Annual Meeting of the Kansas Bar Association  
August 20 & 21, 2020

PROGRAM

Thursday, August 20

12:00 – 12:50 pm  
Section Meetings  
Zoom Conference  
Attendees will select a KBA Section most relevant to their practice area. These meetings will be held on Zoom (a link will be sent to each attendee). Use this opportunity to hear updates about the Section and network with other attorneys in your field. You do not need to be a dues-paying member of the Section to attend these meetings.

1:00 – 1:30 pm  
2020 Annual Meeting Kickoff  
Presenters: Charles Branson, KBA President  
Mira Mdivani, KBA Immediate Past President

1:40 – 2:30 pm  
Legal Issues in Voting Rights (1.0 CLE)  
Presenters: Jacqueline De León, Staff Attorney, Native American Rights Fund, Boulder, Colorado  
Jason Kaune, Nielsen Merksamer Parrinello Gross & Leoni, San Rafael, California

Jacqueline De Leon and Jason Kaune of the American Bar Association’s Standing Committee on Election Law will commence our conversations about voting rights by focusing on legal issues arising from administration of the 2020 election during the pandemic. They will introduce recently revised ABA Election Administration Guidelines and Commentary covering the maintenance of voter rolls in response to the United States Supreme Court’s 2018 decision in Husted v. A. Philip Randolph Institute; they will speak to the challenges of voting by mail, particularly in the Native American community; and they will touch on voting rights issues arising from counting ballots before and after elections, including the importance of in-person voting to disenfranchised voters, controversy concerning voter fraud and innovations like ranked-choice voting.
2:40 – 3:40 pm  Unconscious Bias: Creating a More Conscious Legal Organization (1.0 CLE*)
Presenter:  Dionne M. King, DMK Consults LLC, Kansas City, Missouri
Show me the bias! Being cognitively aware of unconscious and conscious bias is imperative for today’s progressive legal field. Bias intelligence develops diversity and inclusion competence in law firms, courts and legal organizations. This session educates on relevant definitions, industry trends, ethical responsibility, competency and awareness. Participants will know how to effectively manage bias, understand and appreciate diversity and leverage skills to develop inclusion competency for a more progressive practice of law.
*This CLE is pending accreditation for Missouri’s Elimination of Bias CLE requirement.

3:50 – 4:45 pm  Constitutional Issues Arising in Public Health (1.0 CLE)
Presenter:  Brian Vazquez, General Counsel, Kansas Department of Health & Environment, Topeka, Kansas
This presentation will review prior national and Kansas cases involving public health with emphasis on quarantine and isolation orders. The presentation will cover current public health administrative structure and the legal roles of the FDA, CDC, KDHE, and local health offices. The presentation will include discussion on First, Fourth and Tenth Amendments, due process rights, privacy rights, and preemption. There will even be a mention of “Typhoid Mary.”

Friday, August 21

10:00 – 10:30 am  Day Two Opening Remarks & Salute to Voting Rights
Presenters:  Governor Laura Kelly, Governor of Kansas
            Charles Branson, KBA President
            Scott Hill, Kansas Bar Foundation President

10:30 – 11:20 am  Expanding Access to the Ballot: Exploring the 15th and 19th Amendments (1.0 CLE)
Presenters:  Dr. Diana Carlin, Professor Emerita of Communication and former Associate Provost at Saint Louis University, Lawrence
            Hon. Joseph Pierron, Kansas Court of Appeals (Retired), Lawrence
On the 150th anniversary of the 15th Amendment and the 100th anniversary of the 19th Amendment to the U.S. Constitution, explore the relationship between the changes to suffrage that guaranteed access to the ballot. Discussion will include a look at women’s challenges to their voting rights, including the Minor case (Missouri) and the Susan B. Anthony trial. Explore the 15th Amendment with a look at the 1965 Voting Rights Act and recent Supreme Court decision.

11:30 – 12:30 pm  Tech Torture, Twitter, and Tricky Traps: Ethical Issues in New Technologies (1.0 Ethics CLE)
Presenter:  Stuart Teicher, CLE Performer & Ethics Educator, East Brunswick, New Jersey
Lawyer’s activities in a post-COVID world are going to include a greater reliance on social networking and remote communication. After all, getting, and conducting business will be done in a virtual fashion far more often. Join the CLE Performer, Stuart Teicher as he evaluates the myriad of ways that lawyers can get into trouble with social media and Zoom-like platforms…and also teaches a few tips for how to stay out of trouble!

12:30 – 1:30 pm  Lunch Break (On Your Own)
1:30 – 2:25 pm  State of the Judiciary in Kansas (1.0 CLE)  
**Presenter:** Chief Justice Marla J. Luckert, Kansas Supreme Court, Topeka  
COVID-19 has impacted almost every aspect of operating the Kansas judicial system and of 
governing the legal profession. The Chief Justice will briefly address and highlight Kansas 
courts’ innovative response to handling responsibilities during the pandemic. She will look 
forward to ways courts will handle caseloads in the upcoming months, including resuming 
jury trials. Learn about the challenges and opportunities ahead and how they will impact your 
practice.

2:30 – 3:20 pm  U.S. Supreme Court Review – 2019 and 2020 Terms Case Review & 
Important Election Law Cases (1.0 CLE)  
**Presenter:** Jared Maag, Assistant U.S. Attorney, District of Kansas, Topeka  
This fast-paced review of the U.S. Supreme Court’s last term and upcoming term will include 
an analysis of several important election law cases over the last five years. You will also learn 
more about the most recent decisions in Chiafolo v. Washington and Colorado Dept. of 
State v. Baca.

3:30 – 4:30 pm  From Suits to Stripes: Why You Should Not Do What TV Lawyers Do (1.0 
Ethics CLE)  
**Presenter:** Sean Carter, Humorist at Law, Mesa CLE LLC, Mesa, Arizona  
For years, television programs such as LA Law, The Practice and Boston Legal have shown 
lawyers skirting ethical boundaries and playing fast and loose with the rules. However, in 
2011, USA Networks jumped the proverbial shark when it began airing Suits, a show that is 
literally built on the premise of the unauthorized practice of law. And, over the next 9 
seasons, it highlighted lawyers engaging in continuous and increasingly serious ethical 
violations. Now that the show has (mercifully) come to an end, noted legal humorist Sean 
Carter will revisit some of the highlights (and ethical lowligh ts) of this sometimes 
astonishing television series. Moreover, he will illustrate the ways that life sometimes imitates 
art and how real lawyers have managed to trade their business suits for prisoner’s stripes by 
engaging in similar conduct. Finally, Mr. Carter will provide tips on how to tell fact from 
fiction in your own practice and to avoid the mindsets that result in these kinds of unethical 
behaviors in the first place.

4:30 pm  Thank You and Closing

*CLE Credits approved in Kansas and Missouri  
Kansas - 8 hours of CLE, including 2.0 Ethics & Professionalism  
Missouri - 8 hours of CLE, including 3.0 Ethics and 1.0 Elimination of Bias

All sessions (except Section Meetings) will be accessed by logging into your Kansas Bar Association Member or Guest account on ksbar.org. Directions will be emailed to you prior to the event.
About Our Presenters

Charles Branson is the President of the Kansas Bar Association for 2020-2021. He is the Douglas County District Attorney. Before running for election in 2004, Branson was in private practice in Lawrence; his practice focused on the areas of criminal and civil litigation. A long-time active member of the KBA, Branson has served on the Executive Committee of the Board of Governors, has been the KBA Representative on the Board of Trustees of the Kansas Bar Foundation, and has also been a member of the Bench-Bar Committee and the Scholarship Committee. Charles and his wife Kathy have two children, Chance and Grace, and are very proud to call Lawrence and Douglas County their home.

Mira Mdivani practices business immigration law in Overland Park. Mira is thankful to her colleagues at the Mdivani Corporate Immigration Law Firm, including Danielle Atchison, Leyla McMullen, and Mason Ellis, for supporting her ability to serve as 2019-2020 President of the Kansas Bar Association. Mira loves art, music, dancing, running, volunteering to help others, and she loves lawyers, all of which help her stay away from depression and have a meaningful life.

Jacqueline De León is an enrolled member of the Isleta Pueblo. As a staff attorney at NARF, she helps lead field hearings across Indian Country on Native American voting rights and practices ongoing voter rights litigation. Prior to her work at NARF, De León was a senior associate at WilmerHale for four years focusing on international antitrust and litigation. She holds a J.D. from Stanford and a B.A. from Princeton University in Philosophy. De León clerked for Judge William H. Walls of the United States District Court for the District of New Jersey and Chief Justice Dana Fabe of the Alaska Supreme Court.
Jason Kaune (Nielsen, Merksamer, Parrinello, Gross & Leoni LLP) leads the firm’s political law section. His practice focuses on government ethics, including the election, lobbying disclosure, conflict of interest, gift and gratuity, and campaign finance laws of federal, state and local governments. He additionally has administrative oversight of the firm’s San Francisco Bay Area office.

Mr. Kaune advises clients on the complex government regulation of the political intersection of the public and private sectors in the United States. For twenty years, he has pioneered the firm’s national compliance practice, building client-oriented resources and innovative systems with his political law colleagues that have served as benchmarks in the regulated community. As a recognized expert on corporate political compliance, his clients include the nation’s largest technology, pharmaceutical, energy, telecommunications, media, publishing, investment and consumer product companies.

He represents clients in regard to their dealings with federal, state and local government ethics agencies across the country, associating with local counsel as necessary. His expertise includes “pay to play” restrictions on government contractors, the Lobbying Disclosure Act (LDA), Federal Election Campaign Act (FECA), Foreign Agent Registration Act (FARA), California’s Political Reform Act (PRA), and similar laws at every level of government.

He is one of the leading political attorneys in California, advising individuals, entities and government agencies on complex election law and conflict of interest matters. He serves as counsel and treasurer political action committees, advocacy groups, social welfare organizations, independent expenditure committees and ballot measures on topics ranging from land use restrictions to government reform. He is a past president of the California Political Attorneys Association and member of the Council on Governmental Ethics Laws and other professional associations. He co-chairs the Practicing Law Institute’s widely regarded annual conference on Corporate Political Activities and has been appointed to the Standing Committee on Election Law for the American Bar Association.

Before joining Nielsen Merksamer, Mr. Kaune worked in the private and non-profit sectors, as a speechwriter in Washington, D.C., on a presidential campaign, and as an extern for a U.S. Federal District Court Judge and for the California Law Revision Commission. He received his degrees from Yale University, Harvard University’s Kennedy School of Government and the University of California Hastings College of the Law.

Dionne King is an award-winning cultural strategist who leads DMK Consults, LLC, an executive leadership firm that specializes in diversity, inclusion and mediation. Companies call her when they want to build an inclusive environment, develop business strategies, empower professionals to excel or avoid being sued! Her superpowers are leading strategic change and helping people play well together.

Dionne provides leadership and change management strategies for firms and organizations with both a national and international presence. Dionne is versed in race relations, strategic inclusion initiatives and leadership development. She is also an approved mediator for the Office of Dispute Resolution in Clay and Jackson Counties in Missouri. She authors curriculum for colleges and provides expert commentary on television, radio, podcasts and in magazines.

Dionne’s expertise is utilized by an impressive list of clients and she often serves as a featured keynote speaker and key strategist for national platforms. Her work has influenced the policies, personnel development, business operations and community relations practices for many companies she serves. Dionne is a proud mom. She is also an activist for homeless mothers and children in our community and was recognized by the Ford Motor Company with the Unsung Hero Award for her community service in Ghana, Dominican Republic, England and the United States. She was also awarded the Black
Achievers Award In Business and Industry and the Woman of Excellence In Business Award by Friends of Yates, Inc. Dionne enjoys traveling and working with people who are champions for positive change. Fun Facts: Dionne aspires to be a yodeler and a double-dutch jump rope champ one day!

Brian Vazquez serves as General Counsel for the Kansas Department of Health & Environment where he oversees the Environmental, Public Health, and Health Care Finance practice groups. He also provides advice and representation for the agency in administrative, legislative, and judicial matters. Brian, a graduate of Washburn University School of Law, has been a licensed attorney since 1979 and has experience in military claims, criminal defense, collections, probate, workers’ compensation, governmental contracts, HIPAA, and Medicaid law. He has more than 25 years of service as manager of and attorney for governmental programs involving claims against agencies, collections, representation of state Medicaid agency in litigation, and legal advisor to state in contract negotiations. He is a frequent presenter on Medicaid eligibility, liens, estate recover, administrative procedure, and legal ethics.

Governor Laura Kelly was sworn in as the 48th Governor of the State of Kansas on January 14, 2019. Laura grew up in a career military family where she learned the importance of service, integrity, and accountability. She has made it her life’s work to fight for children and families on the job, in her community, and as a four-term state senator. As the long-time leader of the Kansas Recreation and Park Association, Laura advocated for public parks across the state. She was a leading voice in promoting healthy families and communities and improving the quality of life in Kansas through top-notch parks and recreation services. In earlier jobs, she fought to improve mental health services and helped patients live healthy, more productive lives.

Laura was elected to the Kansas Senate in 2004. She immediately built a reputation as a no-nonsense leader who could work with anyone to get things done. After just two years, she was asked to serve as the Ranking Minority member on the important Ways and Means Committee. She has advocated for fiscally responsible, balanced budgets that still reflect the priorities of Kansas communities, like schools, health care, roads, and public safety. Laura was a key player in the establishment and funding of the Early Childhood Development Block Grants, which have helped thousands of Kansas children enter kindergarten ready to learn. Laura and her husband, Ted Daughety, a doctor of pulmonary and sleep disorders, live in Topeka and have been married for 36 years. They have two grown daughters, Kathleen and Molly Daughety.
**Diana Carlin** is professor emerita of communication and former associate provost at Saint Louis University. Prior to her tenure at SLU, she was a professor of communication studies at the University of Kansas for 24 years and also served as dean of the graduate school and international programs for 7 years. Her teaching and research is in political communication with an emphasis on campaigns and debates, political rhetoric, and women in politics. She has taught courses on women’s suffrage at KU and for the Osher Lifelong Learning Institute. During the 100th anniversary celebration of the 19th amendment she has lectured extensively on suffrage.

**Hon. G. Joseph Pierron** retired from the Kansas Court of Appeals on April 3, 2020, after serving for 30 years. Prior to his appointment in 1990 he was a district judge and prosecutor in Johnson County. He has received the Hid Greely Award from the ABA and awards at the state and local levels for law related education.

**Stuart I. Teicher**, Esq. is a professional legal educator who focuses on ethics law and writing instruction. A practicing attorney for over 25 years, Stuart’s career is now dedicated to helping fellow attorneys survive the practice of law and thrive in the profession. Mr. Teicher teaches seminars, provides in-house training to law firms and legal departments, provides CLE instruction at law firm client events, and also gives keynote speeches at conventions and association meetings.

Stuart helps attorneys get better at what they do (and enjoy the process) through his entertaining and educational CLE Performances. He speaks, teaches, and writes—Thomson Reuters published his book entitled, Navigating the Legal Ethics of Social Media and Technology.

Mr. Teicher is a Supreme Court appointee to the New Jersey District Ethics Committee where he investigates and prosecutes grievances filed against attorneys. Mr. Teicher is an adjunct professor of law at Georgetown Law where he teaches Professional Responsibility, and he is an adjunct professor at Rutgers University in New Brunswick where he teaches undergraduate writing courses.

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Chief Justice Marla J. Luckert is a fourth generation native of Sherman County, Kansas. After growing up on the western Kansas border and graduating from Goodland High School, Justice Luckert moved to Topeka for college and law school and has spent her professional career in the Capitol City. Justice Luckert has served the public as a judge and justice for nearly 30 years, handling thousands of cases.

Jared Maag serves as an Assistant United States Attorney for the District of Kansas. Maag is a 1995 Graduate of Washburn University School of Law and former Deputy Solicitor General with the Kansas Attorney General. Maag is a Colonel with the Kansas Air National Guard and has served as a Staff Judge Advocate and Senior Judge Advocate for the Kansas National Guard.

Sean A. Carter (Mesa CLE, LLC) graduated from Harvard Law School in 1992. He was a corporate securities lawyer in private practice in large law firms in Boston and Los Angeles serving clients such as GNC, the Boston Beer Company, Experian, Safelite Auto Glass, J. Crew and many others. In 2000, he accepted a position as in-house counsel for a publicly traded financial institution, at which he remained until October 2002. Since that time, Mr. Carter has been a full-time lecturer, columnist, and legal commentator. His writings have appeared in the Los Angeles Times, the Los Angeles Daily Journal, the ABA e-Report and on numerous blogs and websites, including Findlaw.com. He has been a guest on numerous radio programs across the country as well as online legal media outlets, such as The Legal Broadcast Network. In addition, Mr. Carter delivers more than 100 MCLE presentations each year on topics such as legal ethics, professionalism, the elimination of bias, substance abuse prevention, constitutional law, etc. He has spoken for state and local bar associations, law firms, law schools and corporate in-house legal departments in more than 30 states. Here is a partial list of organizations that have engaged him to give MCLE presentations.