

**HOFSTRA UNIVERSITY
SCHOOL OF LAW**

in cooperation with the

HOFSTRA CULTURAL CENTER

presents

**Legal Ethics:
THE CORE ISSUES**

A CONFERENCE

to be held

**Sunday, September 17, 1995 -
Tuesday, September 19, 1995**



HOFSTRA UNIVERSITY

Legal Ethics: THE CORE ISSUES

About the Conference

The Conference on Legal Ethics at Hofstra University School of Law will host a gathering of law professors, lawyers, and judges who are interested in legal ethics.

The Conference is presented to enhance the quality and foster the exchange of information in this area of law. Attendees will have the opportunity to formally and informally collect information and discuss current issues and problems in the area of legal ethics with nationally recognized legal ethics scholars and practitioners from around the country. Topics of the conference include:

- * **The Adversary System**
- * **Conflicts of Interest**
- * **Client Identity**
- * **Working With Families**
- * **Legal Education**
- * **The Process and Purpose of Lawyer Regulation**
- * **The Future of the Legal Profession**

Conference faculty include recognized experts in legal ethics who will provide written materials, present plenary discussions and direct panel workshops open to audience participation. Members of the academic and professional communities as well as members of the general public are cordially invited to attend.

Conference registration materials are on page 7 of this pamphlet.

CONFERENCE DIRECTORS

Monroe H. Freedman, *Howard Lichtenstein Distinguished Professor of Legal Ethics, Hofstra University School of Law*

Roy D. Simon, *Professor, Hofstra University School of Law*

KEYNOTE ADDRESS

The Honorable Ruth Bader Ginsburg, *Associate Justice, United States Supreme Court*

Sunday, September 17, 1995

9:00 a.m. - 11:00 a.m. **REGISTRATION**
Law Library foyer

11:00 a.m. - 12:00 noon **BRUNCH AND WELCOMING REMARKS**
Roy D. Simon, *Conference Co-Director, Professor, Hofstra University School of Law*

12:00 noon - 1:00 p.m. **BRUNCH ADDRESS**
“Is Legal Ethics Asking the Right Questions?”
Alan Dershowitz, *Felix Frankfurter Professor of Law, Harvard Law School*

Introduction by **Monroe H. Freedman**, *Conference Co-Director, Howard Lichtenstein Distinguished Professor of Legal Ethics, Hofstra University School of Law*

1:00 p.m. - 3:30 p.m. **PLENARY SESSION**
What’s Wrong with the Adversary System?

“Clients’ Perjury and Lawyers’ Options”
Marvin Frankel, Esq., *Partner, Kramer Levin Naftalis Nessen Kamin & Frankel, New York, New York*

“Whistleblowing and Related Conundrums”
Geoffrey Hazard, *Trustee Professor of Law, University of Pennsylvania School of Law*

“Reforming the Adversary System”
Carrie Menkel-Meadow, *Professor, UCLA School of Law*

Commentator: **Monroe H. Freedman**, *Conference Co-Director, Howard Lichtenstein Distinguished Professor of Legal Ethics, Hofstra University School of Law*

4:00 p.m. - 5:00 p.m. **KEYNOTE ADDRESS**
John Cranford Adams Playhouse

THE HONORABLE RUTH BADER GINSBURG
Associate Justice, United States Supreme Court

Introduction by **Stuart Rabinowitz**, *Dean, Alexander M. Bickel Distinguished Professor of Communications Law, Hofstra University School of Law*

7:00 p.m. **BANQUET IN HONOR OF JUSTICE RUTH BADER GINSBURG**
The Garden City Hotel, Long Island, New York
Limited reservations

Monday, September 18, 1995

8:00 a.m. - 9:15 a.m. **REGISTRATION AND CONTINENTAL BREAKFAST**
Law Library foyer

9:15 a.m. - 12:15 p.m. **PLENARY SESSION**
Clients, Conflicts, and Confidentiality

“The Concept of the ‘Client’ as an Engine of Change in Legal Ethics”
Theodore J. Schneyer, *Professor, University of Arizona School of Law*

“Suing Your Own Client”
Thomas D. Morgan, *Oppenheim Professor of Law,
George Washington University National Law Center*

“The Vaporous and the Real in Former-Client Conflicts”
Charles Wolfram, *Charles Frank Reavis, Sr., Professor of Law, Cornell Law School*

Commentator: **Sheila Birnbaum, Esq.**, *Partner, Skadden, Arps, Slate,
Meagher & Flom, New York, New York*

12:30 p.m.- 1:45 p.m. **LUNCHEON ADDRESS**

“Legal Education”
Anthony Kronman, *Dean and Edward J. Phelps Professor of Law, Yale Law School*

2:00 p.m. - 5:00 p.m. **CONCURRENT PANELS** (choose one)

PANEL I: **Working With Families**

“What About the Children? Are Family Lawyers the Same (Ethically) as
Criminal Lawyers?”

Robert H. Aronson, *Professor, University of Washington School of Law*

“On Lying to Oppressors”
Thomas L. Shaffer, *Robert and Marion Short Professor of Law,
University of Notre Dame Law School*

“Life-and-Death Lawyering”
Teresa Stanton Collett, *Professor, South Texas College of Law*

Commentator: **Karen Burstein, Esq.**, *former New York Family Court Judge*

PANEL II: **The Process and Purpose of Lawyer Regulation**

“The Shadowy and Shady Law of Lawyering”
Susan Koniak, *Professor, Boston University School of Law*

“Sister Act: Conflicts of Interest With Sister Corporations”
Ronald Rotunda, *Albert E. Jenner Professor of Law,
University of Illinois College of Law*

“The Evolution From Lawyer Discipline to Lawyer Regulation”
Burnele Powell, *Dean, University of Missouri-Kansas City School of Law*

Commentator: **Robert Cummins, Esq.**, *Partner, Bickel & Brewer,
Chicago, Illinois*

Tuesday, September 19, 1995

8:00 a.m. - 9:15 a.m. **REGISTRATION AND CONTINENTAL BREAKFAST**
Law Library foyer

9:15 a.m. - 12:15 p.m. **PLENARY SESSION**

The Future of the Legal Profession

“Professionalism In Perspective”

Deborah Rhode, *Professor, Stanford Law School*

“Change Will Come: Transforming the Law Marketplace”

Stephen Gillers, *Professor, New York University School of Law*

“Thinking Globally: Will National Borders Matter to Lawyers a Century From Now?”

Mary Daly, *Professor, Fordham University School of Law*

Commentator: **Stephen Brill, Esq.**, *Chief Executive Officer and Chairman, American Lawyer Media, Inc.*

CONFERENCE FACULTY

The Honorable Ruth Bader Ginsburg,

Associate Justice, United States Supreme Court

Stuart Rabinowitz, Dean

*Alexander M. Bickel Distinguished Professor of Communications Law,
Hofstra University School of Law*

Monroe H. Freedman, Conference Co-Director

Howard Lichtenstein Distinguished Professor of Legal Ethics, Hofstra University School of Law

Roy D. Simon, Conference Co-Director

Professor, Hofstra University School of Law

Robert H. Aronson, Professor
University of Washington School of Law

Sheila Birnbaum, Esq., Partner
Skadden, Arps, Slate, Meagher & Flom

Stephen Brill, Esq.
*CEO and Chairman
American Lawyer Media, Inc.*

Karen Burstein, Esq.
Former New York Family Court Judge

Teresa Stanton Collett, Professor
South Texas College of Law

Robert Cummins, Esq., Partner
Bickel & Brewer

Mary Daly, Professor
Fordham University School of Law

Alan Dershowitz
*Felix Frankfurter Professor of Law
Harvard Law School*

Marvin Frankel, Esq., Partner
*Kramer Levin Naftalis Nessen
Kamin & Frankel*

Stephen Gillers, Professor
New York University School of Law

Geoffrey Hazard, Trustee Professor of Law
University of Pennsylvania School of Law

Susan Koniak, Professor
Boston University School of Law

**Anthony Kronman, Dean and
Edward J. Phelps Professor of Law**
Yale Law School

Carrie Menkel-Meadow, Professor
*University of California at Los Angeles
School of Law*

Thomas D. Morgan
*Oppenheim Professor of Law
George Washington University National
Law Center*

Burnele Powell, Dean
*University of Missouri-Kansas City
School of Law*

Deborah Rhode, Professor
Stanford Law School

Ronald Rotunda
*Albert E. Jenner Professor of Law
University of Illinois College of Law*

Theodore J. Schneyer, Professor
University of Arizona School of Law

**Thomas L. Shaffer, Robert and
Marion Short Professor of Law**
*University of Notre Dame
Law School*

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

REGISTRATION INFORMATION

CONFERENCE REGISTRANTS

Please complete and return the registration form with your check. Indicate the session(s) you plan to attend. Your official name tag, tickets, and registration packet may be picked up at the Conference Registration Desk which will be located in the Hofstra Law School Library foyer. The registration desk will be open during the following hours:

Sunday, September 17, 1995	8:00 a.m. - 4:00 p.m.
Monday, September 18, 1995	8:00 a.m. - 3:00 p.m.
Tuesday, September 19, 1995	8:00 a.m. - 9:30 a.m.

Parking is available throughout the campus on Sunday and on the north campus on Monday and Tuesday. Hofstra University facilities are completely accessible to the physically challenged.

HOFSTRA STUDENTS, FACULTY, ADMINISTRATORS, AND STAFF

All events, with the exception of the Conference, banquet and meals, are free to Hofstra students, faculty, administrators, and staff upon presentation of a validated Hofstra University ID. **Admission to all conference events is limited to those who register in advance. Due to limited availability, tickets to the Keynote Address will be distributed after September 5, 1995 to those who have preregistered.**

Hofstra students, faculty, administrators, and staff **must register** in order to receive tickets. Please complete and return the registration form to the Hofstra Cultural Center, 109 Hofstra University, Hempstead, New York 11550-1090. Indicate the session(s) you plan to attend. Unfortunately, free admission to Conference events cannot be extended to family and friends of members of the Hofstra University community.

CURRENT HOFSTRA LAW SCHOOL STUDENTS

Students currently enrolled in the Law School will receive separate registration materials when the semester begins.

MEMBERS OF THE PRESS

Complimentary press passes to all conference events and parking arrangements will be provided to all members of the press who notify Senior Assistant Dean Ivy Leibowitz by phone at (516) 463-5262 or by FAX at (516) 463-4802 on or before Tuesday, September 5, 1995. Thereafter, every effort will be made to accommodate those with press credentials as space permits.

OFFICIAL CONFERENCE HOTELS

The Garden City Hotel in Garden City and the Long Island Marriott in Uniondale have been designated as the official Conference hotels. The 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
Garden City, NY 11530
Att: Reservations Manager
Telephone: (516) 747-3000
Fax: (516) 747-3189

Room rate: \$110 per night single or double occupancy.

Cutoff Date: August 26, 1995

LONG ISLAND MARRIOTT

101 James Doolittle Boulevard
Uniondale, NY 11553
Att: Reservations Manager
Telephone: (516) 794-3800 or (800) 832-6255
Fax: (516) 794-5936

Room rate: \$90 per night single or double occupancy.
Accommodations not available on Saturday, September 16, 1995.

Cutoff Date: August 26, 1995

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 Ethics Conference.

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: (1) travel on the Long Island Expressway to Exit 38; then on the Northern State Parkway to Exit 31A; then south on the Meadowbrook State Parkway to Exit M4; and then west on Hempstead Turnpike to the campus; or (2) travel on the Southern State Parkway to Exit 22; then north on the Meadowbrook State Parkway to Exit M4; and then west on Hempstead Turnpike to the campus.

Parking will be available throughout the campus on Sunday, September 17, 1995. Parking will be limited to the north campus adjacent to the Student Center on Monday, September 18, 1995, and Tuesday, September 19, 1995.

TRANSPORTATION FROM AIRPORTS:

Please reserve in advance.

Horizon Transportation Service

Personalized Transportation Service (516) 538-4891

Hempstead Limousine Service Corporation

Personalized Transportation Service (516) 485-4399

NOTE: Please be advised that there are no official fares charged by New York City yellow cabs between the airports and the Hofstra campus. Please negotiate and confirm the charges with the 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. A Hofstra University courtesy bus provides continual service between the Hempstead station and the campus. The blue, gold, and white shuttle bus runs seven days a week.

Local taxi service to the Hofstra campus

Larry's Taxi Service	(516) 481-1111
Pub Taxi Service	(516) 483-4433
Hempstead Taxi	(516) 489-4460

Space is limited. Registration forms must be received on or before September 5, 1995. Please return completed registration forms to:

**Ethics Conference
Hofstra Cultural Center
109 Hofstra University
Hempstead, New York 11550-1090.**

Please make checks payable to Hofstra University School of Law.

Registration fees are refundable until September 5, 1995. Thereafter, registration fees are nonrefundable.

If space permits, there will be on-site registration on a first-come, first-served basis.

For more information, please contact the Hofstra Cultural Center by telephone at (516) 463-5669 or by FAX at (516) 463-4793 or the Hofstra University School of Law Dean's Office by telephone at (516) 463-5856 or by FAX at (516) 463-6091.

☐ Applications will be made for MCLE Certification from the State Bars of California and Florida. Please check here if you intend to apply for credit.

For 24-hour information call: HOFSTRA EVENTS LINE at (516) 463-5533

REGISTRATION FORM

PLEASE INDICATE THE SESSION(S) YOU PLAN TO ATTEND.
Please complete a separate form for each registrant.

SUNDAY, SEPTEMBER 17, 1995

Please check if attending

- () 11:00 a.m. - 12:00 noon Brunch and Welcoming Remarks
- () 12:00 noon - 1:00 p.m. Brunch Address
"Is Legal Ethics Asking the Right Questions?"
____ I prefer a Kosher meal
- () 1:00 p.m. - 3:30 p.m. Plenary Session
"What's Wrong with the Adversary System?"
- () 4:00 p.m. - 5:00 p.m. Keynote Address delivered by
Justice Ruth Bader Ginsburg
(Conference attendees who preregister will be given priority in the distribution of
tickets for the Keynote Address.)
- () 7:00 p.m. Banquet in honor of
Justice Ruth Bader Ginsburg
The Garden City Hotel
I prefer a ____ Kosher meal ____ Vegetarian meal

MONDAY, SEPTEMBER 18, 1995

- () 8:00 a.m. - 9:15 a.m. Continental Breakfast
____ I prefer a Kosher meal
- () 9:15 a.m. - 12:15 p.m. Plenary Discussion
"Clients, Conflicts, and Confidentiality"
- () 12:30 p.m. - 1:45 p.m. Luncheon Address
"Legal Education"
I prefer a ____ Kosher meal ____ Vegetarian meal
- 2:00 p.m. - 5:00 p.m. Concurrent Panels (Choose one)
- () PANEL I: "Working With Families"
- () PANEL II: "The Process and Purpose of Lawyer Regulation"

TUESDAY, SEPTEMBER 19, 1995

- () 8:00 a.m. - 9:15 a.m. Continental Breakfast
____ I prefer a Kosher meal
- () 9:15 a.m. - 12:15 p.m. Plenary Session
"The Future of the Legal Profession"

ROOM ASSIGNMENTS WILL BE LISTED IN THE FINAL PROGRAM WHICH
WILL BE AVAILABLE AT THE CONFERENCE REGISTRATION DESK
LOCATED IN THE HOFSTRA UNIVERSITY SCHOOL OF LAW LIBRARY
FOYER DURING THE CONFERENCE.

(PLEASE TYPE OR PRINT)

Your official conference name tag will reflect the information you provide
on the first three lines below.

NAME

TITLE

FIRM/ORGANIZATION

ADDRESS

CITY

STATE

ZIP

TELEPHONE ()

FAX ()

CONFERENCE REGISTRATION FEES

Early Bird Rate - applicable if registration form is postmarked on or before
August 15, 1995

Regular Rate - applicable if registration form is postmarked after
August 15, 1995

All conference materials and tickets will be distributed at the registration desk in
the Law Library foyer. Only those registered prior to September 5, 1995 will be
sent a confirmation.

		No. of Persons	Amount
Conference Registrants			
Early Bird Rate	\$125.	____	\$ ____
Regular Rate	\$150.	____	____
<i>(per person cost includes all conference events and meals except Banquet)</i>			
Hofstra Law School Graduates			
Early Bird Rate	\$60.	____	____
Regular Rate	\$75.	____	____
<i>(per person cost includes all conference events and meals except Banquet)</i>			
Senior Citizens (over 65)			
Early Bird Rate	\$60.	____	____
Regular Rate	\$75.	____	____
must include copy of Medicare card <i>(per person cost includes all conference events and meals except Banquet)</i>			
Non-Hofstra Students			
Early Bird Rate	\$60.	____	____
Regular Rate	\$75.	____	____
must include copy of validated school ID <i>(per person cost includes all conference events and meals except Banquet)</i>			
Current Hofstra Students, Administrators, Faculty, Staff			
must include copy of validated HUID <i>(does not include any meals or banquet)</i>			
NO FEE			
Brunch Address: Sunday, September 17, 1995 \$10.			
Luncheon Address: Monday, September 18, 1995 \$10.			

Current Hofstra Law School Students

will receive separate registration materials when the semester begins.

BANQUET REGISTRATION FEES

Banquet in honor of Justice Ruth Bader Ginsburg

The Garden City Hotel, Garden City, Long Island

Limited reservations. Black Tie Optional.

A discounted banquet rate is available only
to recent Law School graduates.

Banquet Registrants	\$125.	____	____
Recent Law School Graduates	\$75.	____	____
Classes of 1991-1995 Only			

TOTAL \$ ____

SCHOOL OF LAW

HOFSTRA
UNIVERSITY



HEMPSTEAD, NEW YORK 11550-1090

First Class Mail
U.S. Postage
Paid
Hempstead, NY
Permit No. 120