

2020 ACC Annual Meeting - Deferred Session Listing

<u>Submitter</u>	<u>Title</u>	<u>Curricula</u>	<u>Description</u>	<u>Format</u>	<u>Skill Level</u>
Compliance & Ethics	DEFERRED: In-House Counsel's Role in Anticipating and Managing Global Sanctions Risk: Geopolitics, Transnational Crime, and Economic Warfare	Business & Leadership Compliance Cross-border/Global Government Regulation	Business opportunities for US-based multinational companies arise in nations that are embattled with strategic conflicts and/or home to criminal organizations. US policy increasingly leans on transaction prohibitions, property blocking, new secondary sanctions schemes, extraterritorial enforcement efforts and forfeiture actions to address national security threats. Several locations are targets of longstanding US sanctions programs. Some risk imposition of secondary sanctions. Others are not directly targeted but, rather, home to large concentrations of business entities and people that are. Still others pose risks of future US sanctions that could disrupt or jeopardize partnerships and transactions currently under consideration. How should in-house counsel understand, analyze, and monitor to stay ahead of enforcement, commercial, and reputational risks relating to increasingly rapid changes in US and international sanctions? This panel of experts will examine trends in sanctions policy and enforcement; money laundering patterns; experiences from the trenches; and tips for mitigation strategies.	Panel	Advanced
Compliance & Ethics	DEFERRED: Navigating Tariffs and Supply Chain Human Rights Issues	Compliance Cross-border/Global	This panel will seek to address how to achieve international trade compliance (exports and imports) in the ever-changing landscape. It will also address related supply chain concerns, taking a closer look at Anti-Slavery and Anti-Human Trafficking Policies and Procedures with the goal of ensuring basic human rights in your supply chain. The panel will provide hypotheticals based on actual events, practical advice, and advanced tips for implementation back at the office.	Panel	Advanced
Compliance & Ethics	DEFERRED: Measuring the Effectiveness of Your Compliance Program: From Continuous Improvement to ROI	Compliance Cross-border/Global Law Department Management/Legal Operations	The panel will focus on how to establish metrics and demonstrate the value of your team to the business. This will include a refresher on U.S. Department of Justice Foreign Corrupt Practices Act (FCPA) guidance (2019) and Office of Foreign Assets Control (OFAC) guidance (2019) on pillars of effective compliance. In addition, it will cover how to build an Anti-Bribery Compliance Program through International Office for Standardization (ISO) 37001 Anti-Bribery Management System Certification.	Panel	Intermediate

Employment & Labor	DEFERRED: A View from the Top: Join Leaders of the US Equal Employment Opportunity Commission and US Department of Labor for a Q&A about Leaves of Absence Family Medical Leave Act and Americans with Disabilities Act	Compliance Employment & Labor Government Regulation	Employers struggle with legal and compliance issues associated with leaves of absence under both the Family Medical Leave Act (FMLA) and the Americans with Disabilities Act (ADA). In 2020, the DOL is issuing new FMLA regulations and the EEOC is continuing to enforce the ADA requirement that employers engage in an individualized interactive process with employees to evaluate whether a reasonable accommodation is appropriate -- including a leave of absence. Join us for a rare opportunity to hear from senior leaders from the US DOL and US EEOC with inside knowledge about these US agencies. for a question-and-answer session about legal requirements related to leave under both the FMLA and the ADA.	Q&A/Interview	Intermediate
Environmental & Sustainability	DEFERRED: What to Do Before the You-Know-What Hits the Fan: How to Plan and Be Prepared for a Pandemic, Crisis, or Catastrophic Event	Environment & Energy Government Regulation	"Be prepared" and don't just "live and learn" – these expressions are particularly important as we face the consequences of serious issues such as a global pandemic and climate change events. This program will help you understand how to plan ahead and avoid many basic mistakes, including mistakes with substantial legal consequences. We will present a few scenarios and discuss what you can do before the next crisis, including how to involve and respond to government agencies and how to define in-house legal counsel's role in emergency response, PR/communications, employee safety, investigations, and training in the event of a major incident or accident.	Roundtable Discussion	Intermediate

Financial Services	DEFERRED: Vendor Management Compliance Nuts and Bolts	Compliance Data Privacy & Security	You are nothing without your service providers, yet they can cripple your operations at a moment's notice. Are you prepared? This session will give you a practical overview of what you should have in your own compliance program to prepare for the worst. It will review practical tips for reviewing compliance internally and the stakeholders that should be engaged cross-functionally to ensure you are set up to mitigate risk, and well prepared when an investigator or cybercriminal knocks on your doors. We won't stop there. We'll also provide you with the framework to having a successful vendor management program in place. This panel will review: the risks associated with third-party relationships, including transactional, operational, compliance and reputational risks; the compliance program your vendor should have in place; proper vendor management controls and due diligence/reporting practices; key contractual provisions, including nondisclosure and confidentiality provisions; and ways to terminate relationships.	Hypothetical Situations	Intermediate
Health Law	DEFERRED: Down the Research Rabbit Hole: Understanding Compliance and Enforcement Issues in Clinical Research	Compliance Data Privacy & Security Government Regulation Health Law	From providers conducting investigator-initiated research or participating in industry research, to industry sponsors conducting research, understanding and complying with the rules and regulations related to clinical research can feel like navigating a maze, with frequent detours down rabbit holes. With multiple US federal agencies (e.g., the FDA, DOJ, OIG and OHRP) increasing their oversight, regulation, and enforcement efforts with respect to clinical research, entities conducting research must be aware of the many potential regulatory and compliance pitfalls associated with research, and the possible penalties of failing to comply. This session will focus on hot topics in clinical research enforcement (such as data security, integrity and management, cloud storage, 21 CFR Part 11 compliance, HIPAA/GDPR, and research claims and billing practices). Our expert panelists will also examine recent government enforcement actions, and provide information and guidance on how to comply with the regulations.	Panel	Intermediate

Intellectual Property	DEFERRED: Practical IP Litigation Management in the Social Media Age	Intellectual Property Litigation and Dispute Resolution Social Media	This session will cover what in-house counsel can do to mitigate, respond to, and engage in litigation to protect a company's intellectual property assets including dealing with cease and desist letters, threatened breaches, and lawsuits from competitors, from the perspectives of both the plaintiff and the defendant. As part of this session, the impact of social media will be covered, including addressing marketing and executive tweeting, how to fight a social media war, and the impact of these actions on the legal dispute and public opinion.	Hypothetical Situations	Advanced
Intellectual Property	DEFERRED: IP Indemnification Provisions, Hot Topics, and Negotiating Strategies	Contract Drafting Cross-border/Global Intellectual Property Negotiations	IP indemnification continues to be an issue that regularly arises for in-house counsel on a global basis. This session will address provisions that demand particular attention, ways to resolve differences over those provisions, and global hot topics in the area. Panelists experienced in considering and negotiating IP indemnification provisions will tackle these topics, and will also discuss negotiating strategies for indemnification and related provisions, such as warranties.	Workshop	Intermediate
International Legal Affairs	DEFERRED: Innovation and the Evolution of the Legal Industry: Can Innovation Improve the Delivery of, and Access to, Legal Services?	Cross-border/Global Law Department Management/Legal Operations Technology	This interactive session discusses global approaches to legal innovation and law department management by looking at how technology and alternative legal service providers can render the delivery of legal services more efficient. Experts will also debate the different approaches taken by regulators in the EU, UK and the US to the organization of service providers (i.e. equity ownership by non-lawyers) and resulting effects on innovation. Can innovation include a multidisciplinary approach to the delivery of legal services? This session will be eligible for legal ethics credit.	Roundtable Discussion	Advanced
Law Department Management	DEFERRED: NextGen Leadership Club: Career Growth and Development for the Next Generation	Business & Leadership Career Development Law Department Management/Legal Operations	We've all been there, either you're sitting in your seat waiting for that GC role to open up, or, you're the GC with a star performer. Everyone knows that most talented people will have opportunities open for them. Strong leaders are always happy to see them succeed. This program will focus on the "how" for the GC and the star performer. For the GC: How do you develop your talent and present to them opportunities to grow and flourish even when you know you're not planning to retire anytime soon? For the star performer: How do you continue to grow in your career while you wait for that next big opportunity? Join us for an interactive discussion sharing stories and best practices. You maybe surprised what you learn!	Panel	Intermediate

Law Department Management	DEFERRED: Follow the Yellow Brick Road — to the GC Suite!	Business & Leadership Career Development	Join our diverse group of panelists for a lively discussion from C-suite perspectives on how to get to the GC chair. What should you, as a prospective GC, do to make yourself more marketable and desirable to companies who have a GC role to fill, whether within your present company, or at a different one? What are the various paths to the GC job? How do you develop and utilize your network, and how should you develop relationships with recruiters? Learn all this and more from your peers who have successfully made their way up the ranks.	Panel	Intermediate
Litigation	DEFERRED: Understanding Dispute Resolution Clauses: Mediation, Arbitration and Litigation From an International Perspective	Contract Drafting Cross-border/Global Litigation and Dispute Resolution Negotiations	Understanding the pros and cons of various approaches to dispute resolution is essential to drafting and negotiating contractual clauses. This course will discuss international perspectives on arbitration versus litigation, mandatory mediation, choice of law, and choice of forum. The course will consider the cultural differences between civil law and common law approaches, including possible application of the UNIDROIT Principles.	Panel	Intermediate
Litigation	DEFERRED: Reading Between the Lines: How Business Records Factor into Litigation and Investigations	Business & Leadership Litigation and Dispute Resolution Negotiations	Spreadsheets, 10ks, balance sheets, corporate filings, etc. What do these business documents mean, and how do they factor into the job of the in-house counsel? Seasoned experts will dig into these important business records and provide practical issue-spotting insights. In-house counsel will walk away from this session with improved business acumen and more capable in his or her role as a business person within the company.	Panel	Intermediate
Litigation	DEFERRED: Crisis Management in the Social Media Era	Business & Leadership Social Media	Every company needs a crisis management plan and a strategy for dealing with problems as they unfold in real time -- particularly, on the Internet. This session provides best practices, and aims to equip attendees with takeaways they can implement in their offices immediately.	Workshop	Intermediate
Nonprofit Organizations	DEFERRED: Risk Management for Nonprofits	Law Department Management/Legal Operations	Risk management is a vital part of leading nonprofits, and some of the risks that nonprofits face are unique. Nonprofit experts will explore various approaches to monitoring, managing, and mitigating these unique risks, with program styles that vary from being a top-down, management-driven program to an bottom-up, employee-driven program. This session will provide guidance on how to take the first steps to establish such a program, as well as how to expand and improve upon an existing nonprofit risk management program.	Workshop	Intermediate

Small Law Departments	DEFERRED: Flying Without a Net: Transitioning to the Business Side of the House	Business & Leadership Career Development Ethics	General counsel with many years of experience in various companies and jurisdictions find themselves at a fork in the road at a certain point in time, with the big question being: Where do I go from here? Perhaps you feel stuck in your current role, and do not want to remain there. Maybe you need to make room for talent...but then what? Many lawyers are making the transition to the C-suite, but perhaps not backfilling some of the legal team and filling the role of two positions. This panel will discuss some of the ethical issues for those lawyers transitioning increasingly into the business side of the house, as well as practical tips for those lawyers desiring to make the transition. Materials will include applicable professional rules of responsibility and professional development options to obtain additional credentials for business leadership.	Panel	Advanced
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