

NORTH CAROLINA
BAR ASSOCIATION
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NCBA CLE's Best of the Best

NCBA CLE



15.25
HOURS

TOTAL AVAILABLE CLE CREDIT

5.25
HOURS

Total Available
Ethics/Professional Responsibility

2.0
HOURS

Total Available
Substance Abuse/Mental Health

VIDEO REPLAYS

Wednesday-Thursday
February 27-28, 2019

LOCATIONS

Asheville
Concord
Wilmington

REGISTER TODAY!

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Satisfies NC State Bar
Technology Training
requirement



PROGRAM SUMMARY

Whether completing your course requirements for the 2018 year or starting off 2019 just right, we want to offer you some our best and most popular programs in an area near you.

Take advantage of our three-hour compliance bundle on Wednesday, February 27, featuring two hours of ethics/professional responsibility and one hour of substance abuse/mental health credit as well as your 2019 Technology Training requirement.

Join us on Thursday, February 28, to pick and choose sessions that fit your schedule. Or attend all sessions and earn all 12 hours of CLE to complete your 2019 NC State Bar requirement early.

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.

SESSION OPTIONS

COMPLIANCE SESSION

3.0 Total Hours CLE credit, includes 2.0 Hours Ethics/Professional Responsibility and 1.0 Hour Substance Abuse/Mental Health | Satisfies NC State Bar Technology Training requirement

Wednesday, February 27, 2019 | 5:30 – 9:00 p.m.

5:30 **Registration**

6:00 **Ethics Rules Rebooted by Technology****

Ingersoll and Sprunger

38th Annual Estate Planning & Fiduciary Law Program, July 27-29, 2017

With greater frequency, the practice of law tools of trade must adapt to the complex and technological online life (digital assets, social media, blockchain technology, Cloud computing etc.) of the world and the client. This session focuses on the application of the Rules of Professional Conduct, the interpretations of those rules and best practices (which continue to evolve with technological changes) and the new challenges that have emerged as attorneys meet their professional duties to the Bar and their clients within this changing, technological world.

7:00 **Ripped from the Headlines: Ethical Conundrums to Avoid***

Savage and Stell

2017 Health Law Section Annual Meeting, April 28, 2017

Most attorneys never expect to disregard the ethics rules or find themselves on the receiving end of a malpractice claim. Today, more than ever, good lawyers find themselves in an ethical quandary—as the targets of a fraud or scam, the victims of embezzlement or from simply having made a mistake.

8:00 **When the One Who Needs Help is You†**

Cheshire, Hall and McClinton

A Most Stressful Profession: Promoting Civility and Sanity in Your Practice, December 7, 2018

This session focuses on the ways a lawyer or judge can recognize when his/her professional life is suffering because of personal struggles, whether due to physical or mental health issues, personal or financial difficulties, or something else. This session features a discussion on scenarios where a lawyer or judge's behavior might be a cry for help. In addition, the panel also shares personal experiences and struggles with mental health and substance abuse.

9:00 **Adjourn**

EARLY RISER SESSION

1.0 Hour Ethics/Professional Responsibility CLE credit

Thursday, February 28, 2019 | 7:00 – 8:30 a.m.

7:00 **Registration**

7:30 **Creating a Sexual Harassment Policy in Your Law Firm***

Herndon, Holland, Holscher and Lasher

A Cultural Shift: Exploring the Boundaries and Repercussions of Sexual Harassment in the Workplace, May 11, 2018

The #MeToo movement is causing many employers to closely examine their sexual harassment policies or to create one if none exists. The legal industry should be no exception. While the entertainment industry remains front and center in the #MeToo movement, the legal industry is garnering its own coverage. While attorneys, and particularly employment law attorneys, are the ones trained to defend and prosecute others when it comes to issues of sexual harassment, the legal industry is still vulnerable, to sexual harassment. If we do not lead the way in creating acceptable, safe and diverse work environments, we may find ourselves being a party to an employment-based sexual harassment claim. As attorneys, our primary goal should be to provide harmonious, equitable work environments for ourselves, our colleagues and employees.

8:30 **Adjourn**

MORNING SESSION

3.5 Total Hours CLE credit, includes 1.25 Ethics/Professional Responsibility

Thursday, February 28, 2019 | 8:30 a.m. – 12:30 p.m.

8:30 **Registration**

9:00 **How the New Federal Income Tax Laws Change Everything!**

Mombrun

Hot Off the Press (2018 Government & Public Sector Section Annual Meeting), April 12, 2018

Are you aware of the ever-changing federal tax laws? How does the new law affect the sustainability of state and local finances? In this session, learn what these new laws are and how they may impact you personally or professionally.

9:45 **Representing Fiduciaries: How to Avoid Getting Bitten by the Ethics Alligator***

Johns and Mason

22nd Annual Elder & Special Needs Law Symposium, February 22-23, 2018

Client identification, client capacity and conflicts of interest are just some of the ethical issues faced by elder law and special needs law attorneys. In this session, review strategies for ethically representing clients with disabilities with experts in the elder and special needs law field. Examine the lawyer's relationship with two kinds of fiduciaries: 1) an agent under a power of attorney; and 2) a trustee.

11:00 **Basics of Estate Planning**

Kilgore

Basics of Will and Revocable Trust Drafting, February 9, 2018

Session topics include:

- Definition of estate planning
- Goals and objectives
- Significance of title
- Form or ownership and beneficiary designations
- Types of wills
- Statutory alternatives to wills
- Durable powers of attorney
- Health care powers of attorney
- Living wills
- Basic transfer tax concepts

12:30 **Adjourn**

LUNCH SESSION

1.0 Hour Substance Abuse/Mental Health CLE credit

Thursday, February 28, 2019 | 12:30 – 1:45 p.m.

12:30 **Registration**

12:45 **Addressing the Opioid Epidemic Through Prevention, Treatment and Enforcement†**

Morrison and Stein

2018 Health Law Section Annual Meeting and Joint CLE with the Litigation Section, April 27, 2018

North Carolina Attorney General Stein offers an overview of the opioid epidemic in NC and beyond, including the scope of the problem, prevention strategies for physicians and other health care providers, the STOP Act and the Synthetic Opioid Control Act, supporting treatment and recovery services, and support for law enforcement. Pamela Morrison takes a deeper dive into the treatment of substance use disorders, including risk factors for addiction, cycles of chronic pain and psychiatric comorbidity, drug addiction and the brain, treatment outcomes and effectiveness, evidence-based treatment strategies, medication-assisted treatment for opioid use disorders, developing social supports, integrated primary and behavioral health care, and how legal professionals can help and get help.

1:45 **Adjourn**

AFTERNOON SESSION

3.25 Total Hours CLE credit

Thursday, February 28, 2019 | 1:45 – 5:30 p.m.

1:45 **Registration**

2:15 **All of Your Clients Don't Have \$11,000,000!
Tips for Counseling the 99%**

Lamb

39th Annual Estate Planning & Fiduciary Law Program, July 26-28, 2018

Recent increases to the federal estate tax exemption coupled with the abolishment of North Carolina's separate state estate tax tempt many to conclude that the vast bulk of individuals do not need assistance from competent legal counsel. Rest assured that is not the case. This session identifies why competent legal counsel remains vitally important even when estate tax is not a concern. It also examines various pre- and post-mortem situations that frequently occur and explores strategies to address the issues presented. The discussion analyzes both tax and non-tax issues.

3:30 **Advance Directives in North Carolina: From the Lawyer's Office to the Doctor's Office**

Perrell

2018 Health Law Section Annual Meeting and Joint CLE with the Litigation Section, April 27, 2018

Examine North Carolina's advance directives and practical considerations related to how these play out in helping or not helping ensure that individual wishes are known and honored.

4:30 **'Til Death (or Divorce) Do Us Part: The Intersection of Estate Planning and Family Law**

Finch and Holm

39th Annual Estate Planning & Fiduciary Law Program, July 26-28, 2018

In addition to family law concerns, important estate planning issues arise as soon as a married couple becomes separated. Explore estate planning issues that arise during separation and after divorce, implications of the death of a spouse during a separation, premarital and post-marital agreements, including issues regarding enforceability, and the division of retirement benefits, including practice tips and common pitfalls in drafting qualified domestic relations orders (QDROs). This session brings practical insights and expert guidance from the perspective of a practicing family law attorney.

5:30 **Adjourn**

EVENING SESSION

3.5 Total Hours CLE credit, includes 1.0 Ethics/Professional Responsibility

Satisfies NC State Bar Technology Training requirement

Thursday, February 28, 2019 | 5:30 – 9:30 p.m.

5:30 **Registration**

6:00 **2018 Family Law Case Law Update | Glazer and Melton**

Brave New World: Is the Future of Family Law Utopian, Dystopian or Somewhere in Between? (2018 Family Law Section Annual Meeting), May 4-5, 2018

This session covers:

- Child custody/UCCJEA
- Child support
- Domestic violence
- Divorce/Annulment
- Contempt
- Procedural issues
- Alimony
- Equitable distribution
- Agreements
- Attorney fees

Evening Session agenda continues on the next page

7:30 **What You Don't Know May Hurt You!: Ethics Opinions for Real Estate Practitioners***

Brown

Past, Present and Future Walk into the Bar (2018 Real Property Section Annual Meeting), May 4-5, 2018

Review ethics opinions issued by the North Carolina State Bar since 2011 which should be of interest to real estate practitioners. Only a few of the opinions discussed deal directly with real estate transactions. The rest are either more general opinions which would impact real estate practices, or opinions dealing with other areas of the law that state principles which may be applicable to the modern real estate practice. Failure to know about these opinions could lead to serious ethical and malpractice liability on the part of the unwary real estate practitioner.

8:30 **Anatomy of a Data Breach†**

Marshall and Quick

Hot Topics in Complex Litigation: Litigating Business Disputes in an Increasingly Sophisticated World (2018 Antitrust & Complex Business Disputes Section Annual Meeting), February 5, 2018

A recent national landmark Data breaches are bound to happen. Businesses of all sizes are collecting ever-increasing amounts of personal information about their customers and from their employees, partners and vendors. From account passwords and email addresses to highly sensitive financial and medical information, this information is increasingly exposed to unauthorized persons, both through accidental exposure and malicious attacks. The means through which personal information is exposed vary from human error (such as an employee losing a laptop or other device while traveling) to clearly malicious attacks designed to obtain sensitive information (such as phishing and social engineering). The types of incidents vary across different business sectors and among businesses of different sizes, but when they occur businesses are faced with the difficult challenge of navigating a myriad of state and federal laws regarding notification and reporting.

This session features an in-depth discussion on:

- Common causes of data breaches
- How to recognize when a client may be facing a data breach
- Data-incident response plans from time zero through multi-state breach notification and response to inquiries
- Mitigation of risk
- An overview of recent trends in data breach litigation

9:30 **Adjourn**

* Indicates portions providing Ethics/Professional Responsibility credit

† Indicates portions providing Substance Abuse/Mental Health credit

‡ Indicates portions providing Technology Training credit

PROGRAM DETAILS

SPEAKERS

- **Attorney General Joshua H. Stein**, North Carolina Department of Justice, Raleigh
- **Judge David L. Hall**, North Carolina Superior Court, Winston-Salem
- **Stephen B. Brown, Investors Title Insurance Co.**, Chapel Hill
- **Joseph B. “Joe” Cheshire V**, Cheshire Parker Schneider & Bryan PLLC, Raleigh
- **Daniel B. Finch**, Pinna Johnston & Burwell PA, Raleigh
- **Seth A. Glazer**, Church Watson Law, Cornelius
- **M. Faith Herndon**, The Law Office of Faith Herndon PLLC, Durham
- **Patricia L. Holland**, Holland Mediations, Raleigh
- **David E. Holm**, Cheshire Parker Schneider & Bryan PLLC, Raleigh
- **Paul S. Holscher**, Jackson Lewis PC, Raleigh
- **Marc W. Ingersoll**, Ingersoll & Hicks PLLC, Winston-Salem
- **A. Frank Johns**, Booth Harrington & Johns of North Carolina PLLC, Greensboro
- **Samuel R. “BJ” Kilgore III**, The Van Winkle Law Firm, Asheville
- **Zachary F. Lamb**, Ward and Smith PA, Asheville
- **Leslie P. Lasher**, Forrest Firm PC, Raleigh
- **Robert A. “Bob” Mason**, Mason Law, Asheboro
- **Charles F. Marshall III**, Brooks Pierce McLendon Humphrey & Leonard LLP, Raleigh
- **Claudia N. McClinton**, McNeil Law Firm, Raleigh
- **Jonathan S. Melton**, Gailor Hunt Jenkins Davis & Taylor PLLC, Raleigh
- **Reginald Mombrun**, North Carolina Central University School of Law, Durham
- **Pamela Morrison**, Coastal Horizons Center, Wilmington
- **Melissa A. Perrell**, Novant Health, Winston-Salem
- **S. Wilson Quick**, Brooks Pierce McLendon Humphrey & Leonard LLP, Raleigh
- **Warren T. Savage**, Lawyers Mutual Liability Insurance Company of NC, Cary
- **Sue A Sprunger**, Sprunger Law PLLC, Raleigh
- **Camille Stell**, Lawyers Mutual Liability Insurance Company of NC, Cary

LOCATION INFORMATION

ASHEVILLE

Comfort Suites Outlet Center
890 Brevard Road
Asheville, NC 28806
828.665.4000

CONCORD

Hilton Garden Inn Charlotte/Concord
7831 Gateway Lane NW
Concord NC 28027
704.979.2900

WILMINGTON

Holiday Inn Express & Suites Wilmington
University Center
160 Van Campen Boulevard
Wilmington, NC 28403
910.392.3227

CLE AND PUBLICATION SCHOLARSHIPS

Full and partial scholarships are available for attorneys experiencing a financial hardship of any kind.

Apply at www.ncbar.org/cle/scholarship.

SPECIAL ACCOMMODATIONS

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

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

REGISTER TODAY!

Online: www.tinyurl.com/BestVRs | **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 video replay sessions(s), tuition rate and location.

Compliance Session: \$175 Standard | \$145 NCBA Member

Asheville (845ASV) Concord (845CRD) Wilmington (845WLM)

Early Riser Session: \$60 Standard | \$50 NCBA Member

Asheville (845AS2) Concord (845CR2) Wilmington (845WL2)

Morning Session: \$205 Standard | \$170 NCBA Member

Asheville (845AS3) Concord (845CR3) Wilmington (845WL3)

Lunch Session: \$60 Standard | \$50 NCBA Member

Asheville (845AS4) Concord (845CR4) Wilmington (845WL4)

Afternoon Session: \$190 Standard | \$155 NCBA Member

Asheville (845AS5) Concord (845CR5) Wilmington (845WL5)

Evening Session: \$205 Standard | \$170 NCBA Member

Asheville (845AS6) Concord (845CR6) Wilmington (845WL6)

STEP3: 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: _____