2007 Legal Ethics Conference

LAWYERING AT THE EDGE
UNPOPULAR CLIENTS, DIFFICULT CASES, ZEALOUS ADVOCATES

Sunday, Monday and Tuesday
October 14, 15 and 16, 2007

Conference Director
Professor Roy D. Simon

Conference Coordinator
Dawn Marzella

REGISTRATION PROGRAM
LEGAL ETHICS: LAWYERING AT THE EDGE
UNPOPULAR CLIENTS, DIFFICULT CASES, ZEALOUS ADVOCATES

Stuart Rabinowitz
President and Andrew M. Boas and Mark L. Cluster Distinguished Professor of Law, Hofstra University

Nora V. Demleitner
Interim Dean and Professor of Law, Hofstra Law School

Roy D. Simon
Howard Lichtenstein Distinguished Professor of Legal Ethics, Hofstra Law School
Conference Director

KEYNOTE ADDRESS
Michael E. Tigar
Research Professor of Law, Washington College of Law; Visiting Professor, Duke Law School
Professeur Invité, Université Paul Cézanne

BANQUET ADDRESS
Gerald B. Lefcourt
Law Offices of Gerald B. Lefcourt
New York, NY

CONFERENCE SPEAKERS

Lonnie T. Brown, Jr.
Associate Professor of Law
University of Georgia School of Law

Raymond Brown
Attorney, Greenbaum, Rowe, Smith & Davis
Woodbridge, NJ

Alafair S. Burke
Associate Professor of Law
Hofstra Law School

James Farragher Campbell
Attorney, Campbell, DeMetrick & Jacobo
San Francisco, CA

I. Bennett Capers
Associate Professor of Law
Hofstra Law School

Angela J. Davis
Professor of Law, Washington College of Law
American University

Eric M. Freedman
Maurice A. Deane Distinguished Professor of Constitutional Law, Hofstra Law School

Monroe H. Freedman
Professor of Law, Hofstra Law School

Leon Friedman
Joseph Kushner Distinguished Professor of Civil Liberties Law, Hofstra Law School

Stephen Gillers
Emily Kempin Professor of Law
New York University School of Law

Glenda Grace
Visiting Assistant Professor
Hofstra Law School

Jeanne P. Gray
Director, Center for Professional Responsibility
American Bar Association

Bruce Green
Stein Professor of Law, Fordham University School of Law

Joel Hirschhorn
Attorney, Hirschhorn & Bieber P.A.
Coral Gables, FL

Ronald Kuby
Law Offices of Ronald Kuby, New York, NY

Gerald B. Lefcourt
Law Offices of Gerald B. Lefcourt
New York, NY

Andrew Perlman
Associate Professor
Suffolk University Law School

Burne Ve. Powell
Miles and Ami Lathton Professor of Law
University of South Carolina School of Law

Roy D. Simon
Howard Lichtenstein Distinguished Professor of Legal Ethics, Hofstra Law School

Abbe Smith
Professor of Law, Georgetown University Law Center; Co-Director, Criminal Justice Clinic and E. Barrett Prettyman Fellowship Program

Clive Stafford-Smith
Founder and Legal Director
Reprieve, London, England

John Steele
Fish & Richardson P.C.
Silicon Valley, CA

Lynne Stewart
New York, NY

Ralph J. Temple
Attorney, Ashland, OR

Charles W. Wolfram
Charles Frank Reavis Sr. Professor of Law Emeritus, Cornell Law School

Ellen Yaroshesfsky
Clinical Professor of Law and Executive Director, Jacob Burns Ethics Center, Benjamin N. Cardozo School of Law

2007 LEGAL ETHICS CONFERENCE
Sunday, October 14, 2007
SESSION I

8 a.m.-4 p.m.  CONFERENCE REGISTRATION
Barbara and Maurice A. Deane Law Library Foyer
Hofstra Law School

9-10:30 a.m.  BRUNCH
Leeds Morelli & Brown Atrium
Hofstra Law School, Second Floor

10:30-10:45 a.m.  WELCOMING REMARKS
Sidney R. Siben and Walter Siben Moot Courtroom
Hofstra Law School, Room 308

Stuart Rabinowitz
President and Andrew M. Boas
and Mark L. Claster Distinguished Professor of Law
Hofstra University

Nora Demleitner
Interim Dean and Professor of Law
Hofstra Law School

Roy Simon
Howard Lichtenstein Distinguished Professor of Legal Ethics
Hofstra Law School
Conference Director

10:45 a.m.-12:35 p.m.  MORNING SESSION
Sidney R. Siben and Walter Siben Moot Courtroom
Hofstra Law School, Room 308

Stephen Gillers
Emily Kempin Professor of Law
New York University School of Law
The First Thing We Do, Let’s Get Their Lawyers:
Assaults on the Bar From the Civil Rights Era to
Charles Stimson and KPMG

Ellen Yaroshesky
Clinical Professor of Law and
Executive Director of the Jacob Burns Ethics Center
Benjamin N. Cardozo School of Law
Lawyering at the Edge of the Rule of Law

12:35-1:45 p.m.  KEYNOTE ADDRESS
Sidney R. Siben and Walter Siben Moot Courtroom
Hofstra Law School, Room 308

Introduction
Monroe Freedman
Professor of Law
Hofstra Law School

Keynote Speaker
Michael E. Tigar
Research Professor of Law, Washington College of Law
Visiting Professor, Duke Law School
Professeur Invite, Universite Paul Cezanne
The Torturers’ Legal Advisers: Professional Responsibility and Human Rights

1:45-2:15 p.m.  COFFEE BREAK
Dorothy R. and Adolph J. Eckhardt Faculty Conference Room
Hofstra Law School, Room 303

2:15-5 p.m.  AFTERNOON SESSION
Sidney R. Siben and Walter Siben Moot Courtroom
Hofstra Law School, Room 308

Clive Stafford-Smith
Founder and Legal Director, Reprieve, London, England
Ethical Challenges at Guantanamo

Abbe Smith
Professor of Law, Georgetown University Law Center
Co-Director, Criminal Justice Clinic and E. Barrett Prettyman Fellowship Program
Client Counseling at the Edge: The Lawyer’s “Conscience”
and the Limits of Persuasion

Maj. Daniel Mori
United States Marine Corps
Persistence, Professionalism, and Freedom

6 p.m.  BANQUET
The Garden City Hotel
Garden City, New York

Banquet Speaker
Gerald B. Lefcourt
Law Offices of Gerald B. Lefcourt
Why One Wired Phone Call Is Worth $500,000 of Investigation,
and Why I Represent “Those People”
Monday, October 15, 2007
SESSION II

8:30 a.m.-3 p.m. CONFERENCE REGISTRATION
Barbara and Maurice A. Deane Law Library Foyer
Hofstra Law School

8-9:15 a.m. BREAKFAST
Leeds Morelli & Brown Atrium
Hofstra Law School, Second Floor

9:15 a.m.-12:15 p.m. MORNING SESSION
Sidney R. Siben and Walter Siben Moot Courtroom
Hofstra Law School, Room 308

Bruce Green
Stein Professor of Law
Fordham University School of Law
Criminal Defense Lawyering on the Edge: A Look Back

John Steele
Fish & Richardson P.C.
How to Handle a Scandal

Monroe H. Freedman
Professor of Law
Hofstra Law School
Lawyering at the Edge: Henry Lord Brougham’s Controversial Campaigns for Human Rights

12:15-2 p.m. LUNCHEON
Leeds Morelli & Brown Atrium
Hofstra Law School, Second Floor

Luncheon Speaker
James Farragher Campbell
Campbell, DeMetrick & Jacobo
Ethical Considerations on Witness Grooming

2-5 p.m. AFTERNOON SESSION
Sidney R. Siben and Walter Siben Moot Courtroom
Hofstra Law School, Room 308

Glenda Grace
Visiting Assistant Professor
Hofstra Law School
Representing Capital Clients & the Elusive Quest for “Meaningful Access to Justice”

Angela J. Davis
Professor of Law
Washington College of Law, American University
Prosecutorial Misconduct: Does the Disciplinary Process Provide an Adequate Remedy

Andrew Perlman
Associate Professor, Suffolk University Law School
Zealous Obedience and the Subordinate Lawyer: Lessons From Social Psychology

Tuesday, October 16, 2007
SESSION III

8 a.m.-3 p.m. CONFERENCE REGISTRATION
Barbara and Maurice A. Deane Law Library Foyer
Hofstra Law School

8-9:15 a.m. BREAKFAST
Leeds Morelli & Brown Atrium
Hofstra Law School, Second Floor

9:15 a.m.-Noon MORNING SESSION
Sidney R. Siben and Walter Siben Moot Courtroom
Hofstra Law School, Room 308

Kevin McMuigal
Judge Ben C. Green Professor
Case Western Reserve University School of Law
Corrupt Scientific Evidence

Burnele V. Powell
Miles and Ann Loadholt Professor of Law
University of South Carolina School of Law
Lawyering “Through” Fear: When the Edge Is All That’s Left
MORNING SESSION CONTINUED

Charles Wolfram
Charles Frank Reavis Sr. Professor of Law Emeritus
Cornell Law School

Competitor Conflicts

Noon-1:30 p.m.

LUNCHEON
Leeds Morelli & Brown Atrium
Hofstra Law School, Second Floor

Luncheon Speaker
Raymond Brown
Greenbaum, Rowe, Smith & Davis
Prosecutors, Power, and Professional Ethics: From the Thompson Memorandum to the International Criminal Court in Sierra Leone

1:30-4:15 p.m.

AFTERNOON SESSION
Sidney R. Siben and Walter Siben Moot Courtroom
Hofstra Law School, Room 308

Lynne Stewart
Lawyering on the Edge

Richard P. Mauro
Attorney at Law

Sanctions as a Deterrent to Post-Conviction Relief for Wrongfully Convicted Defendants

Ronald Kuby
Law Offices of Ronald Kuby
Lawyering at the Edge — How to Make Sure that When the Trial Ends You Are Not Going to Jail

REGISTRATION INFORMATION

Hofstra Law School is an accredited NYS CLE provider. Continuing Legal Education credits and scholarships are available.*

CONFERENCE REGISTRANTS
Complete and return the registration form with a check made payable to Hofstra Law School. Please indicate the session(s) you plan to attend. Your official name tag and registration packet may be picked up at the Conference Registration Desk, which will be open from 8 a.m. to 4 p.m. at the Barbara and Maurice A. Deane Law Library Foyer, Hofstra Law School.

On-site registration will be available as space permits. Hofstra University facilities are 100-percent accessible to persons with disabilities.

HOFSTRA STUDENTS, FACULTY, ADMINISTRATORS AND STAFF
All events, with the exception of the brunch, banquet and luncheons, are free to Hofstra University students, faculty, administrators and staff upon presentation of a current Hofstra Card. Advance registration is recommended because seating is limited. Unfortunately, free admission to conference events cannot be extended to family and friends of members of the Hofstra University community.

Please complete and return the registration form to Dawn Marzella, Director of Special Projects, Hofstra Law School, 121 Hofstra University, Hempstead, NY 11549-1210.

CURRENT HOFSTRA LAW SCHOOL STUDENTS
Students currently enrolled at Hofstra Law School will receive separate registration materials at the end of September 2007.

MEMBERS OF THE PRESS
Complimentary press passes to all conference events will be provided to members of the press. Please notify Dawn Marzella by phone at (516) 463-6889, or by fax at (516) 463-6091. Parking arrangements will be made if notification is received before October 1, 2007. Thereafter, every effort will be made to accommodate those with press credentials.

OFFICIAL CONFERENCE HOTELS
The Garden City Hotel in Garden City and the L.I. Marriott Hotel and Conference Center in Uniondale have been designated as the official conference hotels. Following are the room rates and cutoff dates for room reservations. All hotel reservations will be handled directly through the hotels.

THE GARDEN CITY HOTEL
An Inter-Continental Global Partner Hotel
45 Seventh Street
Garden City, New York 11530
Attention: Reservations Manager
Telephone: (516) 747-3000 or (800) 547-0400
Fax: (516) 747-1414
Room rate: $190 per night, single or double occupancy.
(Rate guaranteed until September 21, 2007.)

LONG ISLAND MARRIOTT HOTEL AND CONFERENCE CENTER
101 James Doolittle Boulevard
Uniondale, New York 11553
Attention: Reservations Manager
Telephone: (516) 794-3800 or (800) 832-6255
Fax: (516) 794-5936
Room rate: $169 per night, single or double occupancy.
(Rate guaranteed until September 17, 2007.)

You may also call Wingate by Wyndham in Garden City. There is no corporate rate available for this conference.

WINGATE BY WYNDHAM
821 Stewart Avenue
Garden City, New York 11530
Attention: Hotel Reservations
Telephone: (516) 705-9000

Please make your reservations as early as possible as the number of rooms is limited. When making your reservations, please identify yourself as a participant in the Hofstra Law School Legal Ethics Conference.

All reservations will be held until 6 p.m. on the day of arrival unless the reservation is accompanied by payment with a major credit card.

*CLE Credit is not available for the 1:30-4:15 p.m. sessions on 10/16.
CONFERENCE REGISTRATION FEES

Early Registration
Registration forms postmarked by Friday, September 28, 2007, are entitled to a 10-percent discount.
Full conference fee includes all conference events and meals (excluding the banquet, with the exception of Category I attendees).

*On Tuesday, October 16, Hofstra Law School graduates will be admitted to all conference events at no charge.

<table>
<thead>
<tr>
<th>CATEGORY I</th>
<th>Full Conference</th>
<th>Individual Day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law professors</td>
<td>$475*</td>
<td>$125</td>
</tr>
<tr>
<td>Attorneys in private practice</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Members of the general public</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CATEGORY II</th>
<th>$195</th>
<th>$75</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disciplinary counsel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Government lawyers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bar Association staff/employees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public interest / non profit / Legal Aid lawyers</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CATEGORY III</th>
<th>$100</th>
<th>$50</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hofstra Law School graduates</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senior citizens (over 65)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Must include copy of Medicare card</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Non-Hofstra students      | NO FEE          |                |
| Must include copy of valid school ID | | |

| Current Hofstra students, faculty and staff ** | NO FEE |                |
| Must include copy of current HofstraCard (does not include meals or banquet) | | |

*Full conference fee includes banquet for category I attendees.
**If you are a current Hofstra student or staff member and would like to attend the brunch on Sunday, or the luncheon on Monday or Tuesday, there will be additional fees as indicated below:

<table>
<thead>
<tr>
<th>Brunch</th>
<th>$15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sunday, October 14, 2007</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Luncheon and Address</th>
<th>$15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday, October 15, 2007</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Luncheon and Address</th>
<th>$15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday, October 16, 2007</td>
<td></td>
</tr>
</tbody>
</table>

LOCATION OF HOFSTRA UNIVERSITY
Hofstra University is located in Hempstead, Long Island, New York, about 25 miles east of New York City, less than an hour away by train or automobile. The campus is located approximately 30 minutes by car from either John F. Kennedy International Airport or LaGuardia Airport.

BY CAR
From Eastern Long Island: Take Northern State Parkway to Meadowbrook Parkway South (exit 31A), or Southern State Parkway to Meadowbrook Parkway North (exit 22N). Continue on Meadowbrook Parkway to exit M4 (Hempstead Turnpike). Follow Hempstead Turnpike (Route 24) west to Hofstra, approximately 1 1/2 miles. Turn left on California Avenue and continue for about 1/4 mile. The Law School will be on the right.

From New York City: Take the Long Island Expressway to exit 38, Northern State Parkway, to Meadowbrook Parkway South (exit 31A), or Southern State Parkway to Meadowbrook Parkway North (exit 22N). Continue on Meadowbrook Parkway to exit M4 (Hempstead Turnpike). Follow Hempstead Turnpike (Route 24) west to Hofstra, approximately 1 1/2 miles. Turn left on California Avenue and continue for about 1/4 mile. The Law School will be on the right.

TRANSPORTATION FROM AIRPORTS
Please call for reservations in advance:
Horizon Transportation Service
Personalized Transportation Service (516) 438-4891
U.S. Limousine and Car Service
Personalized Transportation Service (516) 352-2225 or (800) 962-2827

NOTE: There are no official fares charged by New York City yellow cabs between the airports and the Hofstra campus. Please confirm charges with driver before starting your trip.

TRANSPORTATION VIA THE LIRR:
The Long Island Rail Road (LIRR) has frequent commuter service to the Hempstead Station from Pennsylvania Station, located at 34th Street and 7th Avenue, New York City, and Flatbush Avenue Station in Brooklyn, New York. From the Hempstead Station use either the Hofstra University courtesy bus that meets every train at the Hempstead Station or a local taxi service to the Hofstra campus.

All Island Transportation
(516) 481-1111
Ollie’s Airport Service
(516) 437-0505, (516) 352-6633, or (718) 229-5454
Pub Taxi Service
(516) 481-0675

Please return completed registration form on or before October 5, 2007, to:

Dawn Marzella
Director of Special Projects
Hofstra Law School
121 Hofstra University
Hempstead, NY 11549-1210

Please make check(s) payable to Hofstra Law School.
Registration fees are refundable until October 5, 2007. Thereafter, registration fees are nonrefundable.

Limited space is available. However, if conditions permit, there will be on-site registration on a first-come, first-served basis.

For more information, please contact Dawn Marzella at Hofstra Law School, Phone (516) 463-6889; Fax (516) 463-6091, E-mail: lawethics@hofstra.edu

For 24-hour information, call the HOFSTRA EVENTS LINE at (516) 463-5533.

Visit www.law.hofstra.edu/EthicsConference for more information.
**REGISTRATION FORM**

Your official conference name tag will reflect the information you provide on the first three lines below. Please type or print clearly.

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>FIRM/ORGANIZATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TELEPHONE**

**FAX**

**E-MAIL**

**FORM OF PAYMENT:**

<table>
<thead>
<tr>
<th>( ) CHECK (made payable to Hofstra Law School)</th>
<th>( ) MASTERCARD</th>
<th>( ) VISA</th>
</tr>
</thead>
</table>

**NAME AS IT APPEARS ON CREDIT CARD**

**SIGNATURE**

**CREDIT CARD NUMBER**

**EXPIRATION DATE**

---

### REGISTRATION FEES

Please indicate the amount paid.

**CATEGORY I** $__________

**CATEGORY II** $__________

**CATEGORY III** $__________

Brunch/Luncheon(s) $__________

(Hofstra students, faculty and staff)

**Additional Fees for Banquet**

Banquet Address by Gerald B. Lefcourt

Law Offices of Gerald B. Lefcourt

The Garden City Hotel

Limited reservations.

Black-tie optional.

Banquet Attendance $250 $__________

**Current Hofstra Law School Students and Recent Graduates**

(2002-2007 only)

$125 $__________

**TOTAL:** $__________

---

### REGISTRATION FORM

FOR SEATING PURPOSES, PLEASE CHECK THE EVENTS THAT YOU WISH TO ATTEND.

#### SESSION I, SUNDAY, OCTOBER 14, 2007

<table>
<thead>
<tr>
<th>9-10:30 a.m.</th>
<th>BRUNCH</th>
<th>I prefer a ( ) kosher meal ( ) vegetarian meal.</th>
</tr>
</thead>
<tbody>
<tr>
<td>10:30-10:45 a.m.</td>
<td>MORNING REMARKS</td>
<td>Stephen Gillers Ellen Yaroshefsky</td>
</tr>
<tr>
<td>10:45 a.m.-12:35 p.m.</td>
<td>MORNING SESSION</td>
<td>Clive Stafford-Smith Abbe Smith Maj. Daniel Mori</td>
</tr>
<tr>
<td>12:35-1:45 p.m.</td>
<td>KEYNOTE ADDRESS</td>
<td>Michael Tigar</td>
</tr>
<tr>
<td>2:15-5 p.m.</td>
<td>AFTERNOON SESSION I</td>
<td>Glenda Grace Angela J. Davis Andrew Perlman</td>
</tr>
</tbody>
</table>

#### SESSION II, MONDAY, OCTOBER 15, 2007

| 9:15 a.m.-12:15 p.m. | MORNING SESSION | Bruce Green John Steele Monroe H. Freedman |
| 12:15-2 p.m. | LUNCHEON | I prefer a ( ) kosher meal ( ) vegetarian meal. |
| LUNCHEON ADDRESS | James Farragher Campbell |
| 2-5 p.m. | AFTERNOON SESSION | Glenda Grace Angela J. Davis Andrew Perlman |
SESSION III, TUESDAY, OCTOBER 16, 2007

( ) 9:15 a.m.-Noon
MORNING SESSION
Kevin McMunigal
Burnele V. Powell
Charles Wolfram

( ) Noon-1:30 p.m.
LUNCHON
I prefer a ( ) kosher meal ( ) vegetarian meal.
LUNCHON ADDRESS
Raymond Brown

( ) 1:30-4:15 p.m
AFTERNOON SESSION
Lynne Stewart
Richard Mauro
Ronald Kuby

Please indicate if you require a sign language interpreter. ________________________________