:15 a.m. – 1:15 p.m.

Royal Hawaiian Hotel, Regency Room III, Lobby Level

**“Annual Review of Supreme Court Decisions – Criminal Cases,”** a panel of experienced appellate and criminal lawyers and judges will review and discuss the criminal law and related decisions issued by the U.S. Supreme Court during the most recent term.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd floor, 316B

**“Hot Topics in Toxic and Environmental Law”**

This panel discussion, geared to the environmental and toxic tort practitioner and those who deal with environmental compliance issues, will analyze significant decisions and trends in environmental and toxic tort law from the past year.

11:30 am – 1 pm

Hawaii Convention Center, 3rd floor, Room 315

**“Gonzales v. Oregon—Lessons for States, Terminally Ill and Schiavo Patients”** will look into Oregon’s Death with Dignity Act, upheld by the U.S. Supreme Court in the 2006 *Gonzales v. State of Oregon* case. The legal, medical, ethical, religious and social implications of the Supreme Court’s ruling will be addressed in this 90-minute roundtable discussion led by esteemed panel members from these advocacy fields.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd floor, Room 310

**“Birthright Citizenship and the 14th Amendment”**

Numerous proposals have been introduced in Congress to repeal birthright citizenship for the children of undocumented persons, as well as for the children of persons who are not U.S. citizens and aliens lawfully admitted for permanent residence. This program will discuss the constitutionality of the proposals to repeal birthright citizenship, and if these proposals are good policy in light of this nation’s traditions, customs and values.

11:30 a.m. to 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 318B

**“Strategic Options Impacting International Assignments: Immigration Law Mechanisms Facilitating International Business Assignments between the United States and the Asia Pacific”**

To do business globally in today’s world, a company must be able to send employees wherever in the world they are needed, quickly and with minimum hindrance. In light of the rapidly growing economies of the Asia Pacific region, this program will provide an analysis of the primary temporary and long-term work permit options in the United States, Australia, China, Japan, Hong Kong and Singapore.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd floor, Room 319A

**“Brand Hawaii in the Global Entertainment Markets: The Tropics Hot Topics”**

This panel will examine key developments in Entertainment Law that focus on rights, revenues, distribution and merchandising strategies for regional talent and products in global markets. Panelists from sports, music, TV, film, and the visual arts will discuss specific examples, including the hit TV show *LOST!*, Sumo wrestling, Hawaiian music and cover art.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd floor, Room 313C

## **Saturday, Aug. 5**

### **“The Bankruptcy Reform Act of 2005 One Year Later: An Update on the Impact of its Business-Related Provisions”**

As the most comprehensive amendment to federal banking regulations in more than 20 years, what impact have the changes made on such aspects as creditor committees, incentive compensation, contracts, claims, exclusivity and vendor payments?

7 – 9 a.m.

Waikiki Beach Marriott, 3rd floor, Waikiki Ballroom 1, Paoakalani Tower

### **“Asian-Pacific Mediation Styles: Lessons and Implications for the Rest of Us”**

Experts will meet to explore key features and concepts of Asian-Pacific mediation styles including Hawaiian Ho’oponopono. The program will also provide insight on domestic and international disputes.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, Room 316C

### **“When ‘No Pets Allowed’ No Longer Applies — Laws Impacting Senior Citizens and Their Companion and Service Animals”**

will give special attention to tort and insurance issues pertaining to senior citizens residing with animals and their ability to care for them in the event of a death or hospitalization. This program will look at federal laws, tort elements, applicable damages and the availability of insurers. Special guests include Koko the Gorilla and Dr. Francine Patterson of the Gorilla Foundation.

7:30 am – 9 am

Hawaii Convention Center, 3rd floor, Room 315

**“Chief Justice Rehnquist: An Interactive Retrospective”** will explore the contributions and legacy of Chief Justice William Rehnquist in the form of a mock argument, a panel discussion and audience participation. Speakers will include former Solicitor Generals Drew E. Days III and Kenneth W. Starr, as well as Rehnquist’s former law clerks Maureen E. Mahoney and Jeffrey L. Bleich.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd Floor, Room 311

**“Deferred Prosecution Agreements: An Effective Way to Punish Corporate Misconduct or the End of the Adversary System? Attorney Client Privilege,”** focuses on recent deferred prosecution agreements between the Justice Department and U.S. businesses, including AOL, KPMG, and Computer Associates, and an analysis of whether this kind of agreement is good or bad for the criminal justice system. The program will also address preserving and waiving the attorney-client privilege in a corporate setting.

7:30 a.m. – 9 a.m.

Hawaii Convention Center, 3rd floor, Room 313B

**“Hot Topics in Intellectual Property Law – Patent, Trademark and Copyright,”** presents a panel discussion on the latest developments in patent, trademark and copyright law in three sections: Hot Topics in Patent Law – a discussion of current U.S. Supreme Court cases, including *Illinois Tool Works v. Independent Ink, eBay, Inc. et al v. MercExchange, LLC*; Hot Topics in Trademark Law – will focus on the latest developments in trademark law; and Hot Topics in Copyright Law will provide a synopsis of developments in copyright law, such as the Google Library Project and the state of the U.S. Copyright Office.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, Room 316A

**“The Basics: Family Medical Leave Act”** will provide an overview of the key provisions of the Family Medical Leave Act (FMLA). Particular focus will be placed on issues relating to employer coverage, employee eligibility and the circumstances under which FMLA leave is required.

8 – 10 a.m.

Sheraton Princess Kaulani, 11th floor, Robert Louis Stevenson B/C

**“Fifth in a Series of Presentations: Judicial Independence in the Context of the Rule of Law in the World Today”** will present a dialogue focusing on the interrelationship between the rule of law and judicial independence in the United States and beyond. Panelists will consist of noted U.S. Supreme Court columnist Joan Biskupic; television commentator, producer and talk show host Lynn Doyle; former Chief Justice Hilario Davide, Jr. of the Supreme Court of the Philippines; and 2006–2007 ABA President-elect Bill Neukom. Immediately following this program there will be a book signing of Biskupic’s book, *Sandra Day O’Connor: How the First Woman on the Supreme Court Became Its Most Influential Justice*. 9:30 – 11 a.m.

Hawaii Convention Center, 3rd Floor, Room 310

**“Erosion of the Attorney Client Privilege: The Impact on Business Lawyers”**

This program will explore issues surrounding attorney-client privilege and the work product doctrine from the business lawyer’s angle. Panel discussion will emphasize the work of the ABA Task Force on Attorney-Client Privilege and the developments that have the effect of eroding those protections.

11 a.m. – 1 p.m.

Waikiki Beach Marriott, Waikiki Ballroom 1, Paoakalani Tower, 3rd floor

**“Visible Invisibility: Women of Color in Law Firms”** will present the history, findings and next steps for the Women of Color Research Initiative. Additionally, it will provide the tools necessary to effectively utilize the study’s findings and make an impact in the public sphere.

11:30 a.m. – 1:30 p.m.

Hawaii Convention Center, 3rd Floor, Room 318A

**“Hurricane Katrina: A Civil Rights Disaster?”** will consist of a roundtable discussion that will examine the effects of Hurricane Katrina from a civil rights perspective and explore what the effects of the hurricane, particularly in New Orleans, demonstrate about race and poverty in our country, specifically in terms of access to justice and access to the political process.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd floor, Room 318A

**“Sex Slaves in the Twenty-first Century: The Investigation and Prosecution of Human Trafficking”**

will present recent successes in the new effort to combat the sex slave trade and focus on possible ways to redouble the effort through refining existing legislation, encouraging developing countries to assist in solving the problem from the supply and demand end of the slave trade, and look at providing victims with the support they need. This session will mainly focus on current efforts underway in Europe, South America, the United States and Asia.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd floor, Room 313B

**Sunday, Aug. 6**

**“Food Fights: Genetically Modified Food and the Law”**

Genetically modified foods: agricultural break-through or a threat to our food system? This program will focus on the various legal issues in agricultural biotechnology from a variety of perspectives. The panel will analyze this emergent area of international law and explore the methods lawyers have been using to prosecute and defend claims that genetic modification has caused harm to the food supply.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, Room 315

**“Best (and Most Ethical) Practices for Electronic Evidence (Document Retention, E-Discovery, Litigation Holds, Spoliation and Sanctions)”**

Lawyers everywhere have been confounded by recent sanctions related to electronic evidence preservation and production. Worse yet, there is not a clear set of “best practices” to which the diligent lawyer may refer for guidance. Such standards are finally in the process of being developed and this panel will address the latest, best and most ethical advice regarding document retention, electronic discovery generally, litigation holds in particular and the avoidance of spoliation and consequent sanctions.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd floor, Room 310

**“The Perfect Storm: Preparation, Response and Recovery,”** will examine an array of issues under the topics of preparation, response, and recovery, including what lessons have been learned, the roles of local, state, and federal governments, as well as private concerns, including the bar, restoration of basic services and legal structure, and issues for consumers, lawyers and business.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd floor, Room 320

**“16<sup>th</sup> Annual Margaret Brent Lawyers of Achievement Awards Luncheon”** recognizes and celebrates the accomplishments of women lawyers who have achieved professional excellence in their area of specialty and have paved the way to success for other women lawyers.

11:30 – 1:30 p.m.

Hawaii Convention Center, 4th Floor, Kalakaua Ballroom

**“Principles of Forensic DNA for Officers of the Court: A New Tool for Attorneys and Judges”** will inspect pretrial DNA evidence issues, procedural considerations for defense lawyers and prosecutors, trial presentation, the jury and expert witnesses. Part two of a two-part series, this workshop will cater to legal professionals involved in the prosecution, defense or judicial action related to criminal forensic DNA cases.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd floor, Room 313B

**“Silencing the Court: Judicial Impartiality v. Free Speech, A Mock Supreme Court Argument”** will focus on the conflict presented in the denial of *Dimick v. Republican Party of Minnesota*, where the need for judicial ethics codes that protect public confidence in the impartiality of the courts collides with the rights of judicial candidates to free speech and association. A panel of psychologists and communication specialists will analyze the behavior and comments of the mock trial participants.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd floor, Room 315

**A Dialogue with the National Labor Relations Board**

A “new” full strength National Labor Relations Board is in effect for the first time since December 2004. Board members will share their perspectives on the past year's prominent decisions and pressing issues, and engage in a dialogue about precedent and labor management policy issues.

1:30 p.m. to 3 p.m.

Hyatt Regency Waikiki, 2nd Level, Regency Ballroom Maloko

**Monday, Aug. 7**

The 549-member ABA **House of Delegates** will meet to consider policy recommendations and vote on resolutions.

8:30 a.m. – 5 p.m.

Hawaii Convention Center, 4th floor, Kalakaua Ballroom

**“You Had a Security Breach, What Do You Have to Do and What Comes Next?”**

A privacy litigation specialist, a data forensics expert, an assistant state attorney general and a Federal Trade Commission representative will discuss how to respond to a security breach and what to expect after you have given customer notification.

9 – 11 a.m.

Waikiki Beach Marriott, 2nd floor, Leahi Ballroom, Kealohilani Tower

**Tuesday, Aug. 8**

The 549-member ABA **House of Delegates** will meet to consider policy recommendations and vote on resolutions.

8 a.m. – 1 p.m.

Hawaii Convention Center, 4th floor, Kalakaua Ballroom

## **BUSINESS AND INTERNATIONAL LAW PROGRAM HIGHLIGHTS**

Business and international law programs slated throughout the meeting will cover such cutting-edge topics as globalizing small businesses, executive compensation disclosure, security breaches in the financial sector, cross-border investments in banking and challenges for businesses investing in China

### **Friday, Aug. 4**

**“Administrative and Regulatory Practice Procedures in the People’s Republic of China”** This program will review these practice procedures in the People’s Republic of China and their role in the adjudication of disputes involving international trade and intellectual property issues.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, 317B

### **“Migration in the Interdependent World”**

Experts in the international labor market will review the Global Commission on International Migration’s report, “Migration in an Interdependent World: New Directions for Action.”

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, 319B

### **“Climate Change & International M&A Transactions: Getting the Deal Done Right”**

Experts from San Francisco, New York, Toronto and Lugano, Switzerland, are slated to discuss climate change issues that are now arising in merger and acquisition transactions. Panelists will explore the issues that will affect merger and acquisition lawyers in performing due diligence and transaction structuring.

9 – 11 a.m.

Waikiki Beach Marriott, 3rd floor Waikiki Ballroom 1, Paoakalani Tower

### **“Going Global With Your Small Business Clients – Small Business”**

Small company does not automatically mean domestic company. Expert panelists will discuss the process of setting up international sales and developing relationships with foreign customers and understanding their needs.

9 – 11 a.m.

Waikiki Beach Marriott, 3rd floor Oahu Room, Paoakalani Tower

### **“Is the World Really an Oyster?: Current Issues in Trade Finance”**

A global economy means that more lawyers must learn trade finance. Panelists will address export credit agencies, import finance and other financing techniques.

11 a.m. – 1 p.m.

Waikiki Beach Marriott, 3rd floor, Oahu Room, Paoakalani Tower

### **“Executive Compensation: Where is the Disclosure Going?”**

This forum will explore the impact of the newly proposed SEC rules on executive compensation disclosure. Panelists will also discuss innovative approaches to handling disclosure.

11 a.m. – 1 p.m.

Waikiki Beach Marriott, 3rd floor Waikiki Ballroom 1, Paoakalani Tower

### **“Brand Hawaii in the Global Entertainment Markets: The Tropics Hot Topics”**

This panel will examine key developments in Entertainment Law that focus on rights, revenues, distribution and merchandising strategies for regional talent and products in global markets. Panelists from sports, music, TV, film, and the visual arts will discuss specific examples, including the hit TV show LOST!, Sumo wrestling, Hawaiian music and cover art.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd floor, Room 313C

**“Doing Business in China: The Latest Challenges”**

This program will provide the most recent updates and legal developments affecting doing business in China and inbound investment into China, focusing particularly on laws regarding antitrust, intellectual property, labor and investment.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd floor, 318A

**“Outsourcing, Vendor Management and the Federal Banking Regulators”**

This program will explore how a growing number of financial institutions outsource various functions, and how federal regulators look closely at arrangements with third parties, whether the companies are domestic or foreign.

1:30 – 3:30 p.m.

Waikiki Beach Marriott, 2nd floor, Milo III, Paoakalani Tower

**Saturday, Aug. 5**

**“The Bankruptcy Reform Act of 2005 One Year Later: An Update on the Impact of its Business-Related Provisions”**

As the most comprehensive amendment to federal banking regulations in more than 20 years, what impact have the changes made on such aspects as creditor committees, incentive compensation, contracts, claims, exclusivity and vendor payments?

7 – 9 a.m.

Waikiki Beach Marriott, 3rd floor, Waikiki Ballroom 1, Paoakalani Tower

**“Financial Developments in the Pacific Rim – Banking Law”**

The current strengths and weaknesses of Pacific financial institutions, including the huge cross border investments being made, as well as securities activities and issues affecting banks generally, will be addressed.

7 – 9 a.m.

Waikiki Beach Marriott, 3rd floor, Oahu Room, Paoakalani Tower

**“Hot Topics in Intellectual Property Law – Patent, Trademark and Copyright,”** presents a panel discussion on the latest developments in patent, trademark and copyright law in three sections: Hot Topics in Patent Law – a discussion of current U.S. Supreme Court cases, including *Illinois Tool Works v. Independent Ink, eBay, Inc. et al v. MercExchange, LLC*; Hot Topics in Trademark Law – will focus on the latest developments in trademark law; and Hot Topics in Copyright Law will provide a synopsis of developments in copyright law, such as the Google Library Project and the state of the U.S. Copyright Office.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, Room 316A

**“Asian-Pacific Mediation Styles: Lessons and Implications for the Rest of Us”**

Key features and concepts of Asian-Pacific mediation styles including Hawaiian Ho’oponopono will be presented, as well as insights on domestic and international cross-cultural disputes.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, 316C

**“Hot Issues in Foreign Investment in the United States”**

Important new legal and business developments relating to foreign investment in the United States, including issues of national security approvals, accounting and tax transparency, and antitrust considerations, will be addressed.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, 318B

**“Investment Treaty Discipline: Is China Ready for It?”**

This program will provide an overview of how China’s WTO and bilateral investment treaty obligations mesh together, how treaties negotiated in a period where joint venture agreements were the norm apply now that more sectors are open to a panoply of investment options, and if China can meet its commitments in crucial investment areas such as intellectual property.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, 319A

**“Erosion of the Attorney Client Privilege: The Impact on Business Lawyers”**

Issues surrounding attorney-client privilege and the work product doctrine from the business lawyer’s angle will be examined. Panel discussion will emphasize the work of the ABA Task Force on Attorney-Client Privilege and the developments that have the effect of eroding those protections.

11 a.m. – 1 p.m.

Waikiki Beach Marriott, 3rd floor, Waikiki Ballroom 1, Paoakalani Tower

**“Looking East: Investment in China – Negotiated Acquisitions”**

Merger and acquisition advisors will discuss the profound impact of China’s economic growth on the world economy. Experts will discuss practical aspects of doing deals in China, including what is different and what is the same in the United States.

11 a.m. – 1 p.m.

Waikiki Beach Marriott, 3rd floor, Oahu Room, Paoakalani Tower

**“Intellectual Property Harmonization: Does the World Want it?”**

How the development of intellectual property systems throughout the world has become the new focal point of debate over globalization will be discussed. Also addressed will be how global corporations and governmental agencies of the developed countries view “harmonization” of intellectual property systems worldwide as important to standardizing the rules for global commerce.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd floor 316A

**Sunday, Aug. 5**

**“Transacting Business Over the Internet in the Asia-Pacific Rim”**

Since the Internet is still developing in the Asia-Pacific Rim, unique legal and political problems arise when conducting business over the Internet there. This program will examine the region’s substantially different national regulation with experts from the region and in the field discussing relationship formation and agreements, payment systems, intellectual property and more.

7 – 9 a.m.

Waikiki Beach Marriott, 3rd floor Waikiki Ballroom 3, Paoakalani Tower

**“Food Fights: Genetically Modified Food and the Law”**

Genetically modified foods: agricultural break-through or a threat to our food system? This program will focus on the various legal issues in agricultural biotechnology from a variety of perspectives. The panel will analyze this emergent area of international law and explore the methods lawyers have been using to prosecute and defend claims that genetic modification has caused harm to the food supply.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, Room 315

**“Securities Enforcement and Litigation For In-House Counsel: Controlling Restatement Chaos”**

Panelists will explore best practices for handling overlapping civil and regulatory proceedings that affect a public company’s management, financial condition or both. Speakers will address the government, plaintiff, defendant, in-house counsel and accounting perspectives.

9 – 11 a.m.

Waikiki Beach Marriott, 3rd floor, Waikiki Ballroom 3, Paoakalani Tower

### **“Venture Capital Investing in Asia”**

Experts from Bangalore, India, Hong Kong, China and California will provide practitioners with guidance to plan and execute venture capital investments in China and India. The program will focus on offshore incorporation, compliance with former investment restrictions, and recent legal developments.

9 – 11 a.m.

Waikiki Beach Marriott, 3rd floor, Oahu Room, Paoakalani Tower

### **“Successful Strategies to Achieve Diversity in Your Organization”**

This step-by-step guide to achieving diversity in law offices will be presented for both corporate and government entities. This program will also provide insight on the state of diversity in the profession, the best and worst practices for achieving diversity, and the challenges that are encountered.

11 a.m. – 1 p.m.

Waikiki Beach Marriott, 3rd floor, Oahu Room, Paoakalani Tower

### **“Counterfeiting: How Globalization, Technology and the Internet Have Created a Worldwide Crisis and How to Combat It”**

Counterfeit goods are entering the world economy in increased quantities and manufacturing operations must be vigilant in protecting their intellectual property rights. This program will focus on creative ways to protect intellectual property against infringement, misappropriation and theft, including business solutions where foreign legal regimes prove inadequate.

11:30 a.m. - 1 p.m.

Hawaii Convention Center, 3rd floor, Room 318B

### **“Internet and E-Commerce Best Practices: A General Counsel’s Guide to Navigating Uncharted Waters”**

This program will focus on practical solutions for companies in areas where the law of e-commerce and the Internet is unclear or imposes conflicting obligations. Topics will include: How companies develop best practices, contract information, consumer rights, pop-up ads, key word sales and other novel forms of online advertising; international privacy; and service provider responsibility and immunity for online conduct.

11:30 a.m. - 1 p.m.

Hawaii Convention Center, 3rd floor, Room 313A

### **“A Dialogue with the National Labor Relations Board”**

A “new” full strength National Labor Relations Board is in effect for the first time since December 2004. Board members will share their perspectives on the past year’s prominent decisions and pressing issues, and engage in a dialogue about precedent and labor management policy issues.

1:30 p.m. to 3 p.m.

Hyatt Regency Waikiki, 2nd floor, Regency Ballroom Maloko

## **Monday, Aug. 7**

### **“Hot Topics in the Tropics – The Newest, Latest and Greatest Facing Corporate Counsel Today”**

What are today’s pressing issues facing corporate counsel? This discussion will offer an opportunity to ask questions concerning the management of outside counsel in the United States and abroad, the proposed “safe harbor” provisions of the revised FRCP, and other e-discovery plights.

7 – 9 a.m.

Waikiki Beach Marriott, Waikiki Ballroom 2, Paoakalani Tower, 3<sup>rd</sup> floor

### **“You Had a Security Breach, What Do You Have to Do and What Comes Next?”**

A privacy litigation specialist, a data forensics expert, an assistant state attorney general and a Federal Trade Commission representative will discuss how to respond to a security breach and what to expect after you have given customer notification.

9 – 11 a.m.

Waikiki Beach Marriott, Leahi Ballroom, Kealohilani Tower, 2<sup>nd</sup> floor

## **CRIMINAL JUSTICE PROGRAM HIGHLIGHTS**

Criminal Justice programs scheduled throughout the meeting will cover progressive topics such as the latest policy developments at the key international criminal tribunals, and the expanded uses of DNA evidence and DNA data banks to solve crimes.

### **Thursday, Aug. 3**

**“Military Tribunals Begin: Must Fairness Give Way to National Security?”** will explore the issue of military tribunals from several perspectives, including the need for national security, and the enhancements of the U.S. proceedings over similar trials, such as the international tribunals in Rwanda and Yugoslavia where the prosecution could appeal “not guilty” verdicts. Also addressed will be restrictions on the ability of counsel to communicate with clients, the possible exclusion of defendants from portions of a trial, and the evidence rules adopted for use in the tribunals.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd Floor, Room 320

### **Saturday, Aug. 5**

**“Deferred Prosecution Agreements: An Effective Way to Punish Corporate Misconduct or the End of the Adversary System?”** focuses on recent deferred prosecution agreements between the Justice Department and U.S. businesses, including AOL, KPMG and Computer Associates, and an analysis of whether this kind of agreement is good or bad for the criminal justice system. The program will also address preserving and waiving the attorney-client privilege in a corporate setting.

7:30 a.m. – 9 a.m.

Hawaii Convention Center, 3rd Floor, Room 313B

**“Prosecuting the World’s Worst War Criminals: From Sierra Leone to The Hague”** This moderated roundtable discussion will outline the changes that took place over the last year at the International Criminal Court, the Special Court of Sierra Leone and the Iraqi Special Tribunal, and place them in the context of U.S. governmental policy.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd Floor, 318A

**“Annual Review of Supreme Court Decisions – Criminal Cases,”** a panel of experienced appellate and criminal lawyers and judges will review and discuss the criminal law and related decisions issued by the U.S. Supreme Court during the most recent term.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, 316B

**“Sex Slaves in the 21<sup>st</sup> Century: The Investigation and Prosecution of Human Trafficking,”** will present recent successes in the new effort to combat the sex slave trade and focus on possible ways to redouble the efforts through refining existing legislation, encouraging developing countries to assist in solving the problem from the supply and demand ends of the sex slave trade, and discussing the problems in rescuing trafficked persons and then providing the victims with the support they require.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, 313B

**Sunday, Aug. 6**

**“Principles of Forensic DNA for Officers of the Courts, Part 1, Session 1: Breaking Down the Double Helix,”** will address the biology of DNA, crime scene issues, introduction to the forensic DNA laboratory, assuring quality in DNA testing, understanding a forensic DNA laboratory report and DNA databases. Part I of this two-part program will also address evidentiary issues and legal considerations for lawyers and the judiciary that arise as a result of expanded use of DNA evidence and DNA data banks to solve crimes.

7:30 – 9 a.m

Hawaii Convention Center, 3rd Floor, 313B

**“Principles of Forensic DNA for Officers of the Court, Part 2, Session 2: Successful DNA Case Management.”** Session two of the two-part workshop will cover topics including pretrial DNA evidence issues, procedural considerations for the defense and prosecutor, trial presentation, jury issues and expert witnesses. This program will define DNA and issues associated with forensic DNA analysis and laboratory reporting.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, 313B

## **HEALTH AND ELDER LAW PROGRAM HIGHLIGHTS**

The legal, medical, ethical, religious and social implications associated with Oregon's Death with Dignity Act; popular issues confronting workers and retirees covered by collective bargaining agreements; and practical health challenges facing the aging population are among the health and elder law topics to be presented at the meeting.

### **Friday, Aug. 4**

One of the main topics addressed at the **Annual Healthcare Liability Breakfast** will be the effects of tort reform on Mississippi as well as the constitutional challenges the legislation presents. The discussion will be led by Mississippi Attorney General Jim Hood.

7:30 – 8:30 a.m.

Hilton Hawaiian Village Beach Resort, Mid-Pacific Conference Center, South Pacific IV

**“Getting Older Just Got Harder: Healthcare Challenges for the Elderly”** will focus on practical challenges faced in servicing the aging population, including physical and procedural accommodations, the creative planning necessary to deal with the special issues of the elderly, such as Medicare and the new Part D, Medicaid and long-term care insurance, and the nuts-and-bolts of planning for end-of-life decisions.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd Floor, Room 310

**“Gonzales v. Oregon—Lessons for States, Terminally Ill and Schiavo Patients”** will look into Oregon's Death with Dignity Act, upheld by the U.S. Supreme Court in the 2006 *Gonzales v. State of Oregon* case. The legal, medical, ethical, religious and social implications of the Supreme Court's ruling will be addressed in this 90-minute roundtable discussion led by esteemed panel members from these advocacy fields.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 310

### **Saturday, Aug. 5**

**“When ‘No Pets Allowed’ No Longer Applies—Laws Impacting Senior Citizens and Their Companion and Service Animals”** will give special attention to tort and insurance issues pertaining to senior citizens residing with animals and their ability to care for them in the event of a death or hospitalization. This program will look at federal laws, tort elements, applicable damages and the availability of insurers. Special guests include Koko the Gorilla and Dr. Francine Patterson of the Gorilla Foundation.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd Floor, Room 315

**“An Elder Law Practice, New Ethical Ideas to Improve Your Practice by Giving Clients What They Want and Need”** will communicate the primary principles of elder law. An authoritative panel of elder law experts will share proven techniques, experiences and insight into how federal Medicaid reform will impact legal practices.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd Floor, Room 317B

**“The Basics: Family Medical Leave Act”** will provide an overview of the key provisions of the Family Medical Leave Act. Particular focus will be placed on issues relating to employer coverage, employee eligibility and the circumstances under which FMLA leave is required.

8 – 10 a.m.

Sheraton Princess Kaiulani, 11th Floor, Robert Louis Stevenson B/C

**Monday, Aug. 7**

**“What Happened to My Retirement Benefits?”** will examine some hot issues confronting workers and retirees covered by collective bargaining agreements, including disappearing retiree medical benefits, new options available for employee health benefits, and the judicially sanctioned shrinking of pensions.  
3:30 – 5 p.m.

Hyatt Regency Waikiki, 2nd Level, Regency Ballroom Maloko

## **IMMIGRATION LEGAL ISSUES PROGRAM HIGHLIGHTS**

### **Friday, Aug. 4**

#### **“Migration in the Interdependent World”**

This program will review the Global Commission on International Migration's report, "Migration in an Interdependent World: New Directions for Action." Using the report as a guide, the program will explore public policy concerns regarding liberalization of the global labor market, the demand for irregular migration of workers, temporary migration programs to address economic needs, the creation of economic opportunities in developing countries and more.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd Floor, Room 319B

#### **“Strategic Options Impacting International Assignments: Immigration Law Mechanisms” Facilitating International Business Assignments Between the United States and the Asia Pacific”**

To do business globally in today's world, a company must be able to send employees wherever in the world they are needed, quickly and with minimum hindrance. In light of the rapidly growing economies of the Asia Pacific region, this program will provide an analysis of the primary temporary and long-term work permit options in the United States, Australia, China, Japan, Hong Kong and Singapore.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 319A

#### **“Birthright Citizenship and the 14th Amendment”**

Numerous proposals have been introduced in Congress to repeal birthright citizenship for the children of undocumented persons, as well as for the children of persons who are not U.S. citizens and aliens lawfully admitted for permanent residence. This program will discuss the constitutionality of the proposals to repeal birthright citizenship, and if these proposals are good policy in light of this nation's traditions, customs and values.

11:30 a.m. to 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 318B

### **Saturday, Aug. 5**

#### **“Sex Slaves in the 21st Century: The Investigation and Prosecution of Human Trafficking”**

This program will present recent successes in the new effort to combat the sex slave trade and focus on possible ways to redouble the effort through refining existing legislation, encouraging developing countries to assist in solving the problem from the supply and demand end of the sex slave trade, and ways to provide victims with the support they need.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 313B

### **Sunday, Aug. 6**

#### **“Litigation and Resolution of Cross-Border Labor and Employment Disputes”**

This program will focus on how transnational disputes involving labor and employment law issues are addressed, both in traditional litigation and through use of alternative dispute resolution mechanisms. This will include a discussion of choice of law and forum selection issues and issues related to enforceability of agreements, decisions and arbitration awards that involved cross-border labor and employment law issues.

11 a.m. – 12:30 p.m.

Hyatt Regency Waikiki, 2nd level, Regency Ballroom Maloko

## **JUDICIAL, TRIAL PRACTICE AND COURTROOM-RELATED PROGRAM HIGHLIGHTS**

Technology, the law and judging; the importance of using mock trials and shadow juries in preparation for court; and continuity of court operations in a crisis will be among topics addressed during the meeting.

### **Friday, Aug. 4**

**“Daubert: More Important Than You Think in Business Litigation — Business and Corporate Litigation”** will examine the best strategies for defeating a challenge to expert testimony in a business litigation case as it relates to the limitations imposed by the United States Supreme Court ruling in *Daubert v. Merrell Dow Pharmaceuticals*.

7 – 9 a.m.

Waikiki Beach Marriott, Oahu Room, 3rd Floor, Paoakalani Tower

**“Separation of Church and State: Is the Wall Crumbling?”** will debate key perspectives of the U.S. Supreme Court’s position on the separation of church and state as defined by the religion clauses of the First Amendment. The ABA’s history and current policy stance on this matter will also be discussed.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd Floor, Room 318A

**“Judging Your Court: An Assessment Tool”** will showcase Chief Justice of the Missouri Supreme Court Michael Wolff’s firsthand experience testing this judicial measurement tool, that will allow states to determine the degree to which their judicial systems meet established norms of independence and effectiveness. This session will also address process, results and plans for future testing in additional states.

7:30 – 9 a.m.

Royal Hawaiian Hotel, Lobby Level, Regency Room III

**“The Attorney-Client Privilege Under Siege: Has the Erosion of the Privilege Placed Confidential Client Communications in Jeopardy?”** will bring together representatives of the Department of Justice and the Securities and Exchange Commission, the co-chairs of the ABA and section task forces on attorney-client privilege, in-house counsel and lawyers in private practice to discuss the very latest on how courts, regulators, prosecutors and the private bar are dealing with this matter.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd Floor, Room 320

**“Disaster Preparedness—Continuity of Courtroom Operations in a Crisis”** will offer a panel discussion regarding maintaining courtroom operations when a natural or manmade disaster strikes. Topics to be discussed will include whether a physical location of the court must be moved, and the policies and procedures needed for fast and efficient implementation, security operations, movement of case files and movement of in-custody defendants.

11:15 a.m. – 1:15 p.m.

Royal Hawaiian Hotel, Lobby Level, Regency Room III

**“Terence MacCarthy Teaches His Famous Cross-Examination Method”** will give lawyers an inside view of federal defender Terrence MacCarthy’s simple, yet powerful cross-examination method from the man himself.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 316B

**“Everyone Has an Opinion: Valuing Persuasive Authority from Outside the Jurisdiction”** will present a distinguished panel of federal and state judges to examine when and how appellate courts view or use persuasive authority from outside their jurisdiction.

2:00 – 3:30 p.m.

Royal Hawaiian Hotel, Lobby Level, Regency Room III

### **Saturday, Aug. 5**

**“Chief Justice Rehnquist: An Interactive Retrospective”** will explore the contributions and legacy of Chief Justice William Rehnquist in the form of a mock argument, a panel discussion and audience participation. Speakers will include former Solicitor Generals Drew E. Days III and Kenneth W. Starr, as well as Rehnquist’s former law clerks Maureen E. Mahoney and Jeffrey L. Bleich.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd Floor, Room 311

**“Judicial Independence in the Context of the Rule of Law in the World Today”** will present a dialogue focusing on the interrelationship between the rule of law and judicial independence in the United States and beyond. Panelists will include U.S. Supreme Court columnist and author Joan Biskupic; television commentator, producer and talk show host Lynn Doyle; former Chief Justice Hilario Davide Jr. of the Supreme Court of the Philippines; and incoming ABA President-elect William Neukom.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd Floor, Room 310

**“Hot Technology Projects Argued to Judges”** will offer two mock court hearings exploring the different areas where technology intersects with law and judging. The program will focus on ex parte fact investigation over the Internet and the rule of judicial conduct 2.10(B).

11:15 a.m. – 1:15 p.m.

Sheraton Waikiki, 2nd Floor, Oahu Room

**“E-Discovery in Practice: Mock Deposition of 30(b)(6) Electronic Discovery Custodians”** will utilize a series of dynamic deposition vignettes to illustrate effective questioning strategies and practical approaches to facing the unique challenges presented when depositions are taken from electronic records custodians.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 311

**“Test-Driving Your Trial Strategy—Using Mock Trials to Fine Tune Themes and Witnesses”** will investigate how trial lawyers use mock trials and shadow juries in preparation for court. In true mock trial style, expert lawyers in the field will present brief arguments to a live jury where their reactions will be observed and critiqued.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 312

**“What do Judges Do? Being a Judge in America”** will compare judicial decisions to decisions made by the executive or legislative branches. An interactive discussion of the powers and limitations of judges will be moderated by Kenneth Starr, former judge of the U.S. Court of Appeals for the District of Columbia.

1 – 4 p.m.

Royal Hawaiian Hotel, Lobby Level, Regency Room II

## **Sunday, Aug. 6**

**“Best (and Most Ethical) Practices for Electronic Evidence (Document Retention, E-Discovery, Litigation Holds, Spoliation and Sanctions)”** will discuss the latest and most ethical advice regarding document retention, electronic discovery, litigation holds, and the avoidance of spoliation and consequent sanctions.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd Floor, Room 310

**“Principles of Forensic DNA for Officers of the Courts: A New Tool for Attorneys and Judges”** will cover topics consisting of the biology of DNA, crime scene issues, introduction to the forensic DNA laboratory, assuring quality in DNA testing, understanding a forensic DNA laboratory report and DNA databases. Part one of a two-part series, this workshop will cater to legal professionals involved in the prosecution, defense or judicial action related to criminal forensic DNA cases.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 313B

**“Effectively Representing Defendants with Disabilities”** will explore different strategies to aid in the preparation of trial cases where disability issues are present, including establishing a relationship, substantiating a disability, securing reasonable accommodations and incorporating a disability into a defense.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 323B

**“Silencing the Court: Judicial Impartiality v. Free Speech, A Mock Supreme Court Argument”** will focus on the conflict presented in the denial of *Dimick v. Republican Party of Minnesota*, where the need for judicial ethics codes that protect public confidence in the impartiality of the courts collides with the rights of judicial candidates to free speech and association. A panel of psychologists and communication specialists will analyze the behavior and comments of the mock trial participants.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 315

**“Principles of Forensic DNA for Officers of the Court: A New Tool for Attorneys and Judges”** will inspect pretrial DNA evidence issues, procedural considerations for defense lawyers and prosecutors, trial presentation, the jury and expert witnesses. Part two of a two-part series, this workshop will cater to legal professionals involved in the prosecution, defense or judicial action related to criminal forensic DNA cases.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 313B

## **Monday, Aug. 7**

**“Putting Your Best Case Forward”** will give lawyers critical insight into how to develop effective themes at trial, mastering the electronic courtroom, getting the most from witnesses, the impact of expert testimony, jury reactions and more.

10:45 a.m. – 12:30 p.m.

Hyatt Regency Waikiki, 2nd Floor, Regency Ballroom Makai

## **LAW PRACTICE MANAGEMENT PROGRAM HIGHLIGHTS**

Law practice management programs will discuss such hot legal topics, such as the best way for the not-so-tech-savvy lawyer to navigate new technology, how law firm's associates become "rainmakers," and how a law firms should protect their client's electronic evidence.

### **Friday, August 4**

**"Technology for the Rest of Us"** will feature a panel of experts addressing questions such as: "What kind of scanner should I purchase?" "How much memory do I need?" and "Will a laptop fit my needs or is a desktop more suitable?" Learn the answers to these questions and more at this program, designed specifically for those who lack tech savviness and want to develop a working knowledge to ensure their firm's efficiency and effectiveness.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd Floor, Room 323B

**"Negotiating Difference: Appreciating Gender and Culture in Negotiation"** is a highly interactive program on how communication styles, culture and social perceptions affect negotiation success. Attendees will learn how to use these factors to their advantage in a variety of settings from litigation to transaction practice settings.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 323B

### **Saturday, August 5**

**"Marketing by Associates Can Increase the Bottom Line While Training Your Future Leaders"** focuses on marketing tactics that can be utilized by firm associates to make more productive, committed employees. Experts will explain what skills associates should have at each stage of their careers and how firm management can ensure they acquire them.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd Floor, Room 323B

**"Practical Integration of Legal Technology Today"** will explain the increasingly important role of technology in the legal industry today. For those unable to attend "Technology for the Rest of Us" or those who simply want to learn more, this program is the perfect source for learning about today's newest technologies that have proved beneficial to the legal community.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 323B

### **Sunday, August 6**

**"Best (and Most) Ethical Practices for Electronic Evidence (Document Retention, E-Discovery, Litigation Holds, Spoliation and Sanctions)"** will address the latest, best and most ethical advice regarding document retention, electronic discovery, litigation holds in particular, and the avoidance of spoliation and consequent sanctions.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd Floor, Room 310

## **NATIONAL SECURITY AND NATIONAL DISASTER PROGRAM HIGHLIGHTS**

Panel discussions of the effect natural or man-made disasters have on the continuity of operations in the courtroom and the effects of Hurricane Katrina from a civil rights perspective are among programs at the meeting.

### **Thursday, Aug. 3**

**“Military Tribunals Begin: Must Fairness Give Way to National Security”** will explore the issue of military tribunals from several perspectives, including the need for national security and the enhancements of the U.S. proceedings over similar trials such as the international tribunals in Rwanda and Yugoslavia where the prosecution could appeal “not guilty” verdicts. Also addressed will be restrictions on the ability of counsel to communicate with clients, the possible exclusion of defendants from portions of a trial and the evidence rules adopted for use in the tribunals.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd Floor, Room 320

### **Friday, August 4**

**“The Perfect Storm: Preparation, Response and Recovery”** will examine an array of issues under the topics of preparation for, response to and recovery from disasters, including what lessons have been learned; the roles of local, state and federal governments; as well as private concerns, including the bar, restoration of basic services and legal structure, and issues for consumers, lawyers and business.

9:30 – 11 a.m.

Hawaii Convention Center, 3rd Floor, Room 320

**“Disaster Preparedness – Continuity of Courtroom Operations in a Crisis”** will be a panel discussion about maintaining courtroom operations when a natural or man-made disaster strikes. Topics to be discussed include whether a physical location of the court must be moved, and the policies and procedures needed for fast and efficient implementation, security operations, movement of case files and movement of in-custody defendants.

11:15 a.m. – 1:15 p.m.

Royal Hawaiian Hotel, Lobby Level, Regency Room III

### **Saturday, Aug. 5**

**“Prosecuting the World’s Worst War Criminals: From Sierra Leone to The Hague”** is a moderated roundtable discussion that will outline the changes taken place over the last year at the International Criminal Court, the Special Court of Sierra Leone and the Iraqi Special Tribunal, and place them in the context of U.S. governmental policy.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd Floor, 318A

**“Sex Slaves in the 21st Century: The Investigation and Prosecution of Human Trafficking”** will present recent successes in the new effort to combat the sex slave trade and focus on possible ways to redouble the efforts through refining existing legislation, encouraging developing countries to assist in solving the problem from the supply and demand ends of the sex slave trade, and discussing the problems in rescuing trafficked persons and then providing the victims with the support they require.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, 313B

**Sunday, Aug. 6**

**“Hurricane Katrina: A Civil Rights Disaster?”** will consist of a roundtable discussion that will examine the effects of Hurricane Katrina from a civil rights perspective and explore what the effects of the hurricane, particularly in New Orleans, demonstrate about race and poverty in our country, specifically in terms of access to justice and access to the political process.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 318A

**Tuesday, Aug. 8**

**“Disaster Strikes! How to Address Labor and Employment Issues in the Aftermath”** will examine how hurricanes Katrina, Rita and Wilma and other disasters often leave employers, workers and job sites in turmoil. Panelists will evaluate effective statutory, regulatory and organizational fixes for catastrophic events.

1:30 – 3:30 p.m.

Hyatt Regency Waikiki, 2nd Level, Regency Ballroom Mauka

## **SCIENCE AND TECHNOLOGY LEGAL ISSUES PROGRAM HIGHLIGHTS**

What is the status of legal challenges related to the Google library? What are the latest legal challenges relative to genetically altered food? How does one combat threats to intellectual property on an international level? These and other science and technology legal issues will be explored at programs during the meeting.

### **Friday, Aug. 4**

#### **“Keep It Secret, Keep It Safe: Protecting Intellectual Property and Trade Secrets”**

What types of intellectual property and trade secrets can be protected through non-compete and license agreements? Learn the mechanics and nuances of drafting non-compete and license agreements to protect the widest range of intellectual property and trade secrets, and discover other avenues for protecting these assets.

7:30 – 9 a.m.

Hawaii Convention Center, Room 315, 3rd Floor

#### **“Voice over Internet Protocol (VoIP): The Ultimate Tool for Cross Border Communication”**

Voice over Internet Protocol (VoIP) is the rapidly emerging technology whereby “phone calls” are made over the Internet using laptops, desktops, or even handheld computers. As VoIP connects the world, there are technological and jurisdictional challenges to world wide deployment and integration of this revolutionary technology. The panel will analyze and discuss the “cross-border” challenges of VoIP deployment from both a technological and legal standpoint with an emphasis on Pacific Rim jurisdictions.

7:30 – 9 a.m.

Hawaii Convention Center, Room 313A, 3rd Floor

### **Saturday, Aug. 5**

#### **“Hot Topics in Intellectual Property Law – Patent, Trademark and Copyright”**

The panel of this program will discuss the latest developments in patent, trademark and copyright law in three sections: Hot Topics in Patent Law – a discussion of current U.S. Supreme Court cases, including *Illinois Tool Works v. Independent Ink*, *eBay, Inc. et al v. MercExchange, LLC* and *Laboratory Corporation of America Holdings v. Metabolite Laboratories, Inc., et al*; Hot Topics in Trademark Law – a discussion of latest developments in trademark law; and Hot Topics in Copyright Law – a synopsis of developments within copyright law such as the Google Library Project and the state of the U.S. Copyright Office.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, Room 316A

#### **“Hot Technology Projects Argued to Judges”**

Two mock court hearings will explore different areas where technology intersects with law and judging. The first hearing involves an ex parte fact investigation over the Internet, and will explore the implications for judges, lawyers and litigants of Proposed Model Rule of Judicial Conduct 2.10(B), which prohibits judges from independently examining the facts in a case. The second hearing will look at the discovery of electronic data, and will include expert testimony concerning altered data in native file format, and will examine some of the unique considerations applicable to discovery of digital data and sanctions for failure to comply with orders relating to the production of digital data.

11:15 a.m. – 1:15 p.m.

Sheraton Waikiki, 2nd Floor, Oahu Room

**“Intellectual Property Harmonization: Does the World Want It?”**

The development of intellectual property systems throughout the world has become the new focal point of debate over globalization. Global corporations and governmental agencies of the developed countries view “harmonization” of intellectual property systems worldwide as important to standardizing the rules for global commerce. But Third World countries seeking the benefits of new discoveries see “maximalist” IP regimes as a form of “economic imperialism.” How are these competing interests to be balanced? Is IP harmonization possible?

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd floor, Room 316A

**“Convergence of Wireless and Wire Line Telecommunications, Internet and Cable”**

The program will look at legal, regulatory and consumer aspects of wireless and wire-line telecommunication and Internet and cable services; the extent of and barriers to the convergence; and prospects for the future.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 313C

**“Introducing the New ‘E-Discovery’ of Amendments to the Federal Rules of Civil Procedure”**

The Federal Rules of Civil Procedure have been amended to take into account the recent ascendance of electronic evidence, now called “electronically stored information.” The amendments, five years in the making, will go into effect on Dec. 1. The rules will have an impact on in-house counsel and all federal court litigation lawyers, and concern – among other things – what must now be discussed at meetings and conference sessions, the preservation of evidence, the “form” of electronic evidence requested or produced, and a “safe harbor” for spoliation of electronic evidence under certain circumstances.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 313A

**Sunday, Aug. 6**

**“Food Fights: Genetically Modified Food and the Law”**

Are genetically modified foods an agricultural break-through or a threat to our food system? This program will focus on the various legal issues in agricultural biotechnology from a variety of perspectives. The panel will analyze this emergent area of international law and explore the methods lawyers use to prosecute and defend claims that genetic modification has caused harm to the food supply.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd Floor, Room 315

**“Principles of Forensic DNA for Officers of the Courts: Breaking Down the Double Helix”**

Session one of a two-part workshop will cover topics including the biology of DNA, crime scene basics, introduction to the forensic DNA laboratory, assuring quality DNA testing, understanding a forensic DNA laboratory report and DNA databases.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd floor, Room 313B

**“Has My Electronic Evidence Gone Bad? Hot Topics in E-Discovery and Spoliation”**

In light of new federal rules addressing e-discovery, panelists will instruct on how to avoid the various snares in responding to electronic discovery demands, including potential spoliation of evidence.

7:30 – 9 a.m.

Hawaii Convention Center, 3rd Floor, Room 314

**“Counterfeiting: How Globalization, Technology and the Internet Have Created a Worldwide Crisis and How to Combat It”**

Counterfeit goods are entering the world economy in increased quantities and manufacturing operations must be vigilant in protecting their intellectual property rights. This program will focus on creative ways to protect intellectual property against infringement, misappropriation and theft, including business solutions where foreign legal regimes prove inadequate.

11:30 a.m. - 1 p.m.

Hawaii Convention Center, 3rd floor, Room 318B

**“Internet and E-Commerce Best Practices: A General Counsel’s Guide to Navigating Uncharted Waters”**

This program will focus on practical solutions for companies in areas where the law of e-commerce and the Internet is unclear or imposes conflicting obligations. Topics will include: How companies develop best practices, contract information, consumer rights, pop-up ads, key word sales and other novel forms of online advertising; international privacy; and service provider responsibility and immunity for online conduct.

11:30 a.m. - 1 p.m.

Hawaii Convention Center, 3rd floor, Room 313A

## **WOMEN AND MINORITY PROGRAM HIGHLIGHTS**

Breaking the glass ceiling, the legal profession in a multiethnic community and preparing for the next generation of multicultural lawyers are but a few of the many topics on the program at the meeting. Other featured programs include the 16th Annual Margaret Brent Lawyers of Achievement Awards Luncheon, honoring distinguished women lawyers.

### **Thursday, August 3**

**“Minority Lawyers: Breaking the Glass Ceiling of Bar Association Leadership—How, Where and Why?”** will explore recent efforts to diversify the legal profession and the increasing number of minority bar presidents. A panel of experts will also explain how more minority lawyers can become leaders in mainstream bar associations, where minority lawyers have the most influence in bar associations, and why minority lawyers should want to become leaders in mainstream associations.

7:30 – 9:30 a.m.

Hawaii Convention Center, 3rd Floor, Room 301A

**“Hawaii: A Look at the Legal Profession in a Multiethnic Community”** features leaders of the legal profession in Hawaii offering their insights on how the state’s multiethnic society affects the practice of law. Find out what practicing law is like when no “majority” exists and when lawyers of color lead the major law firms and bar associations.

11:30 a.m. – 1:00 p.m.

Hawaii Convention Center, 3rd Floor, Room 301A

### **Friday, August 4**

**“Negotiating Difference: Appreciating Gender and Culture in Negotiation”** is a highly interactive program on how communication styles, culture and social perceptions affect negotiation success. Attendees will learn how to use these factors to their advantage in a variety of settings from litigation to transaction practice settings.

11:30 a.m. – 1 p.m.

Hawaii Convention Center, 3rd Floor, Room 323B

**“The Faith-Based Response to Teen Dating Violence,”** will feature a discussion led by Rev. Al Miles, a nationally known expert on the faith-based response to domestic violence, with a particular focus on teen dating violence. The program will look at the dynamics of violence in teen relationship, its pervasiveness, signs that your teen may be in a violent relationship and the faith-based response.

10 – 11:30 a.m.

Sheraton Muana Surfrider Hotel, The Grand Salon, Lobby Level

### **Saturday, August 5**

**“Visible Invisibility: Women of Color in Law Firms”** will present the history, findings and next steps for the Women of Color Research Initiative. Additionally, it will provide the tools necessary to effectively utilize the study’s findings and make an impact in the public sphere.

11:30 a.m. – 1:30 p.m.

Hawaii Convention Center, 3rd Floor, Room 318A

**Sunday, August 6**

**“Mothers (and Grandmothers, Aunts, and Sisters): Preparing the Next Generation of Multicultural Women Attorneys”** discusses how the legal profession has reached the stage where minority women lawyers are now mothers and grandmothers, aunts and elder sisters to a new generation of minority women who are entering the profession.

7 – 8:30 a.m.

Hilton Hawaiian Village Beach Resort, Hibiscus Suite I, 2nd Floor of Kalia Executive Conference Center

**“16<sup>th</sup> Annual Margaret Brent Lawyers of Achievement Awards Luncheon”** recognizes and celebrates the accomplishments of women lawyers who have achieved professional excellence in their area of specialty and have paved the way to success for other women lawyers.

11:30 –1:30 p.m.

Hawaii Convention Center, 4th Floor, Kalakaua Ballroom

