



American Bar Association
Section of Administrative Law and Regulatory Practice
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June 19, 2020

To: Moderators and Panelists who participated in the 2019 Admin Law Conference

From: Andrew Emery, President, The Regulatory Group, Inc.
Susan M. Prosnitz, Deputy Chief Counsel for Regulations and Security Standards,
Office of Chief Counsel, Transportation Security Administration

Re: Request for Panel Proposals – 2020 Administrative Law Conference

ABA BOARD OF GOVERNORS
LIAISON: David W. Clark

Dear Friends,

We, Andrew Emery and Susan Prosnitz, are again co-chairing the ABA's 2020 Fall Administrative Law Conference. Thank you for your wonderful support in making the 2019 Fall Administrative Law Conference a great success. The 2019 conference generated the largest attendance in the history of the conference and most enthusiastic feedback we have seen in our years of chairing the conference. That success was due to you. And with your help we want to make the conference an even greater success in 2020.

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In these extraordinary circumstances, we are making plans to hold a virtual live Administrative Law Conference on November 19-20, 2020. We invite you to propose a panel for the Fall Conference. We have summarized recommendations made last year by attendees and include a list of ideas and themes to inspire you, though we invite you to develop your own ideas as well. We expect to offer up to eighteen panels on various subjects, in addition to our traditional Developments panels.

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We generally receive more proposals than we can accommodate. When making our final selections, preference will be given to panel proposals that are more complete. Please think about novel topics of general administrative interest (not narrow substantive fields), that include speakers from both the private and public sectors and offer diverse views. The panels will need to identify written CLE material to be provided to attendees (including at least 20 pages of new material per panel). If you are interested in organizing a panel, please complete the attached panel proposal template. We must receive the completed form with all information included by July 6, 2020. Our contact information is below, so feel free to contact us or Anne Kiefer (Anne.Kiefer@americanbar.org) if you have questions. Due to current circumstances email communication is best. We very much appreciate your time and effort devoted to crafting a panel proposal.

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Please know that the ABA takes the health and safety of our members, our meeting presenters and attendees, and our staff seriously. At this time, we intend to proceed with a Virtual Live 2020 Administrative Law Conference on November 19-20, 2020. However, we will continue to monitor developments and guidance from a variety of sources, including the Centers for Disease Control, World Health Organization, and U.S. state and local health authorities. Should a change in the situation necessitate the need to cancel the 2020 Administrative Law Conference, you will be notified at your email address on file and information can be found [here](#).

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Thank you!!
Andrew Emery

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Ideas and themes that may inspire your panel topics for the Administrative Law Conference

1. Changes to administrative law under the Trump Administration.
2. Application of administrative law to current events.
3. Practical information and skills for federal attorneys.
4. Ethics.
5. National security.
6. Advisory committees.
7. Litigation in the courts, Article 3.
8. Agency adjudication, generally
9. Agency adjudication, advice from DOJ for agency attorneys.
10. Agency guidance.
11. Role of the federal agency attorney, – who is the client?
12. Public private partnerships.
13. Freedom of Information Act.
14. Private practice perspective.
15. ACUS Recommendations.
16. Presidential transitions.
17. E-discovery, e-rulemaking, data management.
18. Checks and balances, unitary executive, imperial presidency, legislative micromanagement, legislative mismanagement, judicial policymaking.
19. Regulatory impact assessments.
20. Rule of law.
21. Recent judicial decisions.
22. State administrative law
23. Federal Agencies delegations.
24. Deregulation.
25. Performance-based Regulations
26. Injunctions

**AMERICAN BAR ASSOCIATION
SECTION OF ADMINISTRATIVE LAW AND REGULATORY PRACTICE
PANEL PROPOSAL FORM**

PROGRAM NAME: 2020 Administrative Law Conference
PROGRAM CHAIRPERSONS: Andrew Emery and Susan Prosnitz
DATE & LOCATION: Thur. Nov 19 & Fri. Nov 20, 2020 Virtual LIVE

The Program Chairs of the Administrative Law & Regulatory Practice Section invite you to submit a panel proposal for the 2020 Administrative Law Conference. **Deadline: July 6, 2020!**

How to Provide a Panel Proposal:

- (1) Write a catchy title and short description of the scope and goals of your panel;

Panel Topics: Typically, panels are 90 minutes long and feature one moderator and three or four panelists. Panelists typically speak for 10-15 minutes each, thereby leaving 15 minutes for Q & A. However, variety is welcome. Panels should provide cutting-edge information and analysis of timely topics, stimulate discussion and debate among the conference participants, and showcase interesting speakers. Keep in mind that 70% of the attendees are government agency attorneys, 10% are private practice attorneys, 10% are judges, and 10% are academics. Panels of interest can be practical, practice-oriented sessions or can focus on specific regulatory areas.

- (2) Recruit diverse speakers;

Diverse Speakers: Individual panels with faculty of three or four panel participants, including the moderator, will require at least 1 diverse member; individual programs with faculty of five to eight panel participants, including the moderator, will require at least 2 diverse members. Diversity is defined to include race, ethnicity, gender, sexual orientation, gender identity, and disability. In addition, speakers should provide a well-rounded spectrum of opinions and experience level and should offer differing perspectives (e.g. attorneys from various agencies, private practice, non-profits, judges, academics).

- (3) Identify relevant written materials; and

Written Materials: Because all panels must be designed to provide Continuing Legal Education (CLE) credit, substantive NEW written materials are required for each panel. Thus, each panel must include a written substantive document that is written specifically for the panel and explains clearly the learning objectives and content to be presented by all of the panelists, and this document should include material attendees can use to answer questions after the program is concluded. In addition to this newly-written piece, older law review articles, papers, power points, regulations, or case citations should be provided. Please review the attached CLE Program Materials Guidelines for additional information.

- (4) Meet deadlines.

Deadlines:

July 6, 2020 Submit this form to Anne Kiefer, anne.kiefer@americanbar.org. Include a complete and appealing program description and a list of speakers.

July 20, 2020: Date you will be notified if your panel is selected.

August 10, 2020: Submit final panel title, description, and confirmed speakers to Anne Kiefer, anne.kiefer@americanbar.org. ONLY panels with a final title, full description and **CONFIRMED** list of diverse speakers will be included on the CLE request and the Final Agenda for this program.

August 31, 2020: Submit all CLE program materials, power points, biographies, and signed speaker releases to anne.kiefer@americanbar.org

"The American Bar Association has four core goals. Goal III seeks to eliminate bias and enhance diversity and inclusion in the Association, legal profession, and justice system. In adherence to Goal III, the ABA Board of Governors implemented a new Diversity CLE Policy that seeks to ensure that CLE programs sponsored or co-sponsored by the ABA include panel members of the following underrepresented diverse groups – racial and ethnic minorities, women, LGBTQ individuals, and persons with disabilities.

To help facilitate entity compliance with the Diversity CLE Policy and maximize opportunity, the ABA encourages you, should you self-identify within any

of the above-mentioned demographic categories, to voluntarily update the demographics portion of your myABA member profile or otherwise share this information with staff organizing the CLE program.

Providing this information is completely voluntary, and it will be available for review only by ABA staff employees. In accordance with the ABA Privacy Policy, demographic information is deemed 'sensitive personally identifiable information' and is not included in membership directories or registration lists. If you choose to provide this information, but later change your mind, you may opt out at any time simply by updating your member profile. Thank you for assistance with this important matter."

I have read the panel requirements including the Section's Diversity requirements above, and I agree to adhere to those requirements and to develop and present a panel as described above, if approved by the Section. I understand that Section staff will provide all of the logistics for the program, and that I must provide information timely to staff members, especially to help them effectively market the program and to obtain the necessary signed speaker releases. I understand that I am responsible for ensuring that my panelists provide the required written NEW CLE materials by the deadlines as described.

Name: _____ Signature: _____

Date: _____ Committee name (if applicable): _____

PROVIDE THE FOLLOWING INFORMATION:

- **Required: Panel Title**

- **Required: Panel Description**

- **Required: List of CLE materials expected to be provided**

- **Required: List of Speakers with Name, Title, Affiliation, city & state, and email address**

- **Required: Indicate whether your panel complies with the Diversity requirements**

- **Voluntary: Target Audience & Possible ABA Co-Sponsors**
