

ETHICS AND DOMESTIC HUMAN RIGHTS LAWYERING

COLUMBIA LAW SCHOOL HUMAN RIGHTS INSTITUTE
CONTINUING LEGAL EDUCATION PROGRAM

JUNE 4, 2010 • 9:00 A.M. - 3:30 P.M.

SKADDEN ARPS • FOUR TIMES SQUARE, NEW YORK CITY • 37TH FLOOR, ROOMS ABC

CO-SPONSORED BY:

COLUMBIA LAW SCHOOL, HUMAN RIGHTS INSTITUTE
CENTER FOR CONSTITUTIONAL RIGHTS
CENTER FOR REPRODUCTIVE RIGHTS
NATIONAL ECONOMIC AND SOCIAL RIGHTS INITIATIVE

This training will explore whether and how adoption of a human rights framework in the domestic advocacy setting shapes a lawyer's ethical responsibilities. Lawyers who seek to incorporate international human rights standards and strategies into their advocacy efforts will benefit from attendance. Columbia Law School has been certified by the New York State Continuing Legal Education (CLE) Board as an Accredited Provider of CLE programs. Please see the "CLE Credit" heading for full details regarding the CLE credit award associated with this program.

AGENDA

9:00 - 9:30 A.M. REGISTRATION & BREAKFAST

9:30 - 10:00 A.M. WELCOME AND INTRODUCTORY REMARKS

- Risa E. Kaufman
Lecturer-in-Law & Executive Director, Human Rights Institute, Columbia Law School
- Bill Quigley
Legal Director, Center for Constitutional Rights

10:00 - 11:15 A.M. SESSION I: DOMESTIC HUMAN RIGHTS LAWYERING: WHAT IS THE ETHICAL FRAMEWORK?

This panel will address whether adopting international human rights standards and strategies in domestic advocacy impacts a lawyer's ethical responsibilities in ways unique from other means of domestic social justice advocacy. In other words, what is the framework for a domestic human rights lawyer's ethical obligations? Panelists will explore the appropriate and potential sources of the domestic human rights lawyer's ethical obligations; the role that human rights concepts such as a right to truth and dignity play in defining the attorney-client relationship and the attorney's strategic decision-making process; and how the various roles undertaken by human rights lawyers impact the ethical rules that might apply.

Panelists:

- William H. Simon
Arthur Levitt Professor of Law & Everett B. Birch Professor in Professional Responsibility, Columbia Law School

- Martha F. Davis
Associate Dean for Clinical and Experiential Education, Northeastern University School of Law
- Richard J. Wilson
Professor of Law & Director of the International Human Rights Law Clinic, American University Washington College of Law

Moderator:

- Deena R. Hurwitz
Associate Professor of Law & General Faculty Director, International Human Rights Law Clinic and Human Rights Program, University of Virginia School of Law

11:15 - 11:30 A.M. BREAK

11:30 A.M. - 1:10 P.M. SESSION II: ETHICAL OBLIGATIONS, DUTIES AND PITFALLS

This panel will address the specific ethical obligations, duties and pitfalls that arise for a practitioner employing a human rights strategy in the domestic context. Panelists will explore whether domestic social justice lawyers have an obligation to pursue human rights-based legal strategies; what a lawyer's ethical obligations are when representing the utility of a human rights framework to a community or client; and a lawyer's ethical obligations when engaging in international fora. The panel will also examine what ethical principles guide the pursuit of legal strategies employing a human rights framework, and what ethical concerns emerge when a domestic lawyer engages international fora in an attempt to influence international law in advocating for her client.

Panelists:

- Marianne L. Engelman-Lado
Visiting Assistant Professor, Seton Hall Law School
- Beth Lyon
Associate Professor of Law & Director, Farmworker Legal Aid Clinic, Villanova Law School
- Deborah LaBelle
Private practitioner, Law Offices of Deborah LaBelle
- Caroline Bettinger-López
Lecturer-in-Law and Clinical Staff Attorney, Human Rights Clinic & Deputy Director, Human Rights Institute, Columbia Law School

Moderator:

- Risa E. Kaufman
Lecturer-in-Law & Executive Director, Human Rights Institute, Columbia Law School

1:10 - 2:00 P.M. LUNCH

2:00 - 3:15 P.M.

**SESSION III: ROLE OF THE CLIENT IN DOMESTIC HUMAN RIGHTS
LAWYERING**

This panel will address the role of the client in domestic human rights lawyering. Does the attorney-client relationship in domestic cases using a human rights framework differ from that in more traditional forms of domestic social justice lawyering? The panelists will explore the client-centered model, how to ensure client empowerment and NGO accountability, and how human rights lawyers manage situations where a client's interests may conflict with that of the cause.

Panelists:

- Philip Genty
Clinical Professor of Law, Columbia Law School
- Diana Hortsch
Law School Initiative Director, Center for Reproductive Rights
- Meetal Jain
Practitioner-in-Residence, International Human Rights Law Clinic, American University Washington College of Law

Moderator:

- Muneer Ahmad
Clinical Professor of Law, Yale Law School

3:15 - 3:30 P.M.

CLOSING REMARKS

- Catherine Albisa
Executive Director, National Economic and Social Rights Initiative

CLE CREDIT: *Under New York State CLE regulations, this transitional and non-transitional CLE program will provide in aggregate a maximum of five (5.0) credit hours, all which can be applied toward the Ethics and Professionalism requirement. CLE credit will be awarded only to attorneys in attendance for entire sessions, as reflected in the conference register which attorneys must sign both prior to and following their attending program sessions. Attorneys attending only part of a session are not eligible for partial credit for it, although they are welcome to attend it. On departure, attorneys seeking credit should also submit their completed Evaluation Form, provided at the Conference.*