



Wednesday, April 24, 2019	
4:00 – 5:00 p.m.	<p>Registration Grand Hyatt Denver 1750 Welton St., Denver, CO 80202</p>
6:00 – 7:30 p.m.	<p>ECN Welcome Reception Sponsored by Holland & Hart LLP Site: Holland & Hart offices, 555 17th St., Ste. 3200 (in easy walking distance of hotel) Attire: Business Casual</p>
8:00 p.m.	<p>Dinner on Your Own</p>
Thursday, April 25, 2019	
7:30 a.m.–8:15 a.m.	<p>Breakfast 32nd Floor, Holland & Hart offices</p>
8:15 a.m.–8:30 a.m.	<p>Welcome & Introduction Dan Oswald, CEO, Business & Legal Resources</p>
8:30 a.m.–9:30 a.m.	<p>Veteran Sexual Harassment Warrior Sees Cause for Optimism Mary O’Neill, Regional Attorney, Phoenix District Office of the EEOC</p> <p>Our speaker joined the EEOC in 1986, the same year the U.S. Supreme Court recognized that Title VII prohibits workplace sexual harassment. She has a long perspective on sexual harassment issues, having served as a regional attorney for the agency since 2002. While she has sued a lot of employers, you’ll be pleased to hear she is hopeful things might finally be changing for the better because of the #MeToo movement and the downfall of a large number of powerful, high-profile men. In this session, she will share:</p> <ul style="list-style-type: none"> • The agency’s current estimate of how many women have experienced unwanted sexual attention, sexual coercion, or sexually crude or sexist comments in the workplace; • How the #MeToo movement has led to a “rising tide” of harassment complaints and charges; • Higher expectations—for fair and equal treatment—that young people are bringing with them into the workplace; • How exit interviews—“real authentic ones”—can help employers to squelch sexual harassment; • Why employers should complete their investigations by telling complaining employees about the remedial action they’ve taken; and • EEOC resources employers can use to prevent and combat sexual harassment;



9:30 a.m.–10:15 a.m.	<p>Legalization of Recreational Pot – What It Means for Employers Sam Kamin, Vincente Sederberg Professor of Marijuana Law and Policy at the University of Denver Sturm College of Law</p> <p>Although about two-thirds of the states now license marijuana for at least some purposes, it remains forbidden under federal law. That necessarily creates tensions for the nascent marijuana industry, marijuana consumers, and others—everyone from professional services providers to landlords to employers. This session will delve into the current conflict between state and federal marijuana laws and look toward possible changes in the years to come.</p>
10:15 a.m.–10:30 a.m.	<p>Break</p>
10:30 a.m.–11:30 a.m.	<p>Blue House, Red Senate: What Employers Should Be Watching David S. Fortney, Fortney & Scott, LLC, in Washington, D.C., co-editor of <i>Federal Employment Law Insider</i></p> <p>After the 116th Congress convened on January 3 with Democrats firmly in control of the House of Representatives and Republicans having a larger majority in the Senate, it seemed very unlikely that any new legislation directly affecting workplace issues would be passed. Anything the House approved was likely to die in the Senate. Nevertheless, our speaker says employers and their counsel shouldn't lose sight of the ongoing political and legislative developments that are having a direct impression on the workplace. In this session, he will consider:</p> <ul style="list-style-type: none">• Major changes that occurred during the first two years of Trump's administration, including the long-term impact of confirming more than 80 federal judges, including two U.S. Supreme Court justices;• What employers can expect to see from Washington over the next 6 to 12 months;• How key federal agencies like the DOL and the NLRB—fully funded for the 2019 fiscal year—have continued to go about their work;• How the government shutdown and lack of quorum affected the EEOC;• Impact of the Senate's failure to confirm agency nominees on the Trump administration's workforce agenda, and the latest on nominations, confirmations, and key agency vacancies; and• Possible ramifications from new leadership of the House Education and Workforce Committee, Rep. Bobby Scott, who promised to ramp up congressional oversight of the DOL and other administrative agencies
11:30 a.m.–12:00 p.m.	<p>ECN Awards Presentation We display and salute some great work by ECN members in 2018. Alan King and Tony Kessler, BLR</p>
1:45 p.m.	<p>VIP Broncos Stadium & City Tour Register here: http://www.employerscounsel.net/conference/activities.php Bus will depart from hotel lobby</p>
6:00 – 10:00 p.m.	<p>Dinner and Entertainment The Fort, 19192 CO-8 Morrison, CO 80465 Bus will depart from hotel lobby</p>



Friday, April 26, 2019

7:30 a.m.–8:30 a.m.	Breakfast 32 nd Floor, Holland & Hart offices
8:30 a.m.–9:30 a.m.	Jury Persuasion in an Alternative-Facts World Kevin Bouilly, Ph.D., Senior Litigation Consultant, Persuasion Strategies, Denver Simply by following the news and our own social media accounts, we know we live in an era of increasing complexity and competition when it comes to persuading others. Facts are not easily accepted, but rather, questioned and internalized based on beliefs, emotions, and social affiliations that often go unacknowledged or underappreciated. As legal professionals, you must be sensitive to the changes and their impact on legal decision making and, most important, persuasive advocacy in litigation. Our speaker's practice focuses on persuasion, small group influence, and jury decision making. In this session, he will explore: <ul style="list-style-type: none">• How to "lasso the hurricane" and overcome persuasive resistance when a so-called dominant narrative (e.g., "scientific experts and evidence are not to be believed or trusted") has overtaken public perceptions.• How to reframe your arguments so that the authoritarian-minded members of your jury will be more primed to agree with your position.• How defense counsel can overcome the fears that jurors sometime feel when opposing counsel portray the employer's conduct as a threat to their own safety and well-being.• How tribalism—i.e., membership in key social groups—contributes to jurors' persuasive resistance.
9:30 a.m.–10:00 a.m.	When Violence Targets Your Legal Community Dinita L. James, Gonzalez Law, LLC, in Tempe Jodi Bohr, Gallagher & Kennedy, P.A., in Phoenix Violence struck at the heart of the Arizona legal community last summer. Over a 48-hour period, gunshots rang out at a law firm and the offices of two mental health professionals who often serve as court witnesses. Among the shooter's six victims were two paralegals and a psychologist. Like hundreds of other legal professionals in the Phoenix area, our speakers confronted the frightening reality that their places of work pose a heightened risk of violence because of the emotionally charged matters at stake. The killer eventually died in a shootout with police. Dinita and Jodi will share their insights on the demand for vigilance by the legal community in their own workplaces and wherever lawyers and staff interact with clients, witnesses, and the public, including: <ul style="list-style-type: none">• Previous legal workplace violence incidents that rattled them in Florida and Arizona;• Commentary and checklists that local lawyer groups published afterward; and• Other steps you can take to respond to the risk of violence in the legal workplace.



10:00 a.m.–10:15 a.m.	Break
10:15 a.m.–11:15 a.m.	<p>Becoming a Law Firm Leader of the Future, Today Larry O'Brien, Master Facilitator, and Leadership Coach, BluePoint Leadership Development</p> <p>Great leaders have immense passion and are crystal clear on the overriding purpose of their organization's work. In law firms and elsewhere, we're drawn to leaders who are both energized and serious about the work. In this day and age, though, people want to be part of something important and do work about which <i>they</i> are passionate, too. So how do you become a successful law firm leader in this shifting environment? In this hands-on learning session, our speaker will help you to identify and explore the unique passions and core ideals that are most important to you at this point in your law firm career and life. By identifying and reflecting on those elements, you will be better able to focus not only on your own efforts but also the disparate motivations that may exist inside your firm. Our speaker will help you to think through:</p> <ul style="list-style-type: none">• Different ways to lead your firms going forward;• How to identify the motivations of others and become an inspiration for them from a leadership position; and• How law firm leaders can lead differently and still meet your organization's goals.
11:15 a.m.–11:45 a.m.	<p>Law Firm Business Development: Referral Tips from the Maestros Charlie Plumb, McAfee & Taft, Tulsa, OK (moderator) Mark Adams, Jones Walker, New Orleans, LA John Gannon, Skoler, Abbott & Presser, P.C., Springfield, MA David Banks, Cades Schutte LLP, Honolulu, HI 2018 winner, TBA on Day 1 of this conference</p> <p>Having a highly qualified group of attorneys you can turn to for help in other states and Canada has become a key piece of the ECN membership. To encourage business referrals, in 2012, we began keeping track of business leads you and your firms have sent to other network members. Representatives of firms that have been particularly successful on the business referral front—all first-place winners of our annual contest to spotlight the most active givers—will lead the discussion and cover:</p> <ul style="list-style-type: none">• What clients have said about their interactions with ECN attorneys in other states;• How to let your law firm colleagues know about the network and get them involved;• How to use ECN membership as a selling point in negotiations with prospective clients;• How to leverage your possible membership in other law firm alliances;• How to remember to let Tony know when you've made a referral;• Things BLR could do better to help keep referrals front and center; and• Whether we should bring employment law firms from other foreign countries into the network.
11:45 a.m.–12:00 p.m.	Closing Comments



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