APPELLATE SEMINARS

MORNING SESSION 9:00 A.M. - 12:15 P.M.

A. Appellate ADR (1 CLE)
Speakers: Cecelia C.Y. Chang, Claudia L. Bernard, & Howard Herman

Many attorneys believe that settlement on appeal is an oxymoron, that once there is a winner and a loser, opportunities for a negotiated resolution all but disappear. But experience has shown otherwise. In this session participants will learn about the unique opportunities and challenges of mediation on appeal, the ways it is like and unlike mediation at the trial court, and the ways practitioners can use it most effectively. Additionally, experts from federal and state courts will share their inside knowledge of how the court appellate mediation programs really work.

B. Preservation of Error (1 CLE)
Speakers: The Honorable Alexa D.M. Fujise, Rebecca Copeland, & Benjamin Lowenthal

This panel will cover the preservation of error for appeal. The speakers will include The Honorable Alexa D.M. Fujise, Associate Judge of the Hawaii Intermediate Court of Appeals, Rebecca Copeland, an appellate specialist, and Benjamin Lowenthal, an appellate and trial lawyer.

C. Views from the Court (1 CLE)
Speakers: The Honorable Mark E. Recktenwald, The Honorable Richard R. Clifton, & The Honorable Craig H. Nakamura

The final panel will provide practice pointers in a question and answer format with The Honorable Mark E. Recktenwald, Chief Justice of the Hawaii Supreme Court, The Honorable Richard R. Clifton, Judge of the U.S. Court of Appeals for the Ninth Circuit, and The Honorable Craig H. Nakamura, Chief Judge of the Hawaii Intermediate Court of Appeals.

ANNUAL MEETING: LUNCH & KEYNOTE 12:30 P.M. - 2:15 P.M.
Keynote Speaker: Linda Klein, ABA President

SPEAKERS

SPECIAL MAINLAND SPEAKERS
THE HONORABLE RICHARD R. CLIFTON
Seminar: Views from the Court

Richard R. Clifton is a federal judge on the United States Court of Appeals for the Ninth Circuit. Nominated by President George W. Bush, Judge Clifton was confirmed by the Senate on July 18, 2002, by a vote of 98-0. He received his judicial commission on July 30, 2002.

Judge Clifton received a B.A. at Princeton University and a J.D. from Yale Law School. After law school, he clerked for Ninth Circuit Judge Herbert Choy. Following his clerkship, he was in private practice in Honolulu, Hawaii until his appointment to the federal bench. His practice focused on business and commercial litigation with an emphasis on complex litigation and appellate practice, including oral arguments before the Ninth Circuit. He also taught for several years at the William S. Richardson School of Law at the University of Hawaii as an adjunct professor.

Mainland Speaker Bios Continued on Next Page
CLAUDIA L. BERNARD  
Seminar: Appellate ADR

Claudia Bernard is the Chief Circuit Mediator for the Ninth Circuit Court of Appeals, where she leads a staff of seven professional mediators and mediates cases on appeal. Prior to her appointment as Chief Circuit Mediator in 2007, she served as a Ninth Circuit Mediator for eighteen years. She has mediated over three thousand cases.

Ms. Bernard has developed and led ADR training courses for judges and lawyers in state and federal courts throughout the U.S., and in India, Germany, Uganda, and the Pacific Islands. Ms. Bernard co-teaches an annual symposium for international judges and lawyers on designing and implementing court ADR programs, consults on court-related ADR programs for the Federal Judicial Center, and is chair of the Federal Judicial Center’s Advisory Committee on Executive Education.

Ms. Bernard was the co-recipient of the Mediation Society of San Francisco’s 2011 Award for Outstanding Contribution to the Field of Mediation. In 2014, the Ninth Circuit Mediation Office received the Robert F. Peckham Award for Excellence in Alternative Dispute Resolution.

HOWARD HERMAN  
Seminar: Appellate ADR

Howard Herman has worked as a mediator and as a developer of court-annexed ADR programs since 1985. He currently serves as Director of the ADR Program for the U.S. District Court, Northern District of California, in San Francisco, where he has worked since 1997. He previously served as Director of ADR Programs for Contra Costa County Superior Court in Martinez, California, and as co-director of what was then known as the Office of Settlement Conference Attorneys of the United States Court of Appeals for the Ninth Circuit (now known as the Ninth Circuit Mediation Program).

In his work at the district court, Mr. Herman mediates cases and has primary responsibility for training and supervising the hundreds of lawyers who serve as volunteer neutrals in the court’s ADR programs. He is the lead trainer for the court’s mediation and ENE trainings, and develops continuing education programs for mediators, neutral evaluators, and arbitrators.

Mr. Herman has received several awards for his work, including the 2002 Robert F. Peckham Award for Excellence in Alternative Dispute Resolution presented by the U.S. Court of Appeals for the Ninth Circuit.

THE HONORABLE MARK E. RECKTENWALD  
Seminar: Views From the Court

Mark E. Recktenwald was sworn in as Chief Justice of the Supreme Court on September 14, 2010. He joined the Supreme Court as an Associate Justice on May 11, 2009, and previously served as Chief Judge of the Intermediate Court of Appeals beginning in April 2007.

Prior to his appointment to the Intermediate Court of Appeals, Chief Justice Recktenwald served as the director of the Department of Commerce and Consumer Affairs, as an Assistant United States Attorney for the District of Hawai‘i, and as an attorney in private practice.

He received his undergraduate degree from Harvard University and his law degree from the University of Chicago.

THE HONORABLE CRAIG H. NAKAMURA  
Seminar: Views From the Court

Craig H. Nakamura was sworn in as Chief Judge of the Intermediate Court of Appeals on September 16, 2009. He graduated from ‘Iolani School in 1974 and received his bachelor’s degree from the University of Hawai‘i in 1978. Judge Nakamura graduated cum laude from Harvard Law School in 1981.

After law school, Chief Judge Nakamura was a law clerk for U.S. Circuit Judge Herbert Choy and an associate with the firm of Goodwill, Anderson, Quinn & Stifel. In 1986, he became an Assistant U.S. Attorney, a position he held until his appointment to the Intermediate Court of Appeals as an Associate Judge on April 8, 2004.

Chief Judge Nakamura previously taught Appellate Advocacy as an adjunct professor at the William S. Richardson School of Law and served as a director of the Hawai‘i State Bar Association.
ALEXA D.M. FUJISE
Seminar: Preservation of Error

Alexa Fujise was with the City and County of Honolulu's Department of the Prosecuting Attorney between 1984 and 2004. Before her departure, she became the director of the Research and Reference Support Division. Throughout her 20-year tenure with the department, Judge Fujise also served as appellate research branch chief and deputy prosecuting attorney. Judge Fujise also served as assistant disciplinary counsel for the Office of Disciplinary Counsel, where she investigated and prosecuted violations of the Code of Professional Responsibility by attorneys in the State of Hawai‘i. She started her legal career in 1980 as a law clerk to then-Associate Justice Herman T.F. Lum.

Judge Fujise earned her bachelor's and law degrees from the University of Hawai‘i. She has been on the Board of the William S. Richardson School of Law Alumni Association since 1980 and was the recipient of the Dean's Distinguished Alumni Award in 2005.

Judge Fujise taught appellate practice seminars for the National District Attorneys Association and the William S. Richardson School of Law.

CECELIA C.Y. CHANG
Seminar: Appellate ADR

Cecelia Chang is the Director for the Judiciary’s Center for Alternative Dispute Resolution. Cecelia was born and raised in Honolulu and received her law degree from the William S. Richardson School of Law. She joined CADR on January 28, 2016 with over 25 years of legal and community outreach experience. She has worked as a deputy corporation counsel, was in private practice, and most recently served as a deputy prosecutor. Cecelia is a collaborator who welcomes input and is excited to be working together with the ADR Ohana to make alternative dispute resolution processes broadly available.

REBECCA COPELAND
Seminar: Preservation of Error

Rebecca A. Copeland is a solo practitioner who concentrates her practice in the area of appeals. She is also as a “law lawyer” for attorneys in Hawaii and throughout the United States. She maintains an active blog devoted to appeals at www.recordonappeal.com. She currently serves on the Hawaii State Bar Association's Board as an Oahu Director, a Board Member of the City and County of Honolulu’s Zoning Board of Appeals, a Board Member for the Hawaii LGBT Legacy Foundation, and is a member of the Hawaii Supreme Court’s Commission on Professionalism. She founded the Hawaii State Bar Association's Appellate Section, and served as the section's Chair for two years from 2012-2013. Rebecca is licensed to practice in Hawaii state and federal courts, Texas, the United States Supreme Court, the Ninth Circuit Court of Appeals, and the Fifth Circuit Court of Appeals.

BENJAMIN LOWENTHAL
Seminar: Preservation of Error

Ben Lowenthal is an appellate and trial lawyer. He earned a degree in journalism at San Francisco State University in 2003, and earned his J.D. at the University of Kansas in 2006. After law school, he clerked for Judge Corinne Watanabe at the Intermediate Court of Appeals. He moved to Maui afterwards and works with his father, Philip Lowenthal. In addition to his law practice, Ben enjoys writing. His column The State of Aloha appears in The Maui News and reports on the ICA and the Hawaii Supreme Court in his law blog, Hawaii Legal News. He also assisted author Tom Coffman in his biography of Justice Edward H. Nakamura, I Respectfully Dissent. Ben is also on the standing committee for pattern criminal jury instructions, the standing committee on the Hawaii Rules of Appellate Procedure, and the 2015 Hawaii Penal Code Review Committee.
FULL DAY (Morning AND Afternoon Seminar + Lunch)
- HSBA Member: $180.00
- Neighbor Island Member: $130.00
- Non Member: $250.00

HALF DAY (Morning OR Afternoon Seminar + Lunch)
- HSBA Member: $150.00
- Neighbor Island Member: $100.00
- Non Member: $220.00

LUNCH ONLY (Annual Meeting / Keynote / Lunch)
- All Members: $50.00

2016 BAR CONVENTION REGISTRATION OPTIONS

<table>
<thead>
<tr>
<th>Early Registration (ends Sep. 23)</th>
<th>Regular Registration (Sep. 24 to Oct. 11)</th>
<th>Day of Bar Convention (Oct. 14)</th>
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<tbody>
<tr>
<td>FULL DAY</td>
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2016 HSBA BAR CONVENTION & ANNUAL MEETING
OCTOBER 14, 2016 • HAWAII CONVENTION CENTER

Please select your registration option and then select the seminar(s) you wish to attend. Only one seminar per morning and/or afternoon may be selected.

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<th>MORNING SESSIONS (9:00 a.m. to 12:15 p.m.)</th>
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<td>3 CLE (1.5 Ethics)</td>
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<td>FAMILY LAW SEMINAR, part 1</td>
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<tr>
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<td>3 CLE</td>
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<td>FAMILY LAW SEMINAR, part 2</td>
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<th>COURSE MATERIALS</th>
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<td>Divorce Manual, 9th Edition, 2016 Supplement</td>
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IMPORTANT REGISTRATION INFORMATION

HSBA Member Registration
Online registration is available for HSBA Members at www.HSBA.org. You may also choose to complete the registration form and fax (808-521-7936), email (cle@hsba.org), or mail to the HSBA (1100 Alakea Street, Suite 1000, Honolulu, Hawaii 96813, Attention: CLE Department).

Non-HSBA Member Registration
Complete the registration form and fax (808-521-7936), email (cle@hsba.org), or mail to the HSBA (1100 Alakea Street, Suite 1000, Honolulu, Hawaii 96813, Attention: CLE Department).

Parking
The Hawaii Convention Center parking fee is $10 all day. No in and out privileges.

Cancellation
A refund will be made only upon receipt of a written notice of cancellation on or before October 7, 2016. NO REFUNDS WILL BE MADE (1) IF CANCELLATION IS MADE AFTER OCTOBER 7, 2016 AND/OR (2) FOR NO-SHOWS.

Insufficient Funds
A $30 fee will be charged for checks returned due to insufficient funds.

Course Materials
In an effort to be green, the Bar Convention Course Materials will all be downloadable from the website. Please visit the website for the program you are attending before the day of the Convention to view and download materials. Attendees may print the materials prior to attending or simply view them on their tablet, phone or laptop. Materials will be posted by October 11, 2016.

Divorce Manual Supplement
The 2016 supplement of the 9th Edition Divorce Manual will be presented at the Bar Convention. The Bar Convention price is only $50 for this valuable resource! Attendees of Family Law Seminar are encouraged to purchase the new Divorce Manual Supplement. Purchased Divorce Manuals Supplements will be available for pick up at the Family Law classroom on the day of the Bar Convention. There will be a limited supply of Divorce Manual Supplements available for sale (without prior order) at the Bar Convention. Availability is on a first come first served basis.

Videotaping / Photography
The seminar may be videotaped and/or photographed. Your registration constitutes your voluntary consent to such videotaping and/or photography without monetary compensation.

Disclaimer
The representations made at this Bar Convention and content/materials are those of the presenters and do not represent the position of the HSBA. Legal opinions, analyses, and materials provided by the presenters are not reviewed by the HSBA.

Questions / Special Accommodations / ADA
Contact the HSBA CLE Department by phone: (808) 537-1868 or email: CLE@hsba.org. Please provide request for accommodations at least 2 business days before the event.