

STATE BAR OF WISCONSIN  
Annual Meeting &  
**CONFERENCE**  
June 13-14 : **2019**  
Green Bay :

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STATE BAR OF WISCONSIN



Congratulations to shareholder  
Christopher E. Rogers on his term as the 63rd  
President of the State  
Bar of Wisconsin



*During his term as President, Chris has been a tireless advocate for the lawyers of the State Bar of Wisconsin, for the civil justice system at large, and for the people of this great state. We applaud his hard work and accomplishments during his tenure and could not be more proud.*



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# Welcome to the 2019 Annual Meeting & Conference

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## Committees

A word of thanks to the CLE Committee and the AMC Planning Workgroup for their generous contributions of time, talent, and energy to make this event a success. We appreciate their work and service to the members of the State Bar.

### Annual Meeting and Conference Advisory Group

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**Staff Liaisons**  
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State Bar of Wisconsin, Madison

**Timothy A. Clark**  
State Bar of Wisconsin, Madison

## Conference At A Glance

### Wednesday, June 12, 2019

1:30 - 6:30 p.m.	Registration
4:30 - 6 p.m.	Presidential Swearing-In Ceremony and Celebration
6 - 8 p.m.	Conference Kickoff Party
8 - 9 p.m.	Marquette/UW Law Schools Alumni Reception

### Thursday, June 13, 2019

7:15 a.m. - 5:30 p.m.	Registration
7:15 - 8 a.m.	Continental Breakfast
7:15 a.m. - 4:30 p.m.	Legal Expo 2019
8 - 8:15 a.m.	Conference Opening and Welcome
8:15 - 9:30 a.m.	Opening Plenary: Locking Up Our Own
9:55 a.m. - 5:20 p.m.	CLE Sessions
10:45 - 11:30 a.m.	Section Power Hour
12:25 - 1:35 p.m.	Luncheon Plenary: The Chief: The Life and Turbulent Times of Chief Justice John Roberts
5:30 - 7 p.m.	Member Recognition Celebration
7 - 9 p.m.	Lawyers at Lambeau All-Conference Tailgate Party
9 - 10 p.m.	5th Quarter Wind Down

### Friday, June 14, 2019

7:30 a.m. - Noon	Registration
7:30 - 8 a.m.	Continental Breakfast
7:30 a.m. - Noon	Legal Expo 2019
8 - 11:35 a.m.	CLE Sessions
12 - 1:15 p.m.	Closing Plenary: That'll Never Happen Here: Cultivating a Workplace Culture Less Conducive to Sexual Harassment and Misconduct

## Registration

<b>Wednesday</b>	<b>1:30 - 6:30 p.m.</b>
<b>Thursday</b>	<b>7:15 a.m. - 5:30 p.m.</b>
<b>Friday</b>	<b>7:30 a.m. - Noon</b>

## Credits

The Conference will be submitted for CLE credits to the Wisconsin Board of Bar Examiners. For applicable programs, Ethics/Professional Responsibility (EPR) credits will also be submitted for approval. Only individuals registering as State Bar of Wisconsin members will be recorded for CLE credits. Please note: We will not be applying for Illinois & Minnesota CLE for this event; however, attendees can self-report. Attendance verification forms will ONLY be completed onsite at each individual session.

## Name Badges

Please wear your badge at all official Conference functions. Your badge is your admission to all CLE programs, workshops, and nonticketed events. In addition, your badge will help you to renew old friendships and meet new colleagues.

Name badge ribbons will help you identify State Bar speakers, sponsors, exhibitors, and staff.

**Please recycle your name badge holder.** Before you leave the Conference, drop your name badge holder in one of the name badge boxes. We appreciate your efforts to help our environment.

## Lawyers at Lambeau All Conference Tailgate Party and the 5th Quarter Wind Down

Name badges are required to board buses for the Lawyers at Lambeau All Conference Tailgate Party and the 5th Quarter Wind Down. Buses will be running a loop between the Conference Center and Lambeau Field approx. every 15 minutes starting at 6:45 p.m. The last bus will leave Lambeau at approximately 10:15 p.m.

## Continental Breakfasts & Refreshment Breaks

Join your colleagues in the Legal Expo for continental breakfasts and refreshment breaks. Visit with the companies that tailor their products and services to the legal market and discover how they can help you and your practice.

## Listing of Preregistrants

Wondering if someone is here? A list of all judges and lawyers who have preregistered for this Conference is available at registration.

## Legal Expo 2019

Thursday - 7:15 a.m. - 4:30 p.m.

Friday - 7:30 a.m. - Noon

Visit with the companies that tailor their products and services to the legal market and discover how they can help you and your practice. Exhibitors play an important role in the success of this Conference, so please show them your support.

## Passport to Prizes ... You Could Win Big!

For a chance to win valuable prizes, use the PASSPORT TO PRIZES you received upon registering. Simply have each exhibitor sign your passport and then drop your filled-in PASSPORT at the State Bar booth. Winners will be drawn after the Friday morning break and announced in the Legal Expo before the closing plenary session. You don't need to be present to win.


## We Value Your Feedback!

After the Conference, you will receive an email requesting your comments. Your responses will help us make sure future Conferences meet your needs.

## Sign in for CLE Credits

Each day, please be sure to sign-in at the Registration Desk to ensure your credits are accurately reported to the BBE.

## Earn Even More Credits!

 Select sessions of the Conference will be recorded and webcast at a later date. All attendees can watch select replays for free!

## Explore State Bar Sections at the Section Power Hour!

Thursday, June 13, 10:45 to 11:30 a.m.  
- Expo Hall

Network with legal professionals, participate in CLE seminars, and explore professional development opportunities through State Bar Sections. Whether you're already a Section member or haven't yet participated, there's so much to learn. Meet with Section representatives (your peers!) and explore your options. There will be fun giveaways, refreshments, and prize drawings too!





## SPECIAL EVENTS

### Presidential Swearing-In and Celebration

Wednesday, June 12, 4:30-6 p.m. – Ballroom A



President  
Christopher E.  
Rogers



President-elect  
Jill M. Kastner

It's the biggest event of the year. Support Jill M. Kastner as she is sworn in as the 64th State Bar of Wisconsin President, and honor the end of a great term for our outgoing president, Christopher E. Rogers. Wisconsin Supreme Court Chief Justice Patience Roggensack will give an address and administer the oath of office.

Attorney Sherry Coley will serve as the event's emcee. Attorney Jessica King is the featured speaker.

### Conference Kickoff Party

Wednesday, June 12, 6-8 p.m.  
Meeting Room B1

**Sponsored by:** Steinhilber Swanson LLP with special hosts The Hon. Robert J. Parins Legal Society of Northeast Wisconsin and the Brown County Bar Association

Toast the beginning of another great annual conference by enjoying food and beverages with your colleagues. Special musical guest, The New Dixie Ramblers, an eight-piece group from Green Bay, will provide a mix of traditional and New Orleans jazz.



### Marquette/UW Law Schools Alumni Reception

Wednesday, June 12, 8-9 p.m. – Hampton Inn Patio

**Sponsored by:** Marquette Law School and UW Law School

You don't have to be a Golden Eagle or a UW Badger to get in on the fun. Everyone is welcome! Join faculty and staff of the Marquette and UW Law Schools for a relaxed round of socializing over refreshments.

### Luncheon Plenary – Featuring Joan Biskupic

Thursday, June 13, 12:25-1:35 p.m. – Grand Ballroom D

**Sponsored by:** Habush, Habush & Rottier, S.C., the State Bar of Wisconsin Senior Lawyers Division and the Litigation Section

See description on page 6. Ticketed luncheon event.

### Member Recognition Celebration

Thursday, June 13, 5:30-7 p.m. – Ballroom A

Think of it as our version of hall of fame inductions. Every year, we honor the attorneys, judges, law firms, organizations, and students who've made game-changing contributions to Wisconsin and the legal profession. Come celebrate the best and brightest in the legal profession. See a listing of the winners on page 30.

## QUESTIONS?

Staff members have yellow ribbons on their badges.

### Lawyers at Lambeau All Conference Tailgate Party

Thursday, June 13, 7-9 p.m. – Champions Club at Lambeau Field

**Sponsored by:** Habush, Habush & Rottier, S.C., Business Law, and Real Property, Probate & Trust Law Sections

Party like a Super Bowl champ at the exclusive Lambeau Field Champions Club. All AMC attendees and registered guests are invited. Enjoy food, music, and a variety of hosted and paid beverages at this tailgate-themed celebration. Plus, get unparalleled views of Lambeau Field. Transportation sponsored by **West Bend Mutual Insurance Company.**



### Bus transportation to Lawyers at Lambeau All-Conference Tailgate Party and the 5th Quarter Wind Down

Name badges are required to board buses for the Lawyers at Lambeau All Conference Tailgate Party and the 5th Quarter. Buses will be running a loop between the Conference Center and Lambeau Field approx. every 15 minutes starting at 6:45 p.m. The last bus will leave Lambeau at approximately 10:15 p.m.

### 5th Quarter Wind Down

Thursday, June 13, 9 - 10 p.m. – Champions Club at Lambeau Field

**Hosted by:** State Bar of Wisconsin Young Lawyers Division

**Sponsored by:** State Bar of Wisconsin Family Law Section

It's the AMC version of the 5th Quarter. All AMC attendees are welcome at this late-night gathering. Join us as we wind down the night with a selection of snacks, desserts, and beverages.

### Book Signings Galore!

As a registered attendee of the 2019 Annual Meeting & Conference, we remind you that James Forman, Jr., Joan Biskupic, and Simon Tam will be available for book signings during the following times in the Ballroom Foyer. Limited numbers of each title are available onsite.

#### Book Signings:

Thursday, June 13

James Forman, Jr., 9:35 – 10 a.m.

Joan Biskupic - 1:45 – 2:15 p.m.

Simon Tam - 3 – 3:45 p.m.



## Sign in for CLE credits!

Please be sure to sign-in at the Registration Desk each day to ensure your credits are accurately reported to the BBE.

## PLENARY PROGRAMS

### Opening Plenary: Locking Up Our Own

Thursday, June 13, 8:15 - 9:30 a.m. - Grand Ballroom D

**Sponsored by:** Reinhart Boerner Van Deuren s.c

**James Forman Jr.** is a Professor of Law at Yale Law School since 2011 and a 2018 Pulitzer Prize winning author in the general nonfiction category for his book *Locking Up Our Own: Crime and Punishment in Black America*. Based on his critically-acclaimed book, Forman builds on his work as a public defender, a founder of a charter school for incarcerated teens, and a law professor to outline the criminal justice crisis with both data and human stories. He leaves you with hope for what you can do to make a difference.



Book signing immediately following the opening plenary.

### The Chief: The Life and Turbulent Times of Chief Justice John Roberts

Thursday, June 13, 12:25 - 1:35 p.m. - Grand Ballroom D

**Sponsored by:** Habush, Habush & Rottier, S.C., the State Bar of Wisconsin Senior Lawyers Division and the Litigation Section

CNN Legal Analyst and Supreme Court biographer **Joan Biskupic** comes to the State Bar of Wisconsin's 2019 Annual Meeting & Conference for a discussion about her new book, *The Chief: The Life and Turbulent Times of Chief Justice Roberts*. Chief Justice Roberts joined the Court in 2005, claiming he would act as a neutral umpire in deciding cases. His critics argue he has been anything but neutral, pointing to his conservative victories on voting rights and campaign finance as evidence. Yet he broke from orthodoxy in his decision to preserve Obamacare. Join us as we explore what motivates the most powerful judge in the land.



Book signing immediately following the luncheon.

### Closing Plenary: That'll Never Happen Here: Cultivating a Workplace Culture Less Conducive to Sexual Harassment and Misconduct

Friday, June 14, Noon - 1:15 p.m. - Grand Ballroom D

**Dr. Andrea Cochran, ReelTime CLE, LLC**  
**Chris Osborn, ReelTime CLE, LLC**

Develop practical, sustainable strategies for preventing sexual harassment behavior in the workplace without completely controlling employees' work lives. Using clips from popular TV shows such as NBC's *The Office* and *Parks & Recreation*, explore the challenges of navigating the politically and personally charged topic of sexual harassment in the workplace. Learn steps your organization can take to create a professional, yet welcoming, workplace environment.



## BUSINESS MEETINGS

Thursday, June 13

**International Practice Section**

9 - 10:45 a.m. - Riverview 2

**Nonresident Lawyers Division**

9 a.m. - 12:15 p.m. - Riverview 3

**Civil Rights & Liberties Section**

12:20 - 1:40 p.m. - Riverview 2

**Young Lawyers Division**

1:45 - 4 p.m. - Riverview 3

Friday, June 14

**Dispute Resolution Section**

9:30 a.m. - 12 p.m. - Riverview 2

**Business Law Section**


10:30 - 11:30 a.m. - Riverview 3

**Family Law Section**

1:15 - 4:15 p.m. - Riverview 1

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## CONFERENCE SCHEDULE

WEDNESDAY — June 12, 2019	
Time	Event
4:30 - 6 p.m.	Presidential Swearing-In Ceremony & Celebration - Ballroom A
6 - 8 p.m.	Conference Kickoff Party - <i>Sponsored by Steinhilber Swanson LLP and hosted by The Hon. Robert J. Parins Legal Society of Northeast Wisconsin and the Brown County Bar Association</i> - Ballroom B
8 - 9 p.m.	Marquette/UW Law School Alumni Reception - Hampton Inn Patio
THURSDAY — June 13, 2019	
Time	Event
7:15 a.m. - 5:30 p.m.	Registration Open
7:15 a.m. - 4:30 p.m.	Legal Expo Open - Grand Foyer
7:15 - 8 a.m.	Continental Breakfast - <i>Sponsored by Hupy and Abraham, S.C.</i> - Grand Foyer
8 - 8:15 a.m.	Welcome and Opening Remarks - Grand Ballroom D
8:15 - 9:30 a.m.	<b>Opening Plenary:</b> Locking Up Our Own - <i>Sponsored by Reinhart Boerner Van Deuren s.c.</i> - Grand Ballroom D
9:30 - 9:55 a.m.	Refreshment Break and Book Signing - Visit the Legal Expo - <i>Sponsored by the Health Law Section</i> - Grand Foyer
<b>Session 1</b> 9:55 - 10:45 a.m.	10 Ethics & Practice Management Tips You Need to Know - Grand Ballroom AB (1.0 EPR)
	Real Estate Transactions & Taxes - Grand Ballroom E - <i>Sponsored by Gain 1031 Exchange Company, LLC</i> 
	Succeeding in Mediation: Avoiding the Common Failures - Grand Ballroom FG
10:45 - 11:30 a.m.	Section Power Hour
<b>Session 2</b> 11:30 a.m. - 12:20 p.m.	After <i>EPIC</i> : Developments In and the Future of Class Action Arbitration - Grand Ballroom AB
	Alphabet Soup of Public Benefits for Family Law, Personal Injury and Estate Planning - Grand Ballroom E 
	Social Media and Free Speech - Grand Ballroom FG
12:25 - 1:35 p.m.	<b>Luncheon Plenary:</b> The Chief: The Life and Turbulent Times of Chief Justice John Roberts - <i>Sponsored by Habush, Habush &amp; Rottier, S.C., the Senior Lawyers Division, and the Litigation Section</i> - Grand Ballroom D
1:40 - 1:55 p.m.	Break
<b>Session 3</b> 1:55 - 2:45 p.m.	Persuading Judges and Juries - Grand Ballroom AB
	Slanted: How Being Asian Got Me into Trouble - Grand Ballroom E 
	Blockchain, Artificial Intelligence, & Smart Contracts - Grand Ballroom FG
	Emerging Contaminants/PFAs: Regulation and Response - Grand Ballroom C
2:45 - 3 p.m.	Break - <i>Sponsored by the Indian Law, Intellectual Property &amp; Technology Law, and Environmental Law Sections</i>
<b>Session 4</b> 3 - 4:15 p.m.	Legal Design Thinking: a New Approach to Advising Clients - Grand Ballroom AB
	Improving Diversity and Inclusion in the #MeToo Era - Grand Ballroom E 
	Who Wants to Be a Millionaire: Legal Ethics Edition - Grand Ballroom FG (1.5 EPR)
	A Conversation Between the Bench & Bar - Grand Ballroom C
4:15 - 4:30 p.m.	Break
<b>Session 5</b> 4:30 - 5:20 p.m.	How Mindfulness Can Improve Your Practice - Grand Ballroom AB
	Here for Business - Grand Ballroom E 
	Can I Litigate My State Court Claim in Bankruptcy Court, and Do I Have To? - Grand Ballroom FG
	Update on Wisconsin Criminal Law and Procedure - Grand Ballroom C
5:30 - 7 p.m.	Member Recognition Celebration - Ballroom A
7 - 9 p.m.	All Conference Party - <i>Sponsored by Habush, Habush &amp; Rottier, S.C., the Business Law, and Real Property, Probate &amp; Trust Law Sections with transportation provided by West Bend Mutual Insurance Company</i> - Lambeau Field - Buses load outside of Ballroom A1
9 - 10 p.m.	5th Quarter Wind Down - <i>Sponsored by the State Bar of Wisconsin Family Law Section and hosted by the Young Lawyers Division</i> - Lambeau Field

 Programs that will be offered as webcast replays.



**FRIDAY** — June 14, 2019

Time	Event
7:30 a.m. - Noon	Registration Open
7:30 a.m. - Noon	Legal Expo Open - Grand Foyer
7:30 - 8 a.m.	Continental Breakfast with the Exhibitors - Grand Foyer
<b>Session 6</b> 8 - 9:15 a.m.	Can't Agree on eDiscovery? Try ADR: Tips, Pitfalls & Resolution - Grand Ballroom AB
	Grandparent Visitation – and the Legal Standard Is... - Grand Ballroom E
	Corporate Governance in the #MeToo Era - Adding Value by Adding Women - Grand Ballroom FG
	Tips for Writing Effective Appellate Briefs - Grand Ballroom C
9:15 - 9:35 a.m.	Break
<b>Session 7</b> 9:35 - 10:25 a.m.	Preventing (and Responding to) Data Breaches: How to Advise Your Client - Grand Ballroom AB
	Avoid the Family Feud: Successful Transfers of Closely Held Construction Companies - Grand Ballroom E
	Tax Implications of Litigation and Settlements - Grand Ballroom FG
	Powerful Opening Statements - Grand Ballroom C
10:25 - 10:45 a.m.	Break - <i>Sponsored by the Construction &amp; Public Contract Law Section, and Taxation Section</i>
<b>Session 8</b> 10:45 - 11:35 a.m.	The Impact of 2017 Wisconsin Act 67 on Local Government Land Use Practices - Grand Ballroom AB
	Accessing and Protecting Your Data While Traveling - Grand Ballroom E
	Cultivating Cultural Competence: Creating and Maintaining a Respectful, Productive Workplace for People of All Kinds - Grand Ballroom FG
	Tips and Strategies for Effective Voir Dire - Grand Ballroom C
11:35 a.m. - 12 p.m.	Break
12 - 1:15 p.m.	<b>Closing Plenary:</b> That'll Never Happen Here: Cultivating a Workplace Culture Less Conducive to Sexual Harassment and Misconduct - Grand Ballroom D (1.5 EPR)

# INJURED?

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Attorney Michael Hupy

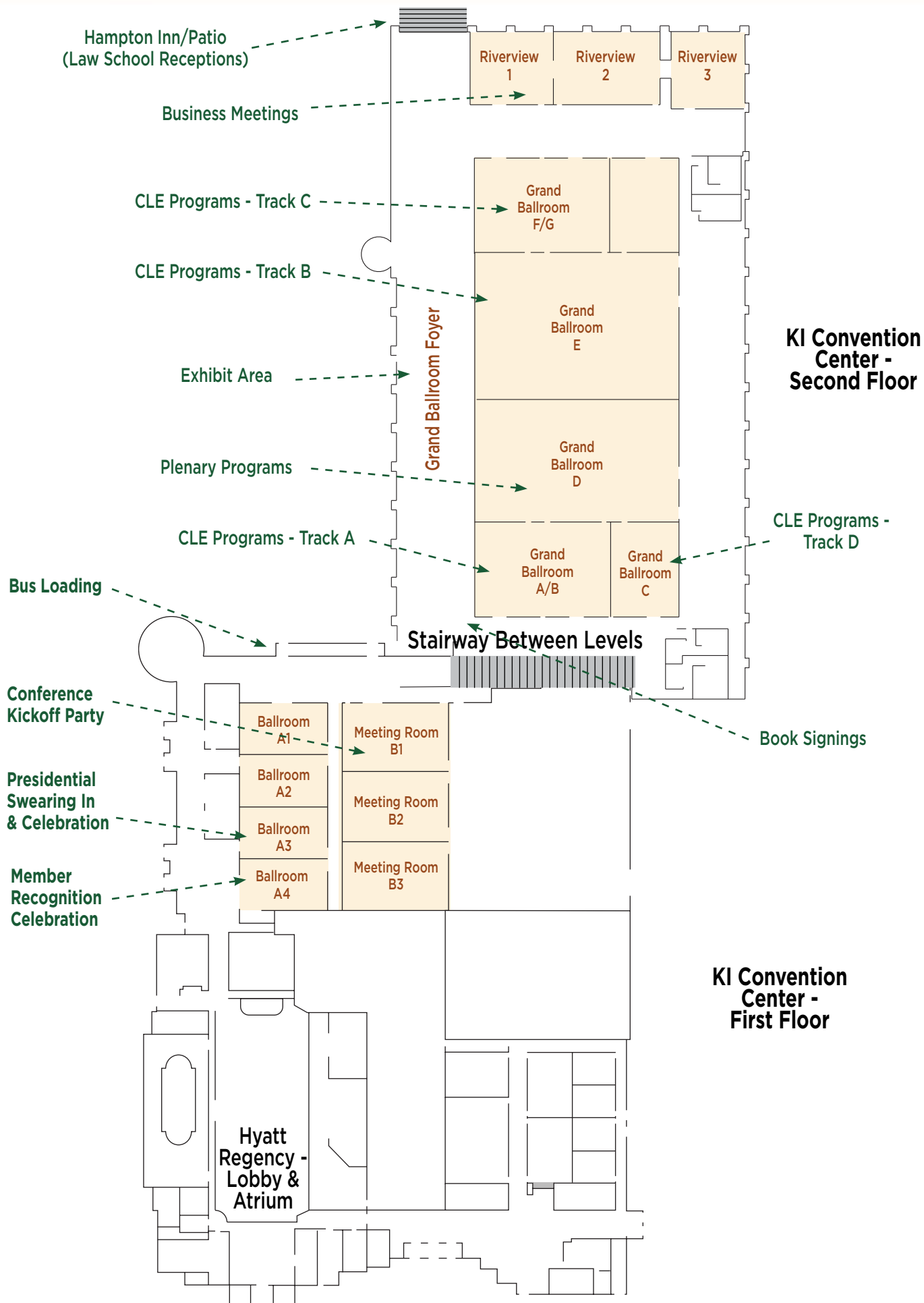
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## CLE PROGRAMS

Opening Plenary - 8:15 - 9:30 a.m.

### Locking Up Our Own

**Sponsored by:** Reinhart Boerner Van Deuren s.c.

See description on page 6.

James Forman, Jr., Pulitzer Prize winning author and Yale Law professor

Session 1 - 9:55 - 10:45 a.m.

### 10 Ethics & Practice Management Tips You Need To Know



**Presented by:** State Bar of Wisconsin Professional Ethics Committee and Practice 411

Give your law office an efficiency tune-up while ensuring your compliance with the rules of professional conduct, and staying current with practice management trends. This interactive discussion will present and test your knowledge of ten topics affecting law offices today from the perspective of ethics and practice management. As a result, you will immediately be able to:

- Correct or improve procedures to attain greater efficiency in your office
- Review your processes to ensure compliance with rules of professional conduct
- Set benchmarks and goals to measure your success and improvements

Aviva Meridian Kaiser, State Bar of Wisconsin, Madison; Christopher C. Shattuck, State Bar of Wisconsin, Madison

### Real Estate Transactions & Taxes

**Presented by:** Real Property, Probate, and Trust Law Section

**Sponsored by:** Gain 1031 Exchange Company, LLC

Many attorneys understand the general process for purchasing and selling real estate; however, they don't understand the tax consequences when it is a commercial real estate transaction. Having a basic knowledge of taxes involved in commercial real estate transactions will enable you to provide invaluable advice to your clients. At this program, you will cover:

- Tax considerations in choosing the entity that will purchase real estate
- Tax planning for capitalization vs. deductibility of costs for maintaining and equipping real estate
- Income tax consequences of purchases and sales of commercial real estate, including like-kind exchanges

Alison E. Helland, Boardman & Clark LLP, Madison; Harold D. Karas, Husch Blackwell LLP, Milwaukee; Anne Wal, von Briesen & Roper SC, Milwaukee

### Succeeding in Mediation: Avoiding the Common Failures

Gain a mediator's insight and perspective and hear helpful tips at this session focused on preparing you and your clients for mediation. By understanding the process from the mediator's perspective, you'll learn:

- Essential information mediators are looking for to decide your case
- Tips that increase your chance of a favorable mediation resolution
- What you need to do to prepare yourself and your client for effective mediation

Michael P. Crooks, von Briesen & Roper SC, Madison; James T. Murray, Jr., von Briesen & Roper SC, Milwaukee; Benjamin S. Stern, von Briesen & Roper SC, Milwaukee



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## CLE PROGRAMS CONTINUED

11:30 a.m. - 12:20 p.m.

### After *EPIC*: Developments In and the Future of Class Action Arbitration

**Presented by:** Labor & Employment Law Section

In 2018, the U.S. Supreme Court ruled in *Epic*, affirming the enforceability of arbitration requirements and class action waivers in employment contracts.

What effects can we expect from this decision? This session explores:

- Interplay of employee handbooks and employment contracts to achieve objectives
- Legal liability and availability of relief via class action litigation or class action arbitration
- Other steps employers may consider in the wake of the *Epic* decision

*Sara J. Geenen, The Previat Law Firm, S.C., Milwaukee; Christopher L. Nickels, Quarles & Brady LLP, Milwaukee*

### Alphabet Soup of Public Benefits for Family Law, Personal Injury, and Estate Planning



**Presented by:** Elder Law and Special Needs Section

Discover pitfalls that can stem from family law, personal injury settlements, or estate planning, where the decisions you make now, could affect your client's future public benefits eligibility. These considerations are essential for lawyers who are not familiar with public benefits practice. At this session, you will learn:

- The basics of Medicaid and trusts for the disabled, including WisPACT and Life Navigators

- The use of ABLE accounts, Social Security benefits, and other tactics to assist clients in the areas of divorce, personal injury settlements, or estate planning
- Additional opportunities to assist clients by expanding available funds or healthcare through public benefits

*Gregory J. Banchy, Banchy Law Center LLC, Eau Claire; Iris M. Christenson, Christenson Johnson LLC, Fitchburg; Kate Schilling, Greater Wisconsin Agency on Aging Resources, Madison*

### Social Media and Free Speech

**Presented by:** Civil Rights and Liberties Section

Social media platforms have become common communication tools for organizations. When government officials or entities use them, they may be triggering the free speech clause of the First Amendment. Courts are deciding novel cases involving social media and the duties of government officials from all levels – local, state, and federal. During this session, you will:

- Examine recent free speech cases and decisions in Wisconsin and nationwide
- Understand when the free speech clause applies to social media
- Be able to advise clients about their legal rights and responsibilities when using social media
- Learn potential liabilities in restricting or “blocking” access to social media

*Patrick C. Elliott, Freedom From Religion Foundation, Madison; Richard Greenlee, Rock County Corporation Counsel, Janesville*

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## Luncheon Plenary - 12:25 - 1:35 p.m.

### The Chief: The Life and Turbulent Times of Chief Justice John Roberts

**Sponsored by:** *Habush, Habush & Rottier, S.C., the State Bar of Wisconsin Senior Lawyers Division and the Litigation Section*

See description on page 6.

*Joan Biskupic, CNN Legal Analyst*

## 1:55 - 2:45 p.m.

### Persuading Judges and Juries

Learn the fundamentals of persuasion in the courtroom and explore how judges and juries approach decision-making. Applicable to both criminal and civil trials, and at both the trial and appellate court levels, you will discover numerous strategies and tactics available to influence judges and juries to find in your client's favor.

- Tips for presenting information to judges and juries
- Developing effective themes and arguments
- Insights into persuasive brief writing

*Hon. Michael R. Fitzpatrick, Wisconsin Court of Appeals District IV, Madison*

### Slanted: How Being Asian Got Me Into Trouble



**Sponsored by:** *Nonresident Lawyers Division and Intellectual Property and Technology Law Section*

Simon Tam, founder of the world's first and only all-Asian American rock band, *The Slants*, wanted to change the world by creating an anti-racist band. Little did he know, the decision would take him from the studio to the state penitentiary, and from the stage to the United States Supreme Court.

Hear this fascinating tale of how the worlds of civil rights and IP law collided when an ordinary trademark case turned into an eight-year journey for self-identity and blurred the lines between art and social activism.

Get an insider's look at:

- Developing legal strategies for your appellate cases
- Client perspectives as a case progresses through the appellate process
- The impact of effective client communication and management in appellate practice

*Simon Tam, The Slants, Nashville*

### Blockchain, Artificial Intelligence, & Smart Contracts

**Presented by:** *Solo Small Firm & General Practice; Bankruptcy, Insolvency & Creditor Rights; Business Law; and Intellectual Property and Technology Law Sections*

Blockchain and smart contracts used to be futuristic buzzwords, but the reality is that businesses are already using blockchain powered self-executing contracts or "smart contract technology." Blockchain and smart contract technology has the potential to bring massive transactional efficiencies to every aspect of transactional and commercial life, in all industries, across the globe. At this program, you'll learn:

- What blockchain, artificial intelligence, and smart contracts are
- How these new technologies are deployed
- What legal issues you should be aware of when working with clients using these technologies

*Joseph S. Diedrich, Husch Blackwell LLP, Madison; Jeffrey M. Glazer, U.W. Law & Entrepreneurship Clinic, Madison*



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**Indian Law Section**



## CLE PROGRAMS CONTINUED

### Emerging Contaminants/PFAs: Regulation and Response

**Presented by:** *Environmental Law Section*

The growing regulatory focus on PFAs, as “emerging contaminants” poses new challenges for industry, municipalities, property owners, or property-developers that currently or previously contained PFAs. At this session, you will explore the issues associated with PFAs and gain a working knowledge of them, their regulation, and litigation resulting from PFAs. Topics include:

- The unique chemical and toxicological properties of PFAs
- Commercial uses and sources of PFAs
- Impact to the environment
- Current regulation of PFAs in Wisconsin, including under the Wisconsin Voluntary Party Liability Exemption (VPLE) program
- Existing and anticipated litigation from PFAs

*Kristen D. Hardy, Briggs & Stratton Corp, Milwaukee; Daniel C.W. Narvey, Godfrey & Kahn SC, Milwaukee; Jeff Perzan, Law Offices of Jeffrey Perzan, Milwaukee; Edward B. Witte, Godfrey & Kahn SC, Milwaukee*

**3:00 - 4:15 p.m.**

### Legal Design Thinking: A New Approach to Advising Clients

**Presented by:** *International Practice and Business Law Sections*

Discover how legal design thinking can transform how in-house legal teams respond to their clients’ concerns. Learn to take this end-user-centered approach to create solutions that are transparent, understandable, useful, and engaging. Join us in this interactive session as we take a hypothetical case and solve the specific legal problems using legal design thinking

approach. You’ll discover how legal design thinking can change the way you practice, including:

- Making your communications and documents more understandable
- Increasing collaboration, innovation, and productivity across your team
- Improving client services at all levels
- Creating new concepts to deliver value that your clients demand

*Ngosong Fonkem, Addison-Clifton LLC, Milwaukee*

### Improving Diversity and Inclusion in the #MeToo Era



**Presented by:** *Diversity & Inclusion Oversight Committee*

**Sponsored by:** *Wisconsin Law Foundation*

Join Atty. Rekha Chiruvolu of Nixon Peabody, Los Angeles, and learn the best practices for developing and implementing a successful diversity and inclusion strategy. You’ll learn how these best practices intersect with professional development, recruiting, and business development. In addition, hear implications of the #MeToo movement as it relates to the practice of law, and law firm internal and external practices. From this session you will:

- Understand how to build diversity and inclusion procedures in your practice
- Learn best practices for diversity and inclusion policies
- Find out how the #MeToo movement is affecting law firms and lawyers

*Hon. Carl Ashley, Milwaukee County Circuit Court, Milwaukee; Rekha Chiruvolu, Nixon Peabody, Los Angeles; Rebecca Scheller, University of Wisconsin Law School, Madison*



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## Who Wants To Be A Millionaire: Legal Ethics Edition

**Presented by:** State Bar of Wisconsin Professional Ethics Committee



So maybe you won't become a millionaire, but you will leave feeling like a million bucks with your up-to-date knowledge of the Rules of Professional Conduct! Join our lively and knowledgeable contestants at this interactive session, as they match wits on current ethical dilemmas. Who said that ethics can't be fun! Topics will include:

- Recognizing commonly misunderstood ethical issues
- New rules and developments in legal ethics
- Steps to undertake to correct an ethical issue

\*Gameshow Host does not carry cash. This is an exhibition, not a competition. Contestants may have been briefed on some questions before the show. Use only as directed, no other warranty expressed or implied. May be too intense for some attendees.

Dean R. Dietrich, Dietrich Vander Waal Law Group, S.C., Wausau; Aviva Meridian Kaiser, State Bar of Wisconsin, Madison; Timothy J. Pierce, State Bar of Wisconsin, Madison; Stacie H. Rosenzweig, Halling & Cayo, S.C., Milwaukee; Thomas J. Watson, Wisconsin Lawyers Mutual Insurance Co, Madison

## A Conversation Between the Bench & Bar

**Presented by:** Bench and Bar Committee

Join colleagues from the Bench and Bar for a special forum! The Bench and Bar Committee has organized a special session to allow for dialogue between judges and lawyers. Discussion topics include recent legislative changes to the discovery rules; the effects of an upcoming Supreme Court decision concerning pleading rules in civil cases; the new standards for the Brady test post *Wayerski*; and a review of courtroom decorum and standards of conduct from the judicial and bar perspectives.

**Moderator:** Justice Jon P. Wilcox, Retired Supreme Court Justice; **Panelists:** Hon. Michael J. Aprahamian, Waukesha County Circuit Court; Hon. Barbara Key, Winnebago County Circuit Court; Jacob A. Manian, Fox, O'Neill & Shannon SC, Milwaukee; Matt O'Neill, Fox, O'Neill & Shannon SC, Milwaukee

4:30 - 5:20 p.m.

## How Mindfulness Can Improve Your Practice

**Presented by:** Young Lawyers Division and WILMIC

Learn to manage stress, reduce anxiety, and increase effectiveness through meditation practices, gentle stretching, and mindful yoga. Discover how physical and mental exercises can help you increase efficiency and remain focused. Incorporating these practices will enable you to stay on task, respond to challenges, and lead a more balanced lifestyle. Attend this session to:

- Gain simple techniques to reduce stress and stay focused
- Regulate your emotional responses to reduce anxiety
- Improve productivity by practicing deliberate mindfulness

Chris Smith, UW Health, Integrative Medicine, Milwaukee

## Here for Business



**Presented by:** International Practice Section

Immigration and the Tax Cuts and Jobs Act - two of the most controversial topics in recent memory. At this session, you'll explore the various immigration pathways still available to do business in the United States and the anticipated effects of tax reforms on businesses. Afterwards, you will:

- Understand how immigration and tax changes have affected your clients and identify possible solutions

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## CLE PROGRAMS CONTINUED

- Explore new opportunities for business development for your clients as a result of the tax reform

Ray Feliz, Octavia Legal Associates, Madison; Jairo Hernandez, Octavia Legal Associates, Madison

### Can I Litigate My State Court Claim in Bankruptcy Court, and Do I Have To?

**Presented by:** Solo Small Firm and General Practice; Bankruptcy, Insolvency & Creditor Rights; Family Law; and Litigation Sections

A bankruptcy filing by an opposing party in the midst of pending State Court litigation creates confusion that can result in unnecessary delays and additional expenses. At this session, you will gain the tools and knowledge you need to make quick and informed decisions about how a bankruptcy filing affects pending litigation. You will learn:

- The effects a bankruptcy filing has on your case if filed before your next hearing/trial dates
- Whether the bankruptcy filing will stay your pending State Court litigation
- How the opposing party's bankruptcy discharge could affect your client's claim
- Whether your pending claims can be argued before the State Court or must go to the Bankruptcy Court

Nicholas L. Hahn, Godfrey & Kahn SC, Oshkosh; David Krekeler, Krekeler Strother, S.C., Madison

## Update on Wisconsin Criminal Law and Procedure

**Presented by:** Criminal Law Section

Join us for an examination of recent case law developments arising from the Wisconsin Supreme Court and Court of Appeals as well as federal case law on evidence, substantive criminal law, and criminal procedure. Gain insight as the panel discusses implications of these changes from the bench, criminal defense, and the prosecution perspectives. This session will enable you to:

- Identify and understand the new statutes and rules governing criminal procedure
- Incorporate the recent, significant case law changes into your criminal law practice
- Adapt your procedures to respond to these changes

Rebecca Coffee, Mastantuono & Coffee, Milwaukee; Roy Korte, Retired Criminal Litigation Unit Director (DOJ), Milwaukee; Hon. Phil Koss, Walworth County Circuit Court, Elkhorn; Prof. Michael O'Hear, Marquette Law School, Milwaukee

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## FRIDAY PROGRAMS

8 - 9:15 a.m.

### Can't Agree on eDiscovery? Try ADR: Tips, Pitfalls & Resolution

**Presented by:** *Dispute Resolution and Litigation Sections*

eDiscovery can be an arduous process. The complexity, combined with the costs and burdens associated with producing and reviewing materials, often leads to disputes between parties of what is reasonable and proportionate. Traditionally, courts assigned a Special Master to resolve these disputes. However, eMediation may be better a better and more cost-effective solution. An eMediation to resolve an eDiscovery dispute differs from traditional mediation. At this session, you will:

- Gain an understanding of the Federal and State Civil Procedures governing eDiscovery
- Learn the differences between a traditional mediation and an eMediation for eDiscovery
- Understand the benefits of using eMediation to settle eDiscovery disputes

*Timothy D. Edwards, Anthony Lawhon PA, Naples, FL; Hon. Richard J. Sankovitz, Resolute Systems Inc, Milwaukee; Jaya Sharma, Sharma Mediation & Arbitration, Inc., Madison*

### Corporate Governance in the #MeToo Era - Adding Value by Adding Women

**Presented by:** *Business Law and Labor & Employment Law Sections*

Few topics have dominated the news in the past two years more than the allegations and accusations of sexual harassment against public figures. The #MeToo movement has had a significant impact on American society,

and corporate boardrooms have not been immune. Be prepared to advise your clients on the evolving best practices for corporate governance. At this session, you will explore actions boards need to take to prevent future harassment and respond to allegations of misconduct. Topics include:

- Appointing women to boards of directors
- Adding anti-harassment policies to corporate codes of conduct
- Establishing written procedures for addressing allegations of improper conduct,
- Enhancing employee training in the area of promoting gender equality

*Nadelle E. Grossman, Marquette University Law School, Milwaukee; Rochelle H. Klaskin, State of Wisconsin Investment Board, Madison; Clyde Tinnen, Foley & Lardner LLP, Milwaukee*

### Grandparent Visitation - and the Legal Standard is...



**Presented by:** *Family Law and Children & the Law Sections*

*Michels v. Lyons* is a significant Wisconsin case affecting the fundamental liberty interest in parenting the child. A panel of attorneys, Family Court Commissioners, and Judges will discuss the case, its importance, and the standards for grandparent visitation going forward. From this session, you will:

- Understand the evolution of parental rights and grandparent visitation in Wisconsin
- Recognize key points to granting grandparent visitation as determined in *Traxel v. Granville*
- Comprehend the changes to granting grandparent visitation in the wake of *Michels v. Lyons*

*Comm. Mark R. Fremgen, Dane County Circuit Court, Madison; Gregg M. Herman, Loeb & Herman SC, Milwaukee*

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## CLE PROGRAMS CONTINUED

### Tips for Writing Effective Appellate Briefs

**Presented by:** *Appellate Practice Section*

Don't miss this rare opportunity to learn from a sitting Court of Appeals judge and lawyers practicing before the Court of Appeals on what makes an appellate brief persuasive. Hear tips not only for drafting your initial brief, but also for editing them to ensure they communicate your position in a clear, persuasive, and compelling manner. You'll learn:

- Critical elements to include when crafting your briefs
- Formatting your brief for maximum effectiveness
- Editing tips to hone your message

*Hon. Brian J. Blanchard, Wisconsin Court of Appeals District IV, Madison; Shelley Fite, Federal Defender Services of Wisconsin, Inc., Madison; Eric Pearson, Foley & Lardner, Milwaukee*

9:35 - 10:25 a.m.

### Preventing (and Responding to) Data Breaches: How to Advise Your Client

**Presented by:** *Business Law and Intellectual Property and Technology Law Sections*

In today's technological environment, most businesses collect, use, and store personal information about their clients and customers. Because businesses are keeping this information, they must comply with a variety of laws and regulations that apply to its collection and security. It is essential that you understand the legal issues to consider when it comes to data security. This program will enable you to help your clients:

- Conduct an effective data-security risk-assessment
- Assess an organization's data-security practices
- Respond to data-security breaches

*Ramone Moses, RMM Solutions, Wausau*

### Avoid the Family Feud: Successful Transfers of Closely Held Construction Companies



**Presented by:** *Construction & Public Contract Law and Real Property, Probate & Trust Law Sections*

One of the most challenging and vulnerable times for any closely held business is the transfer from one generation to the next. Join us as we explore the unique considerations that you must consider when transferring a construction business. During the program, you will examine several matters including:

- Corporate organization tips to protect asset classes
- Business valuation considerations
- Comprehensive estate-planning strategies
- Streamlined communication and interpersonal relationship management
- Cash flow hurdles

*Cynthia L. Buchko, Construction Business Group, Madison; Bradley J. Kalscheur, Michael Best & Friedrich LLP, Milwaukee; Philip J. Miller, Husch Blackwell LLP, Waukesha; Shipra Seefeldt, Strategic Solutions Consulting LLC, Appleton*



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## Tax Implications of Litigation and Settlements

**Presented by:** *Taxation Law and Litigation Sections*

In litigation, the focus is often the amount of the damages awarded without much planning for their tax treatment. During this session, discover what you can do to ensure your clients receive the most favorable tax-treatment on their settlement or judgement. You'll also receive an overview of the "state of the IRS." Topics include:

- How various settlements and judgements are taxed
- New rules on sexual harassment cases under the new tax act
- Deductibility of legal fees and new limitations
- General state of the IRS

*Daniel B. Geraghty, Husch Blackwell LLP, Milwaukee; Robert M. Romashko, Husch Blackwell LLP, Chicago, IL*

## Powerful Opening Statements

**Presented by:** *Litigation Section*

In a time of declining jury trials, how do you learn the art of delivering a compelling opening statement? Don't miss this opportunity to learn from a judge and practicing litigation lawyers about what makes an effective and powerful opening statement. You'll learn the how-tos of:

- Organizing your statement for maximum impact
- Addressing facts that are "bad" for your client
- Using exhibits effectively during your opening statement
- Overcoming opposing counsel's objections

*Kelly Centofanti, Centofanti Law SC, Mequon; John Claypool, Herring Clark Law Firm Ltd, Appleton*

10:45 - 11:35 a.m.

## The Impact of 2017 WISCONSIN ACT 67 on Local Government Land Use Practices

**Presented by:** *Government Lawyers Division and Administrative and Local Government Section*

Gain an in-depth look at the sweeping changes to the conditional use permit process brought about by 2017 WISCONSIN ACT 67. Learn the limits ACT 67 placed on zoning authorities and the conditions required to deny a CUP application. This information is essential if you represent local governments or are advising property owners.

Topics you'll cover include:

- An in-depth examination of changes to the law
- New "substantial evidence" requirements for denying a CUP
- New mandates for granting CUPs to applicants

*Adam F. Jardine, Reinhart Boerner Van Deuren SC, Milwaukee; Michael J. Morse, Village of Menomonee Falls, Menomonee Falls; Brian W. Ohm, University of Wisconsin Department of Planning & Landscape Architecture, Madison; Andrew Thomas Phillips, von Briesen & Roper SC, Milwaukee; Jesse A. Wesolowski, Wesolowski, Reidenbach & Sajdak SC, Franklin*

## Accessing and Protecting Your Data While Traveling



**Presented by:** *State Bar of Wisconsin Practice 411*

In the digital era, clients demand you have access to their information 24/7. At the same time, lawyers are high-value targets for cyber-attacks because of the wealth of personal information clients entrust to them. Understanding how to access your clients' information securely is essential to protect your clients and yourself. After this session, you will:

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Taxation Law Section



## CLE PROGRAMS CONTINUED

- Understand available technologies for accessing information and their vulnerabilities
- Be able to develop procedures that can reduce the risk of a data-breach
- Comprehend encryption technology limits
- Learn techniques for maintaining security protocols
- Evaluate Internet sources and service providers confidently

*Christopher C. Shattuck, State Bar of Wisconsin, Madison*

### Cultivating Cultural Competence: Creating and Maintaining a Respectful, Productive Workplace for People of All Kinds

Learn to create a culture that embraces diversity and inclusion as a core value through communications and positive interaction - increasing collaboration, productivity, and profits, while enabling you to effectively navigate difficulties as they arise. By attending, you will:

- Realize the importance of understanding the ethnic, generational, gender, and educational diversity of your geographic regions
- Identify the personal and organizational factors that affect experiences at your firm
- Recognize the changes needed to create an inclusive work environment
- Explore how cultural differences actually help deliver innovative services to a wider range of clients

*Dr. Andrea Cochran and Chris Osborn, ReelTime CLE, LLC, Charlotte, NC*

### Tips and Strategies for Effective Voir Dire

**Presented by:** *Litigation Section*

Hear tips and learn strategies to avoid a jury selection process that is awkward and uncomfortable. Learn tactics you can use to engage your potential jurors and encourage them to share their personal beliefs and viewpoints. These insights allow you to assess which jurors will likely be supportive to your case. In addition, hear a judge's perspective on voir dire. This session will enable you to:

- Craft appropriate and relevant questions
- Build a rapport with your potential jurors
- Identify which potential jurors will be "leaders" and which will be "followers"
- Challenge potential jurors to be stricken for cause - successfully

*Jacob R. Reis, Habush Habush & Rottier, S.C., Appleton; Heather L. Nelson, Everson, Whitney, Everson & Brehm SC, Green Bay*

**Closing Plenary - Noon - 1:15 p.m.**

### That'll Never Happen Here: Cultivating a Workplace Culture Less Conducive to Sexual Harassment and Misconduct



See description on page 6.

*Dr. Andrea Cochran, ReelTime CLE, LLC; Chris Osborn, ReelTime CLE, LLC*



### QUESTIONS?

Staff members have yellow ribbons on their badges.



## Senior Lawyers Division

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The purpose of the Litigation Section is to bring together members who have an interest in civil litigation, insurance law, and tort law. The Section strives to further the development and improvement of the civil litigation practice by monitoring, commenting upon and proposing legislation, (when appropriate), and by sponsoring and presenting CLE programs. The Section has an email list and helps edit and publish educational materials including a litigation blog.

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The Real Property, Probate & Trust Law Section provides two listservs and a blog to share relevant information and changes with members. Section members can earn a scholarship for a PINNACLE seminar by writing blog posts. The section also provides a seminar discount to members. Additionally, the section is very active in legislation. Please see the section webpage for a list of current committees.

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The Senior Lawyers Division (SLD) focuses on activities and content specifically designed to serve the needs and interests of senior lawyers. We help members stay connected with the State Bar of Wisconsin and with each other. Every member of the State Bar of Wisconsin who is 60 years old or older is eligible for membership in the Senior Lawyers Division.

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Ballroom A

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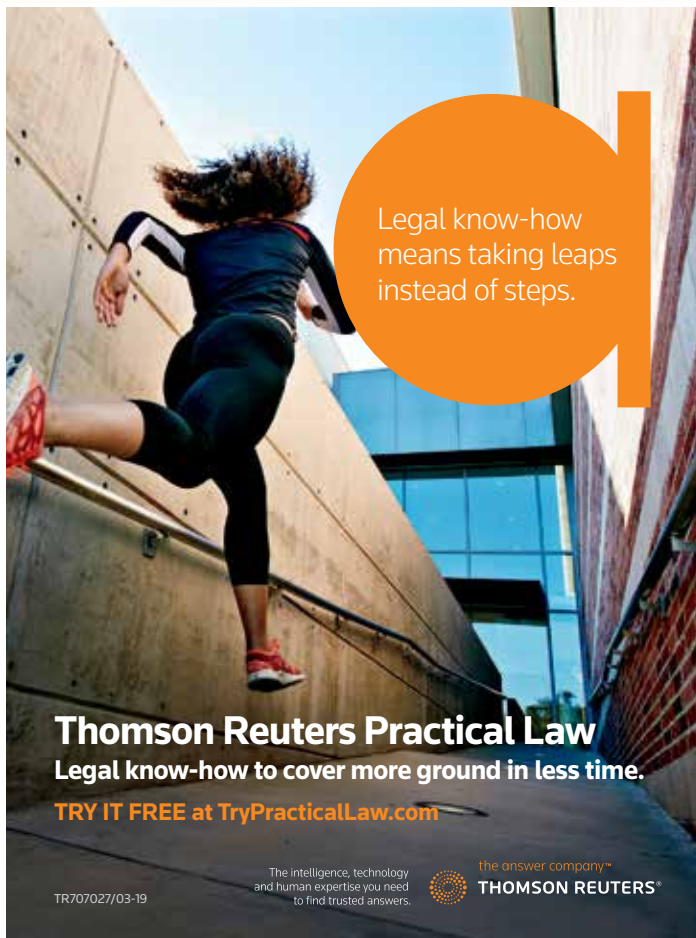
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 **Bankruptcy, Insolvency & Creditors' Rights Section**



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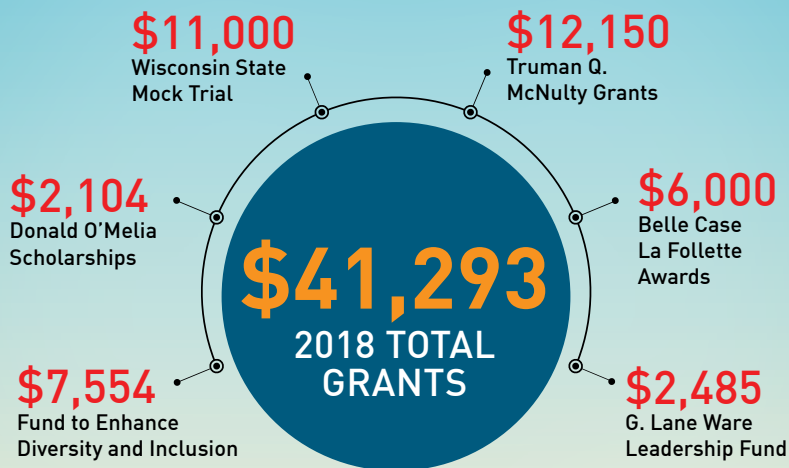


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