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OREGON LAW INSTITUTE OF LEWIS & CLARK LAW SCHOOL

# A Survey of Administrative Law

## An Overview, Hot Topics, and New Developments

Join our faculty of experienced attorneys and judges as we delve into the practice of administrative law in Oregon. This course is designed to be helpful to both new and experienced practitioners in the area.

#### LIVE PRESENTATION

**November 20, 2015**

8:30 a.m. – 4:15 p.m.

Ambridge Event Center  
1333 NE Martin Luther King Jr. Blvd.  
Portland, Oregon 97232

6.5 General or Practical Skills MCLE Credits



Visit [go.lclark.edu/oli](http://go.lclark.edu/oli) and register today!

# Program Schedule

- 8:00 a.m. CHECK-IN AND CONTINENTAL BREAKFAST
- 8:25 WELCOME AND OPENING REMARKS  
– *Hon. Timothy J. Sercombe, Jeffrey G. Condit*
- 8:30–9:00 **Introduction to Litigating a Contested Case**
- Before the hearing
  - The hearing
  - After the hearing
  - Judicial review
- *James E. Mountain, Jr., Roy Pulvers*
- 9:00–9:30 **General Introduction to Rulemaking, Including Rule Validity Claims**
- The rulemaking process
  - Judicial determination of rule validity under ORS 183.400
  - Other challenges to the validity of rules
- *Denise G. Fjordbeck, C. Robert Steringer*
- 9:30–10:30 **Selling Your Case and Pet Peeves: The Administrative Law Judge Perspective**
- A panel of experienced ALJs will summarize the process for adjudicating claims or disputes in various practice areas, and offer practice tips for a successful outcome.
- *Alan McCullough, Kaitlan Monroe, Jennifer H. Rackstraw, Margaret F. Weddell, Monica Atiyeh Whitaker*
- 10:30–10:45 BREAK
- 10:45–11:45 **Effective Advocacy**
- A panel of experienced administrative law practitioners talk about preparation for a contested proceeding, resources for the new practitioner, and top ten traps for the unwary.
- Preparing for the hearing – available resources
  - Developing realistic expectations

- Meeting the agency's needs while meeting your client's needs
  - Considering your client's long term relationship with the agency
- *Gregory A. Chaimov, Jeffrey P. Chicoine, Janice Krem*
- 11:45–1:00 LUNCH (on your own)
- 1:00–2:00 **Local Government Administrative Law**
- Local government procedures – many and varied
  - Judicial review of local government decisions – battle of the writs and decs
  - The City of Portland hearings process
- *Jeffrey G. Condit, Gregory J. Frank*
- 2:00–2:30 **Office for Civil Rights Complaints**
- Complaint investigation
  - Resolution
  - Appeal of OCR determinations
- *Kathryn L. Kammer*
- 2:30–2:45 BREAK
- 2:45–3:15 **Adjudicating Sexual Misconduct Cases in Public Higher Education**
- *Hon. David Schuman*
- 3:15–4:15 **Appellate Law Developments**
- Stays
  - Deference owed to agency decision makers
  - Justiciability and mootness
- *Hon. Erin C. Lagesen, Hon. Timothy J. Sercombe*
- 4:15 p.m. ADJOURN

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Please call OLI at (503) 768-6580 in Portland or toll-free in Oregon at (800) 222-8213, email us at [oli@lclark.edu](mailto:oli@lclark.edu), or visit our website at <http://go.lclark.edu/oli>.

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**TUITION:** Registration includes electronic course materials. Printed materials are available for an additional \$15. *(A link to a PDF of the materials will be emailed prior to the seminar date.)*

**EARLY LIVE REGISTRATION** *(received by November 16, 2015):*

- ☐ **\$189** Early registration
- ☐ **\$139** New attorneys (admitted 2013-2015) and legal staff
- ☐ **\$95** Legal aid attorneys
- ☐ **\$15** OLI Passholders (OLI Pass No. \_\_\_\_\_), law students, and Oregon judges and their lawyer staff
- ☐ **\$15** Print materials
- ☐ **\$20** *Add to above tuition if registration received after November 16, 2015*

**WEBCAST REGISTRATION:** Can't attend in person? OLI offers a simultaneous live webcast allowing you to "attend" the program from the convenience of your office. The webcast will include video and audio of the speakers and seminar handout materials. To register for the live webcast, please visit our website at <http://go.lclark.edu/oli>.

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### CONFIRMATION:

Confirmation will be sent via email.

### CANCELLATION POLICY:

Tuition minus a \$20 handling charge will be refunded if the cancellation request is written and received by Monday, November 16, 2015.

### NEED ASSISTANCE:

If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.

### TUITION ASSISTANCE:

A limited number of scholarships are available based on financial need. Contact OLI.

## Questions?

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