

2018 Eighth Circuit Judicial Conference

Des Moines, Iowa
August 15-17, 2018

(Credits shown in hours)

ARKANSAS

Program #OTH62952

General - 7.25

Ethics - 3.0

IOWA

Activity #300063

General - 10.25

Ethics - 3.0 (included in general)

MINNESOTA

Event Code #260238

Standard - 10.25

Ethics - 3.0 (included in general)

MISSOURI

General - 12.3

Ethics - 3.6 (included in general)

NEBRASKA

Activity #161176

General - 10.25

Prof. Resp. - 2.0 (included in general)

NORTH DAKOTA

Event #20180816ECJC

General - 10.25

Ethics - 3.0 (included in general)

2018 Eighth Circuit Judicial Conference

**Des Moines, Iowa
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INDIANA

Course #234234

Sponsor #108189

General - 10.25

Ethics - 3.0 (included in general)

Iowa Federal CLE

10.25

**EIGHTH CIRCUIT JUDICIAL CONFERENCE
IOWA EVENTS CENTER
DES MOINES, IOWA
August 15 - 17, 2018**

Wednesday, August 15, 2018

- 8:30 a.m. - 12:00 p.m. **Pattern Jury Instruction Committee Meeting**
- 8:30 a.m. - 12:00 p.m. **Clerks of Court/Probation/Pretrial Meeting**
- 12:00 p.m. - 1:00 p.m. **Informal Luncheon**
(All Federal Judges and Court Unit Executives are welcome to attend; however, no business will be conducted.)
- 1:30 p.m. - 2:00 p.m. **Executive Session**
(All Federal Judges)
- Presiding:*
Honorable Lavenski R. Smith
Chief Judge, Eighth Circuit
- National Reports*
Sheryl L. Walter
General Counsel
Administrative Office of the U.S. Courts
- John S. Cooke
Deputy Director
Federal Judicial Center
- U.S. Judicial Conference Committee Report*
Honorable Joseph F. Bataillon
U.S. District Judge
District of Nebraska
- Introduction of New Eighth Circuit Judicial Officers**
- Resolutions**
- 1:30 p.m. - 4:30 p.m. **Clerks of Court Meeting**
- 1:30 p.m. - 4:30 p.m. **Probation/Pretrial Meeting**
- 1:30 p.m. - 4:30 p.m. **Federal Public Defenders Meeting**

Wednesday, August 15, 2018, cont.

- 2:00 p.m. - 3:00 p.m. **U.S. Bankruptcy Judges Meeting**
- 2:00 p.m. - 3:00 p.m. **U.S. Magistrate Judges Meeting**
- 2:00 p.m. - 3:00 p.m. **U.S. District Court Judges Meeting**
- 2:00 p.m. - 3:00 p.m. **U.S. Court of Appeals Meeting**
- 3:00 p.m. - 4:00 p.m. **Eighth Circuit Judicial Council Meeting**

Thursday, August 16, 2018

8:30 a.m. - 3:00 p.m.

GENERAL SESSION

8:30 a.m. - 8:50 a.m.

Opening Ceremonies

Presentation of Colors

Boy Scout Troop 96 from Urbandale, Iowa

Performance of the National Anthem

Priscilla Davidson

Senior United States Probation Officer, Southern District of Iowa

Opening Remarks & Presiding

Honorable Lavenski R. Smith

Chief Judge, Eighth Circuit

Welcome

Honorable Kim Reynolds

Governor of Iowa

8:50 a.m. - 9:00 a.m.

Special Presentation

Jerry Anderson

Dean of the Law School

Drake University

9:00 a.m. - 10:00 a.m.

Prosecution of International War Crimes

Honorable Stephen J. Rapp

Visiting Fellow, United States Holocaust Memorial Museum

Former U.S. Ambassador-at-Large, Office of Global Criminal
Justice, U.S. Department of State

60 mins (general)



Thursday, August 16, 2018, cont.

Patrick J. McNulty
Of Counsel, Grefe & Sidney, P.L.C.
Former Intern, International Criminal Tribunal for
the former Yugoslavia

10:00 a.m. - 10:15 a.m. **Break**

10:15 a.m. - 11:15 a.m. Competing Approaches to Constitutional Interpretation

60 mins (general)

Pamela S. Karlan
Kenneth and Harle Montgomery Professor of Public Interest Law
and Co-Director, Supreme Court Litigation Clinic
Stanford Law School

John O. McGinnis
George C. Dix Professor in Constitutional Law
Northwestern Pritzker School of Law

11:30 a.m. - 12:45 p.m. **CONFERENCE LUNCHEON**

Luncheon Speaker

Dr. Simon Estes
Native of Centerville, Iowa
Internationally Renowned Opera Singer

Presentation of Richard S. Arnold Awards

1:00 p.m. - 1:45 p.m. Neuroscience and the Law

45 mins (general)

Nita A. Farahany
Professor of Law and Philosophy
Duke University

**1:45 p.m. - 2:45 p.m. Legal Issues Surrounding Sports Gambling
Case Study: Philip D. Murphy, et al. v. NCAA, et al.**

60 mins (general)

Matthew D. McGill
Partner
Gibson, Dunn & Crutcher LLP
Counsel for Governor Murphy of New Jersey

Jeffrey B. Wall
Principal Deputy Solicitor General of the United States
Counsel for the United States as amicus curiae



Thursday, August 16, 2018, cont.

Jonathan F. Cohn
Partner
Sidley Austin LLP
Counsel for the American Gaming Association as amicus curiae

Moderator:
Professor Keith Miller
Ellis and Nelle Levitt Distinguished Professor of Law
Drake University Law School

2:45 p.m. - 3:00 p.m. **Break**

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

CLE BREAKOUTS

60 mins (general OR ethics)

CRIMINAL/ETHICS BREAKOUT

Web-Launched Domestic Terrorism - Cyber Weaknesses in Infrastructure

Mark Lanterman
Chief Technology Officer
Computer Forensic Services

CIVIL BREAKOUT

The Disappearing Civil Jury Trial

Honorable Arthur J. Boylan
Retired Chief Magistrate Judge, District of Minnesota
Arthur J. Boylan Alternative Dispute Resolution

Renée Lettow Lerner
Donald Phillip Rothschild Research Professor
George Washington University Law School

Steven W. Quattlebaum, Esq.
National Secretary, American Board of Trial Advocates
Quattlebaum, Grooms, Tull & Burrow, PLLC

BANKRUPTCY BREAKOUT

Cybercurrency and the Law

Srikant Mikkilineni
Attorney
Brick Gentry, P.C.

Bianca Rucker
Attorney
Rucker Law, PLLC

Thursday, August 16, 2018, cont.

4:15 p.m. - 5:15 p.m. **Historical Society Board Meeting**

Friday, August 17, 2018

7:45 a.m. - 8:45 a.m. **Federal Practice Committee Breakfast Meetings**

9:00 a.m. - 4:00 p.m. **GENERAL SESSION**

9:00 a.m. - 9:30 a.m. **Honorable Jefferson B. Sessions, III**
Attorney General of the United States 30 mins (general)

9:30 a.m. - 10:30 a.m. **Supreme Court Update** 60 mins (general)

Vikram David Amar
Dean of the University of Illinois College of Law
Iwan Foundation Professor of Law

10:30 a.m. - 10:45 a.m. **Break**

10:45 a.m. - 11:30 a.m. **Honorable Neil M. Gorsuch** 45 mins (general)
Associate Justice
Supreme Court of the United States

11:45 a.m. - 1:15 p.m. **CONFERENCE LUNCHEON**

Luncheon Speaker

Salvatore ("Sal") Augustine Giunta
Native Iowan, former United States Army Soldier
First Living Medal of Honor Recipient since the Vietnam War

Presentation of the American Inns of Court Award

1:30 p.m. - 2:15 p.m. **Conversation with the Chairmen** 45 mins (general)

Honorable Chuck Grassley
United States Senator (Iowa)
Chairman of the Senate Judiciary Committee

Honorable Robert W. Goodlatte
United States Representative (VA - 6th District)
Chairman of the House Judiciary Committee

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Friday, August 17, 2018, cont.

2:15 p.m. - 3:15 p.m.

Ethics and Sanctions

60 mins (ethics)

Emily Hughes
Associate Dean for Faculty and Academic Affairs and
Professor and Bouma Fellow in Law
University of Iowa College of Law

Gregory P. Joseph
Partner
Joseph Hage Aaronson LLC

3:15 p.m. - 3:30 p.m.

Break

3:30 p.m. - 4:00 p.m.

The Merging of Millennials into the Legal Profession

30 mins (general)

Ursula Furi-Perry
Dean of the School of Humanities and Social Sciences
Becker College, Worcester, MA
Author of "The Millennial Lawyer: Making the Most of Generational
Differences at the Firm"

4:00 p.m. - 5:00 p.m.

CLE BREAKOUTS

60 mins (general or ethics)

CRIMINAL BREAKOUT

Federal Sentencing: New Developments, Evolving Purpose

Alan Ellis
Law Office of Alan Ellis
Past President, National Association of Criminal Defense Lawyers
San Francisco, CA

Raquel K. Wilson
Director, Education and Sentencing Practice for the
United States Sentencing Commission

Jonathan J. Wroblewski
Director, Office of Policy and Legislation in the Criminal Division of
the U.S. Department of Justice

CIVIL/ETHICS BREAKOUT

**Legal Ethics in the Digital Age: Cybersecurity, the Dark Web,
and Leveraging ESI**

Mark Lanterman
Chief Technology Officer
Computer Forensic Services

5:00 p.m.

ADJOURNMENT OF CONFERENCE