Inside Appeals: Expert Advice to Improve Your Appellate Practice

LIVE and WEBCAST
Friday, September 28, 2018
North Carolina Bar Center
8000 Weston Parkway, Cary

REGISTER TODAY!
Save an extra 10% if registration is received by September 7, 2018.
www.tinyurl.com/CLE775APM

Appellate Practice Section Annual Meeting included.
An all-star slate of speakers leads a deep dive inside appeals to explore thoughtful strategic, practical (and even spiritual) steps you can take to further develop your appellate practice and hone your appellate skills. In this wide-ranging program designed for intermediate to advanced appellate practitioners, we receive strategic advice from advocates and judges, discuss ways appellate counsel can work with trial counsel and rescue unpreserved errors for the record, revisit lessons from moot court to hone your oral argument skills, and learn how to incorporate mindfulness practices to improve your appellate practice.

WHAT PEOPLE ARE SAYING...

I think this was a great event. I liked that it kept things fresh and looking forward to what’s ahead of practitioners.

I liked the diversity in topics and speakers.

First time at the NC Bar facility. It was a great place for a CLE.

8:15  Registration and Continental Breakfast

8:55  Welcome and Introductions

9:00  Life Preservers on the Titanic: Issues Not Properly Preserved for Appellate Review | Collins and Scherer
Appellate Rule 10 embodies the general error-preservation principle that the appellate courts only consider contentions that were properly raised, argued and decided in the trial tribunal. Nonetheless, a limited number of errors are so fundamental that a rule, law or case authority deems them automatically preserved for appellate review. In addition, doctrines such as plain error review and Appellate Rule 2 give the appellate courts discretion to review unpreserved arguments. Two experienced appellate practitioners identify different types of error preservation lifesavers — including when an unpreserved issue is likely to go down with the ship.

10:00  Using Mindfulness to Improve Your Legal Practice† | Nagae
Mindfulness can positively affect decision-making. Learn what mindfulness is and how developing it can lead to more professional, ethical decision-making. Hear about the different types and how meditation is linked to mindfulness. Finally, learn how to start a meditation practice.

11:00  Break

11:15  Moot Court Revisited: Lessons for Appellate Practitioners from Moot Court Oral Arguments | Korzen
Professor Korzen discusses lessons that appellate practitioners can learn from moot court oral arguments to sharpen their oral advocacy skills.

12:15  Appellate Practice Section Annual Meeting
Gregory F. Schwitzgebel III, NC League of Municipalities, Raleigh, 2018-2019 Section Chair, Presiding

12:30  Networking Lunch

1:15  Appellate Chess: Strategy for the Appellate Lawyer | Connell, Erteschik and Leerberg
Tactical skills are not just for trial lawyers. With solid strategic thinking, appellate lawyers can maximize their chances on appeal or achieve a favorable settlement. Learn from three appellate-practice specialists who are willing — just this once — to share some of their favorite strategies with a room full of competitors.

2:15  Trial and Appellate Lawyers: Partnering Before, During and After Trial | Boone and Hoernlein
Too often, we think that trial and appellate lawyers live in different worlds. In reality, they have many opportunities to work together before, during and after trial.

3:15  Networking Social | Sponsored by Commercial Surety Bond Agency

3:45  View from the Bench | Justice Jackson, Judge Dietz, Solicitor General Sawchak and Geer
Come hear from your audience. As appellate advocates, we write for and argue before appellate judges. This panel discusses what makes written and oral advocacy effective — and what makes it ineffective.

4:45  Adjourn
† Indicates portion providing Substance Abuse/Mental Health credit
PROGRAM DETAILS

SPEAKERS
- Justice Barbara A. Jackson, Supreme Court of North Carolina, Raleigh
- Judge Richard D. Dietz, North Carolina Court of Appeals, Raleigh
- Solicitor General Matthew W. Sawchak, North Carolina Department of Justice, Raleigh
- Brian D. Boone, Alston & Bird LLP, Charlotte
- Allegra K. Collins, Campbell University School of Law, Raleigh
- Michelle D. Connell, Wyrick Robbins Yates & Ponton LLP, Raleigh
- Andrew H. Erteschik, Poyner Spruill LLP, Raleigh
- Martha A. Geer (former judge), Cohen Milstein Sellers & Toll PLLC, Raleigh
- Michael R. Hoernlein, Alston & Bird LLP, Charlotte
- John J. Korzen, Wake Forest University School of Law, Winston-Salem
- Matthew N. Leerberg, Smith Moore Leatherwood LLP, Raleigh
- Sarah E. Nagae, Nexsen Pruet LLC, Raleigh
- Elizabeth B. Scherer, Smith Moore Leatherwood LLP, Raleigh

SPECIAL ACCOMMODATIONS
NCBA makes every effort to ensure a quality learning experience. If you have dietary restrictions or need special accommodations, please contact us at least one (1) week prior to the program start date.

CLE SCHOLARSHIPS
CLE scholarships are available. Contact Membership Services at 800.662.7407 or email Amy Kemple at akemple@ncbar.org for more information.

HOTEL INFORMATION
Contact hotels directly for reservations at the special NCBA room rate. Rates are based on availability and rooms may sell out.

Embassy Suites
201 Harrison Oaks Boulevard, Cary
- Nightly Rate: $169 single/double
- Reservations: 919.677.1840 or www.tinyurl.com/NCBA-Embassy
- Corporate Account Code: 2691626

TownePlace Suites by Marriott
120 Sage Commons Way, Cary
- Nightly Rate: $114 studio queen with sleeper sofa (Sunday–Thursday)
- Reservations: 919.678.0005
- Ask for the NCBA corporate rate.

PLANNERS
- Angela Farag Craddock, Young Moore and Henderson PA, Raleigh
- Kenzie M. Rakes, North Carolina Department of Justice, Raleigh

We extend our sincere gratitude to the NCBA Appellate Practice Section and the planner and speakers who volunteered their time and expertise toward the goal of presenting an educational program of the highest quality.

EARLY ARRIVALS RECEPTION
Thursday evening, September 27, 2018
The Raleigh Times
14 East Hargett Street, Raleigh
Sponsored by Supreme Court Historical Society

PROGRAM SPONSORS
GOLD: Supreme Court Historical Society
SILVER: Commercial Surety Bond Agency
Online: www.tinyurl.com/CLE775APM | By phone: 800.228.3402
By mail: Attn: Accounting–NCBA, 8000 Weston Parkway, Cary, NC 27513

**STEP 1: Tell us who you are.** (Please print clearly.)

Print Full Name: ________________________________
Address: _______________________________________
City, State and ZIP: ______________________________
Daytime Phone Number: ___________________________
Email Address: __________________________________
NC State Bar No. (Required for MCLE Credit): ________________

**STEP 2: Select your tuition rate.** (Register early and save 10%. Payment must be received three (3) weeks prior to program date to qualify for the early rate.)

<table>
<thead>
<tr>
<th>Standard Rate:</th>
<th>☐ $330 / ☐ $295 Early</th>
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<tr>
<td>NCBA Member:</td>
<td>☐ $275 / ☐ $250 Early</td>
</tr>
<tr>
<td>Appellate Practice Section Member:</td>
<td>☐ $255 / ☐ $230 Early</td>
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<tr>
<td>CLE Premier Pass:</td>
<td>☐ $0</td>
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**STEP 3: Select your learning format.**

☐ Live (775APM)      ☐ Webcast (775LWC)      ☐ Video Replay (See below.)

Video Replay registration (if selected).

Video Replays are scheduled for this program. The agenda may not include certain breakouts/tracks shown at the original program. For a list of dates and locations visit www.tinyurl.com/CLE775APM, and indicate your choice below.

Location: ______________ Date: _______ Code: _______

**STEP 4: Complete your payment information.**

(Registration is complete only after payment is processed. Please print clearly.)

I am registering for this program at the tuition rate checked above.

☐ Enclosed is a check, payable to NCBA. ☐ Please charge my credit card.
Card Number: ___________________________ Exp. Date: _______
Total Amount: _______ Signature: ____________________

Discounts are available for NCBA members who are students, law professors, judges or legal services/public interest attorneys. Call CLE at 800.228.3402 for details.
Inside Appeals: Expert Advice to Improve Your Appellate Practice

NCBA is an accredited CLE sponsor under the MCLE regulations promulgated by the North Carolina State Bar Board of Continuing Legal Education.

REGISTRATION: All registrations are processed after payment is received. To qualify for the early tuition rate, payment must be received prior to the deadline indicated. Stated early discount rate percentage is approximate. Registrations may be capped based on venue size and may include an overflow room with additional seating. CHANGES TO EXISTING REGISTRATIONS: Should an attendee need to cancel his or her registration to a Live, Webcast or Video Replay program, the cancellation request must be received by 9:00a ET one (1) week prior to the start of the program to receive a full refund. Any attendee requesting cancellation less than one week prior to the program will receive a refund, less a $75 administrative fee. An attendee may choose to transfer his or her registration at a program to the Live, Webcast or Video Replay format of the same program only. Transfer requests must be received by 9:00a ET one (1) business day prior to the program start date. An attendee may further choose to substitute his or her registration to a Live or Video Replay program only. Substitution means sending another person to attend the Live or Video Replay program when the original registrant is unable to attend. Substitution requests must be received by 9:00a ET one (1) week prior to the program start date. The substituted person may be assessed a different fee based on their NCBA membership classification. Cancellation, transfer and substitution requests must be provided in writing by email at askcle@ncbar.org or by calling 800.228.3402. If an attendee misses any portion of a program, that portion is not subject to substitution, refund or transfer. Except as provided herein, registrations, including On Demand registrations, cannot be cancelled, substituted or transferred once purchased. NO-SHOWS: Anyone who is registered for a program, including CLE Premier Pass holders, but does not check in is considered a no-show. No-shows are not issued a refund, and Premier Pass holders will be assessed a $75 administrative fee. These registrants will receive the digital materials, available in their online accounts, in full consideration of tuition paid. MISCELLANEOUS: The NCBA reserves the right to cancel or reschedule programs at any time. Should the NCBA cancel or reschedule a program, registrants may elect to receive a full refund or attend the newly scheduled program. Notifications regarding program changes will be sent to the email address on file. The NCBA is not responsible for any additional expenses incurred as a result of such cancellation or rescheduling. Each attorney must maintain a record of his or her attendance for the NC State Bar Annual Report. MCLE credit is reported by the NCBA only if a NC State Bar number is provided. Registration and attendance at NCBA CLE programs constitutes an agreement by the registrant with the NCBA for use and distribution of the attendee's image or voice in photographs, videotapes, electronic reproductions and audiotapes of such programs and activities. Unless specified, spouses or guests are not eligible to attend NCBA CLE programs and activities without registering to attend. These terms are subject to change.

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INTRODUCING...

The 2018-2019 CLE Premier Pass is an exclusive NCBA member benefit providing unlimited CLE including access to hundreds of On Demand programs.

www.tinyurl.com/PremierPass