

Administrative Law Annual Forum

November 16, 2018

Tennessee Bar Center – Nashville, Tenn.



Program Producer(s): William L. Penny, *Burr & Forman LLP*

Total Credits: 2 General, 1 Dual

This year's administrative law forum will tackle hot button issues, such as recent changes regarding appeals of UAPA cases. We will also hold a session focused on the often-byzantine process of dealing with state regulatory boards. For ethics this year, we will be joined by an attorney from the Board of Professional Responsibility discussing the ethics surrounding zealous advocacy.

8 a.m. – 8:30 a.m.



Registration/Welcome

8:30 a.m. – 9:30 a.m.

Creating and Challenging Rules of State Boards

The administrative rule-making process is carefully delineated by statute, but state boards and agencies have considerable discretion in formulating the content of rules. This session will explain the rule-making process and explore some avenues available to the public in challenging the legitimacy of a rule or proposed rule.

Jenny Howard, General Counsel, Tennessee Department of Environment and Conservation

Jerry W. Taylor, Partner, Burr & Forman, LLP

9:30 a.m. – 10:30 a.m.

Rules and Procedure for Appeals of UAPA Cases

Recent legislative changes to the UAPA may impact your strategy in litigating and seeking judicial review of administrative decisions, but the standard of review remains the same. In this session, you will learn how to ensure your administrative matter is filed correctly and how to best shape your arguments and case presentations.

Lindsay Sisco, Tennessee Attorney General's Office

Hon. Tom Stovall, Tennessee Department of State- Administrative Procedures Division

Hon. Bill Young, Harris Shelton

10:30 a.m. – 10:45 a.m.



Break

10:45 a.m. – 11:45 a.m.
(DUAL)

Ethics: When Does Zealous Advocacy Cross the Line?

Attorneys are required to provide diligent representation. However, this duty has its limits. This presentation will address the Rules of Professional Conduct that may be violated when an attorney exceeds the permissible limits of zealous advocacy.

Steven Christopher, Board of Professional Responsibility

11:45 a.m. – 12:45 p.m.



Lunch (provided)

Networking lunch for both admin law attorneys and state attorneys