

NACUA 2011 General Counsel Institute

Thursday, January 27, 2011

6:30 PM – 8:00 PM **Opening Reception**

Friday, January 28, 2011

7:00 AM – 8:00 AM **Continental Breakfast** *Sponsored by Legal Files Software*

8:00 AM – 8:15 AM **Welcome and Introduction to Program**

8:15 AM – 9:30 AM **01. The General Counsel and the President**

•

William Mullooney, Moderator, Vice President for Policy and General Counsel, Valencia Community College

Jonathan Alger, Senior Vice President and General Counsel, Rutgers, The State University of New Jersey

Richard McCormick, President, Rutgers, The State University of New Jersey

9:45 AM – 11:00 AM **02. The General Counsel and the Governing Board: Managing an Important Relationship at the Institution's Pinnacle**

- Counsel's role in board orientation and education
- What role should board counsel play at (and between) board meetings?
- Building a constructive relationship with the board secretary
- The board as client, the president as supervisor: potential ethical and practical issues
- Managing the process for reporting and policing trustee conflict-of-interest issues
- Advising the board about communications and confidentiality

Lawrence White, Moderator, Vice President and General Counsel, University of Delaware

Jonathan Alger, Senior Vice President and General Counsel, Rutgers, The State University of New Jersey

Pamela Bernard, Vice President & General Counsel, Duke University

11:15 AM – 12:15 PM **03A. The GC as Board Secretary and Managing Other Non-Legal Functions: Yes, No, Why, Why Not?**

- Discussion Group

Thomas Dorer, General Counsel and Secretary, University of Hartford

Paul Ward, Vice President for Legal Affairs and Government Relations, General Counsel and Secretary, Southern Methodist University

03B. Presidential Transitions: From Search to Severance

- Discussion Group

Beverly Ledbetter, Vice President & General Counsel, Brown University

Patti Ohlendorf, Vice President for Legal Affairs, The University of Texas at Austin

Marianne Schimelfenig, General Counsel and Corporate Secretary, Saint Joseph's University

03C. The GC in Trouble or Under Siege

- Discussion Group

Pamela Bernard, Vice President & General Counsel, Duke University

03D. How to Build a Successful Client Education Program

- Discussion Group

Leanne Shank, General Counsel, Washington and Lee University

03E. Working with Auditors and Board Audit Committees

- Discussion Group

Wendy White, Senior Vice President and General Counsel, University of Pennsylvania

12:15 PM – 1:30 PM **Networking Luncheon** *sponsored by Perkins Coie LLP*

1:30 PM – 2:45 PM **04A. The GC as Owner of Institutional Policies: Formulating, Drafting, Implementing**

- Role of policies in a college/university
- Role of the institution's lawyer in working with policies
- Kinds, types, subject areas, scope (herein of inventories and lists of key policies)
- Benchmarking and best practices
- Gap analysis

Stephen Dunham, Vice President and General Counsel, Johns Hopkins University

Wendy White, Senior Vice President and General Counsel, University of Pennsylvania

04B. Effective Management of the Litigation Process

- E-Discovery Issues
- Litigation analysis software
- Effective management of outside legal costs

Michael Orme, Moderator, Assistant to the President, General Counsel and Corporate Secretary, Brigham Young University

Jose Cardenas, Senior Vice President and General Counsel, Arizona State University

Thomas D'Antonio, Ward Greenberg Heller & Reidy LLP

Andrew Lauer, Vice President for Legal Affairs and General Counsel, Yeshiva University

3:00 PM – 4:15 PM **05A. The GC and the Campus Compliance Program: What Works for Your Institution**

- Compliance: not just another word for enterprise risk management
- Planning and implementing a compliance program — one size does NOT fit all
- Stakeholders, buy-in and accountability—get and keep your leadership and key players on board
- Compliance and campus culture: build effective partnerships by collaborating for pragmatic compliance solutions
- Templates and resources: tools and templates to take away with you

Leanne Shank, Moderator, General Counsel, Washington and Lee University

Jennifer Kirkland, Associate General Counsel for Compliance Support, Washington and Lee University

Laura LaCorte, Associate Senior Vice President, Compliance, University of Southern California

Stephen Sencer, Senior Vice President and General Counsel (Acting), Emory University

David Williams, Vice Chancellor, Univ. Affairs and Athletics & GC, & Univ. Sec., Vanderbilt University

05B. The GC Office - Organizing the Operation

- The people: Different organizational models
- The work flow: How the incoming work gets distributed
- The important work: How to prioritize the most important tasks
- The paper: Technologies and other means to keep the office ordered

Christine Helwick, Moderator, General Counsel, California State University

Barry Burgdorf, Vice Chancellor and General Counsel, The University of Texas System

Peter McDonough, General Counsel, Princeton University

Chris Melcher, General Counsel, Colorado College

4:30 PM – 5:30 PM

06A. Alternative Law Firm Fee Arrangements

- Discussion Group

Sherri Blount, Partner, Fitch, Even, Tabin & Flannery

Maureen Dwyer, Goulston & Storrs

Mary Kennard, Vice President, General Counsel, and Secretary of the Board of Trustees, American University

06B. Dealing with Athletic Department and NCAA Issues

- Discussion Group

David Williams, Vice Chancellor, Univ. Affairs and Athletics & GC, & Univ. Sec., Vanderbilt University

06C. The GC and the Commercialization of Higher Education: Institutional Partnerships with Industry, Local Government and Entrepreneurs

- Discussion Group

06D. GC Law Office Technology: What Works?

- Discussion Group

Nancy Footer, Vice Chancellor & General Counsel, University of North Texas System

Miles Postema, Vice President and General Counsel, Ferris State University

06E. The GC and Campus Global Initiatives and Activities

- Discussion Group

Jonathan Alger, Senior Vice President and General Counsel, Rutgers, The State University of New Jersey

06F. Enterprise Risk Management

- Discussion Group

Stephen Sencer, Senior Vice President and General Counsel (Acting), Emory University

5:30 PM – 7:00 PM

Reception for Registrants and Panelists *Sponsored by Lexis Nexis*

Saturday, January 29, 2011

7:00 AM – 8:00 AM **Continental Breakfast**

8:00 AM – 9:15 AM **07. GC Office Metrics and Reporting**

Jerry Blakemore, Moderator, Vice President and General Counsel, Southern Illinois University

Jeffrey Brown, University Counsel, Northeastern Illinois University

Jamie Lewis Keith, Vice President and General Counsel, University of Florida

9:30 AM – 10:45 AM **08. The GC and Crisis Management: The Playbook for Staying Cool When Things Get Hot**

- Legal and public relations tactics for effectively responding to high profile faculty and staff disputes, including tenure and discrimination litigation and union issues
- Legal and public relations tactics for effectively responding to government investigations
- Legal and public relations tactics for responding to high profile investigations by quasi- or non-governmental entities such as the NCAA
- Strategies for handling high visibility imbroglios such as executive-level or governance controversies
- How diffuse and diverse power structures at universities affect crisis management and how to navigate those complexities
- The impact of the internet on institutional crises, and anticipating and managing those effects

José Padilla, Moderator, Vice President and General Counsel, DePaul University

Patrick Collins, Perkins Coie

Lawrence DiNardo, Partner, Jones Day

Suzanne Halpin, Executive Vice President, Rubenstein Communications, Inc.

11:00 AM – 12:15 PM **09. Navigating the GC's Ethical Nightmares**

- Navigating Board/President conflicts
- Dealing with high-level misconduct
- General Counsel as HR Manager, EEO Officer, etc.
- Compliance issues
- Implementing privilege preservation procedures

Sonali Wilson, General Counsel, Cleveland State University

Beth Nolan, Senior Vice President and General Counsel, The George Washington University

Charles Robinson, Vice President and General Counsel, University of California