

Constitutional Law 2009

Highlights include:

- ◆ U.S. Supreme Court 2008–2009 term in review
- ◆ The U.S. Supreme Court in transition
- ◆ Federal and state perspectives on the Fourth Amendment exclusionary rule
- ◆ Oregon constitutional law update

Cosponsored by the Constitutional Law Section

Friday, December 11, 2009
9 a.m.–4 p.m.

Oregon Convention Center
Portland, Oregon

6 General CLE credits



Constitutional Law 2009

Video Replays

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6 General CLE credits

Oregon Convention Center
777 N.E. Martin Luther King Jr. Blvd.
Portland, Oregon

JOIN A STELLAR PANEL OF CONSTITUTIONAL LAW EXPERTS AS THEY explore recent federal and state landscapes of constitutional law. Professor Vikram Amar, UC Davis School of Law, and Professor Robert L. Tsai, Washington College of Law, American University, will review the U.S. Supreme Court 2008–2009 term, including a look ahead at the 2009–2010 term. In addition, Professors Amar and Tsai will analyze the U.S. Supreme Court in transition, including how the retirement of Justice Souter and the addition of Justice Sotomayor will impact the Court.

The afternoon session will focus on the Fourth Amendment exclusionary rule and recent Oregon constitutional case law, including false reporting by campaign contributors and whether buying a legislator dinner is a form of political speech.

Constitutional Law Section members receive a \$20 discount off registration rates.

Register online at www.osbarcle.org, by using this form, or by calling the OSB CLE Service Center at (503) 431-6413, toll-free in Oregon at 1-800-452-8260, ext. 413. For a full listing of OSB CLE seminars, please visit www.osbarcle.org.

This seminar will be videotaped and shown in its entirety at the following locations if three or more registrations are received at least a week prior to the replay date. To find out if a replay will be shown, please click on the Seminars Calendar at www.osbarcle.org and select the date of the scheduled video replay.

- ◆ **Astoria**
Friday, March 26
Di Bartolomeo Law Office
1139 Exchange St.
- ◆ **Bend**
Friday, March 19
Miller Nash LLP
1567 S.W. Chandler Ave.
Suite 204
- ◆ **Coos Bay**
Friday, March 19
Daniel M. Hinrichs PC
590 Commercial Ave.
- ◆ **Eugene**
Friday, March 26
Gaydos Churnside & Balthrop PC
440 E. Broadway, Suite 300
- ◆ **Grants Pass**
Thursday, March 18
Josephine County Courthouse
Room 222
N.W. 6th and “C” Streets
- ◆ **Hood River**
Friday, March 19
Wyers Haskell Davies PC
216 Columbia
- ◆ **Klamath Falls**
Friday, March 19
Boivin Uerlings & Dilaconi PC
803 Main St., Suite 201
- ◆ **LaGrande**
Friday, March 19
Mautz Baum & O’Hanlon LLP
1902 Fourth St.
- ◆ **Medford**
Friday, March 26
Frohnmayr Deatherage
2592 E. Barnett Rd.
- ◆ **Newport**
Friday, March 26
Macpherson Gintner & Diaz
423 North Coast Highway
- ◆ **Pendleton**
Friday, March 26
Mautz Baum & O’Hanlon LLP
101 S.E. Byers Ave.
- ◆ **Redmond**
Friday, March 26
Bryant Emerson & Fitch
888 W. Evergreen
- ◆ **Roseburg**
Thursday, March 18
Douglas County Counsel’s Office
Law Library, Room 319
1036 S.E. Douglas
- ◆ **Salem**
Friday, March 19
The Vandermay Law Firm
2085 Commercial Street NE
- ◆ **Tigard**
Wednesday, March 31
Oregon State Bar Center
16037 S.W. Upper Boones Ferry Rd.
- ◆ **Vale**
Friday, March 19
Butler & Looney PC
292 Main St. S.

Constitutional Law 2009—Friday, December 11, 2009

8:00 Registration

9:00 The U.S. Supreme Court 2008-09 Term in Review

- ◆ The Voting Rights Act
- ◆ Fourth Amendment limits on searches of students by school personnel
- ◆ Due process rights to an unbiased judge
- ◆ Application of Title VII in reverse discrimination claims
- ◆ Looking ahead to the 2009 term

Professor Vikram Amar, *University of California, Davis, School of Law, Davis, CA*

10:15 Break

10:30 The U.S. Supreme Court in Transition

- ◆ The impact of Justice David Souter's retirement and what to expect from Justice Sonia Sotomayor
- ◆ How the public, Congress, and the President have driven historical transitions in the Court
- ◆ How the Court has reshaped the role of the three branches of federal government and what it might do in the future

Professor Vikram Amar, *University of California, Davis, School of Law, Davis, CA*

Professor Robert L. Tsai, *Washington College of Law, American University, Washington, DC*

Section Planners:

- ◆ **Erin C. Lagesen**, *Appellate Division, Oregon Department of Justice, Salem*
- ◆ **Chin See Ming**, *ACLU of Oregon, Portland*
- ◆ **C. Robert Steringer**, *Harrang Long Gary Rudnick PC, Portland*
- ◆ **Alycia N. Sykora**, *Miller Nash LLP, Bend*

OSB CLE Seminars Attorney:

- ◆ **Karen D. Lee**, *klee@osbar.org, (503) 431-6382*

12:00 Lunch

(On your own or you may purchase a plated lunch at the Convention Center using the registration form)

1:15 The Fourth Amendment Exclusionary Rule: State and Federal Perspectives

- ◆ *Arizona v. Gant*
- ◆ *Herring v. United States*
- ◆ Relationship between the Fourth Amendment exclusionary rule and the exclusionary rule of Article I, section 9, of the Oregon Constitution
- ◆ The practical effect of the Fourth Amendment exclusionary rule on practice in Oregon

David H. Angeli, *Hoffman Angeli LLP, Portland*

Lisa Hay, *Federal Public Defender's Office, Portland*

Dwight C. Holton, *U.S. Attorney's Office, District of Oregon, Portland*

Joshua Marquis, *Clatsop County District Attorney's Office, Astoria*

Anne Fujita Munsey, *Office of Public Defense Services, Salem*

2:45 Break

3:00 Oregon Constitutional Law Update

- ◆ False reporting by campaign contributors
- ◆ Legal right to parenthood via artificial insemination to heterosexual but not same-sex couples
- ◆ Article I, section 9, limits to warrantless searches of students by school staff
- ◆ Buying a legislator dinner as a form of political speech

Moderator: Alycia N. Sykora, *Miller Nash LLP, Bend*

The Honorable Jack L. Landau, *Oregon Court of Appeals, Salem*

The Honorable David Schuman, *Oregon Court of Appeals, Salem*

4:15 Adjourn

Constitutional Law 2009—Friday, December 11, 2009

SEMINAR REGISTRATION

PORTLAND

- \$175 OSB Member—Early registration (received before noon, Monday, 12/7/09)..... \$ _____
- \$195 OSB Member—Regular registration (received after noon, Monday, 12/7/09) \$ _____
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- Constitutional Law Section member discount—subtract \$20:.....* - _____
- \$0 **2009–2010 Season Ticket** (Please register by noon, Monday, 12/7/09, to guarantee a seat and course materials. Season Ticket registrations received after this time are welcome and will be accommodated on a space-available basis.)..... \$ _____
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- \$25 Lunch Vegetarian \$ _____
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VIDEO REPLAY

(Please see video replay schedule on previous page.)

- Location: _____
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Seminar products will be available approximately two weeks after the live program.

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TUITION ASSISTANCE: Tuition assistance is available on the basis of financial need. Fax a request stating your financial situation to 503-968-4456 no later than one week before the seminar.

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4. **MAIL with check:** Oregon State Bar, CLE Registration, P.O. Box 231935, Tigard, OR 97281-1935