

# Summer Video Week



## *Mark your calendar . . .*

- ◆ Deposition Techniques and Strategy *with David Markowitz*
- ◆ Drafting LLC Operating Agreements
- ◆ HIPAA/HITECH—Updates, Business Associates, and More
- ◆ Fraud in the Workplace
- ◆ Understanding Oregon DUII Cases
- ◆ Promoting the Standards of Professionalism and Civility: A Bench and Bar Partnership
- ◆ Understanding Child Abuse and Requirements for Reporting It
- ◆ Elder Abuse and Neglect in Oregon

*All Summer Video Week seminars are located at the Oregon State Bar Center in Tigard.*

# Summer Video Week—August

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## 16 Deposition Techniques and Strategy with David Markowitz

Monday, August 16, 2010, 9 a.m.–4:15 p.m.  
6.25 Practical Skills or General CLE credits

Depositions can make or break your case, and this is your chance to learn from a master. For more than 20 years, David Markowitz has been studying deposition and trial techniques and has presented dozens of seminars to improve the skills of practicing attorneys. David shares with you ten important goals to accomplish, including avoiding undesired results. Learn the value of question structure and how to deal with evasive and incomplete answers. The most important questions and techniques the best lawyers use are covered, as is a key component of any deposition—knowing when to stop asking questions. Through David's keen ability to communicate and persuade, he demonstrates powerful, practical methods for getting the most out of your depositions, including the best ways to defend depositions, depose expert witnesses, and effectively use depositions at trial. Whether you are new to trial practice or want to refresh your deposition skills, this presentation by one of Oregon's litigation lions is an opportunity not to be missed. Original seminar date 10/22/09.

## 17 Drafting LLC Operating Agreements

Tuesday, August 17, 2010, 9 a.m.–4:30 p.m.  
6.5 General CLE credits

It's not enough to have a great idea for a business—forming and organizing the business is an integral part of success. Begin the day with an overview of drafting and then move on to the starting point of any business—choice of entity. Review articles and operating agreements and learn how to draft creative management alternatives to avoid deadlock and incorporate dispute resolution. Take a look at voluntary and involuntary transfers of membership interests, including bankruptcy and death, and safe-harbor LLC and partnership allocation provisions. Pick up tips on the problems common to many operating agreements and how to handle a problem agreement. Finally, examine drafting and estate planning considerations, such as multi-generational ownership and using an LLC to manage trust assets. Whether you are new to a business practice or simply adding to your existing expertise, don't miss the opportunity to benefit from this seminar's practice-oriented focus. Original seminar date 10/23/09.

Includes  
Forms  
on CD

## 18 HIPAA/HITECH—Updates, Business Associates, and More

Wednesday, August 18, 2010, 8:30 a.m.–12 p.m.  
3.5 General CLE credits

The American Recovery and Reinvestment Act, also known as the stimulus bill, did more than allocate billions of dollars to shore up the weak U.S. economy. It also expanded the reach of the Health Insurance Portability and Accountability Act (HIPAA) by extending HIPAA privacy and security rules to business associates. Since the definition of a business associate includes someone who performs legal services to or for a covered entity, your responsibilities as a lawyer for a covered entity have now increased. Our expert faculty reviews HIPAA basics with you and examines the new requirements. Learn about coming changes and HIPAA in litigation, including discovery issues and obtaining and using medical records. You will also gain insight to compliance programs for you and your clients. Original seminar date 2/4/10.

## 18 Fraud in the Workplace

Wednesday, August 18, 2010, 1 p.m.–4:15 p.m.  
3.25 General CLE credits

Even with the tightest internal controls, nearly every business is subject to fraud risk today. In addition to company expansion, reliance on information technology, and more complex transactions, a weak economy and stakeholder pressure to improve profits add additional stress and risk factors. Fraud schemes in the workplace frequently continue for years before they are detected. The Association of Certified Fraud Examiners determined that the typical fraud lasted two years from the time it began until the time it was caught. Besides the financial impact of reducing operating revenue and eroding profits, workplace fraud undermines investor confidence and can ruin a company's reputation. Our expert faculty provides a detailed picture of the devastating effects of workplace fraud, teaches you how to conduct thorough background checks, discusses the legal issues that arise with investigations and employee discipline and termination, and shares valuable information about the methods available for recouping losses. Original seminar date 6/24/09.

# Summer Video Week—August

## 19 Understanding Oregon DUII Cases

Thursday, August 19, 2010, 9 a.m.–4:30 p.m.  
6.5 General CLE credits

“Driving under the influence of intoxicants.” What do these words mean for the prosecution and the defense? This information-rich seminar will help you understand how DUII cases are prosecuted and how to defend a DUII case. Learn what constitutes seizure, probable cause, and reasonable suspicion. See how *Miranda* warnings and the right to counsel intersect with a DUII case. 2009 legislative changes are discussed, as well as the recent Oregon Court of Appeals ruling in *State v. Machuca*. What you need to know about defending DUII cases covers discovery review, issue spotting, trial tactics, motions, and client relations—including how to handle a call from a friend or relative who has been charged with DUII. Gain insight about jurors, such as who should not be on a DUII jury, developing a theory for your case, and whether or not experts can help your theory. Cosponsored by the Criminal Law Section. Original seminar date 11/19/09.

## 20 Promoting the Standards of Professionalism and Civility: A Bench and Bar Partnership

Friday, August 20, 2010, 8:30 a.m.–11:30 a.m.  
3 Ethics credits

Join some of Oregon’s most experienced bar members for a frank discussion of professionalism. The keynote presentation by Michael Greco, past president of the American Bar Association, highlights why “Honesty Is Always the Best Policy.” Examine common issues of professional conduct with a bench-bar panel. Explore factual scenarios designed to highlight ethical and professional situations—and how the best practitioners handle them. This is a great opportunity to learn how to support and practice the standards of professionalism both inside and outside the courtroom. Original seminar date 12/5/08.

## 20 Understanding Child Abuse and Requirements for Reporting It

Friday, August 20, 2010, 12 p.m.–1 p.m.  
1 Child Abuse Reporting

If an Oregon attorney has reasonable cause to believe that any child with whom he or she comes in contact with has suffered abuse or that any person with whom the attorney comes in contact with has abused a child, that attorney has a statutory duty under ORS 9.114 to report the abuse. Unfortunately, identifying child abuse, even for the seasoned professional who has regular contact with children, is very difficult. Crucial to this determination is establishing whether “reasonable cause” exists—which is linked to an understanding of not only the basic signs of child abuse but the psychology of the victim and the offenders. This presentation provides an overview of the behavioral and emotional warning signs of physical, emotional, and sexual abuse, including an outline of the psychology of victims and perpetrators of abuse. Original seminar date 12/29/09.

## 20 Elder Abuse and Neglect in Oregon

Friday, August 20, 2010, 1:30 p.m.–4:30 p.m.  
3 General CLE or Access to Justice credits

As Oregon’s aging population continues to grow, so does the number of elder abuse cases. Some of our communities’ most vulnerable members have been left permanently injured—or worse. Others have lost their only means of financial security. Our faculty members routinely handle claims of physical and financial elder abuse and neglect. By sharing their firsthand experience, you will gain an understanding of the myriad details involved with this type of case. From identifying and analyzing the abuse or neglect to discovery and judgments, become versed in the vital aspects of pursuing an abuse or neglect claim. Affected individuals are from all walks of life; they can even be our older generation family members, friends, and neighbors. Learn to spot elder abuse and neglect cases—and how to take action. Original seminar date 6/18/08.



## 2010–2011 Season Ticket

Valid September 1, 2010  
through August 31, 2011

Available for purchase  
starting August 1, 2010

For information, please visit [www.osbarcle.org](http://www.osbarcle.org)  
or call the OSB CLE Service Center,  
(503) 431-6413 or toll-free in Oregon,  
(800) 452-8260, ext. 413.

# Summer Video Week

Monday, August 16, 2010, through Friday, August 20, 2010

Name \_\_\_\_\_ Bar # \_\_\_\_\_

Firm Name \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## SUMMER VIDEO WEEK

Please indicate program(s) below:

- Deposition Techniques and Strategy *with David Markowitz* (8/16/10) (AVDEP10) (Full Day)
- Drafting LLC Operating Agreements (8/17/10) (AVLLC10) (Full Day)
- HIPAA/HITECH—Updates, Business Associates, and More (8/18/10) (AVHIP10) (Half Day)
- Fraud in the Workplace (8/18/10) (AVFWP10) (Half Day)
- Understanding Oregon DUII Cases (8/19/10) (AVDUII10) (Full Day)
- Promoting the Standards of Professionalism and Civility: A Bench and Bar Partnership (8/20/10) (AVETH10) (Half Day)
- Understanding Child Abuse and Requirements for Reporting It (8/20/10) (AVCA210) (One Hour)
- Elder Abuse and Neglect in Oregon (8/20/10) (AVEA10) (Half Day)

\$175 Registration—Full-day seminars \_\_\_\_\_ × # of seminars .. \$ \_\_\_\_\_  
 \$115 Registration—Half-day seminars \_\_\_\_\_ × # of seminars .. \$ \_\_\_\_\_  
 \$35 Child Abuse Reporting ..... \$ \_\_\_\_\_  
 \$0 2009–2010 Season Ticket \_\_\_\_\_ × # of seminars..... \$ \_\_\_\_\_  
 \$0 50-year OSB member ..... \$ \_\_\_\_\_  
 \$0 Judges and their lawyer staff—please call the OSB  
 CLE Service Center at 503-431-6413 to register.

TOTAL REGISTRATION FEES (109-4565-748) ..... \$ \_\_\_\_\_  
 CL3

## FOUR WAYS TO REGISTER

Registrations will not be processed without payment.

1. **ONLINE** at [www.osbar.org](http://www.osbar.org).
2. **PHONE:** 503-431-6413, or toll-free in Oregon at 1-800-452-8260, ext. 413
3. **FAX with VISA or MasterCard number:** 503-968-4456
4. **MAIL with check:** Oregon State Bar, CLE Registration, P.O. Box 231935, Tigard, OR 97281-1935

## PAYMENT OPTIONS

- Check Enclosed: Payable to Oregon State Bar
- Credit Card (VISA or MasterCard only)

**All information below required when paying by credit card.**

Credit Card Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

Name on Credit Card (please print) \_\_\_\_\_

Credit Card Billing Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Authorized Signature \_\_\_\_\_

## GENERAL INFORMATION

**QUESTIONS?** Call the CLE Service Center at 503-431-6413, or toll-free in Oregon at 1-800-452-8260, ext. 413. For information about upcoming seminars, please visit the CLE Calendar at [www.osbarcle.org](http://www.osbarcle.org).

**CANCELLATIONS:** Cancellation requests must be received at least 48 hours prior to the start of the seminar to qualify for a refund. Requests are accepted via phone, fax, or mail; please see “Three Ways to Register” for contact information. All cancellations are subject to a \$20 cancellation fee.

**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.

**DIETARY RESTRICTIONS OR SPECIAL ACCOMMODATIONS:** Call 503-431-6351, or toll-free in Oregon, 1-800-452-8260, ext. 351