



----- CLE SEMINAR -----

The Changing Landscape of Administrative Law

*Co-produced with the Administrative &
Local Government Law Section and
the Government Lawyers Division
of the State Bar of Wisconsin*

LIVE SEMINAR: Friday, October 12, 2018 – Madison
WEBCAST: Friday, October 12, 2018

REPLAY WEBCAST: Tuesday, October 30, 2018
WEBCAST: Monday, November 5, 2018
WEBCAST: Friday, November 16, 2018
WEBCAST: Wednesday, November 21, 2018
WEBCAST: Thursday, November 29, 2018

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7.5 CLE
1.0 EPR

The Changing Landscape of Administrative Law

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Navigate admin law like a pro

Not every case goes to court. Proceedings before an administrative agency mean you must follow that agency's unique procedures and take time to effectively prepare. *The Changing Landscape of Administrative Law* explains the intricacies of this unique practice area.

Know what it takes to successfully practice before administrative and local government boards and agencies.

- Understand the proper procedures for various agency actions
- Learn agency-specific insights for working with:
 - ▶ Department of Workforce Development
 - ▶ Labor and Industry Review Commission
 - ▶ Department of Natural Resources
- Explore state executive branch powers and limits
- Find answers to common ethical questions arising in local government settings

In addition, hear an Administrative Law Judge's perspective on pre-hearing actions, hearing preparation, administrative proceedings, and more.

Transformational trends in agency authority

Discover how Act 21 is limiting the scope of administrative enforcement to keep it within the parameters of explicit statutory guidelines.

Look into potentially groundbreaking Wisconsin Supreme Court decisions scrutinizing the traditional practice of deference to agency interpretation of the law. Plus, find out what the future may hold regarding judicial review of agency decisions.

Approach your next administrative hearing with solid grounding from *The Changing Landscape of Administrative Law*. **Register now!**

Faculty

Planning Committee

Matthew P. Dregne
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Houseman & Feind LLP
Grafton

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Franklin

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Madison

Presenters

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Hawks Quindel, S.C.
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Department of Natural Resources
Madison

Vanessa D. Wishart
Stafford Rosenbaum LLP
Madison

Curtis A. Witynski
League of Wisconsin Municipalities
Madison

Schedule

8:30 AM Registration

9:00 AM Introduction to Act 21 and Changes in Administrative Law

Paul G. Kent

9:15 AM State Executive Branches: A National View

- Brief history of the rise of gubernatorial power in the states
 - Description of common gubernatorial powers nationwide
 - Discussion of checks and balances relevant to state executive branches
- Miriam Seifter*

9:45 AM Judicial Review of Agency Decisions and the (Changing) Nature of Deference

- Wisconsin's traditional agency deference regime
 - Groundbreaking cases from the Supreme Court (potentially)
 - Predictions for the future of judicial review of agency decisions
- Kevin M. LeRoy*

10:30 AM Break

10:45 AM Recent Legislation Regarding Administrative Rulemaking

Scott Grosz

11:15 AM Lobbying on Rules and Other Agency Actions

- Scope statement review by governor
- Commenting on agency's proposed rule

- Public hearing
 - Legislative review
 - Other agency actions — guidance and interpretations
- Curtis A. Witynski*

11:45 AM Lunch (on your own)

1:00 PM The Changing Landscape of Ethics and Professional Responsibility

- Dealing with different objectives of representation from a diverse group of individuals in the local government setting
 - Determining how best to educate individuals about the role of the government lawyer
 - Challenges of identifying who is the client in a local government setting
 - Experiences in representing local government and the variety of ethics issues that arise from the representation
- Dean R. Dietrich*

1:50 PM A View from the ALJ Bench

- Division of Hearings and Appeals: A brief overview
 - Pre-hearing: Conferences, motions, and hearing preparation
 - Hearing: Court proceedings vs. administrative proceedings
 - Post-hearing: Briefing, objections, and rehearing requests
- Jennifer E. Nashold*

2:40 PM Break

2:55 PM Agency Deference Has Been Defenestrated: Tetra Tech, Beres, and Wisconsin Bell

Colin B. Good

3:45 PM Agency-Specific Insights for Working with the DNR

Vanessa D. Wishart
Andrew J. Simek

4:35 PM Program Concludes

Following program start time, webcast replay schedule will vary slightly from above listed times.

Location

Live Seminar

Madison, State Bar Center

5302 Eastpark Blvd., American Center,
(608) 257-3838

Credits

This program has been submitted to the Wisconsin Board of Bar Examiners for up to **7.5 CLE credits including 1.0 Ethics and Professional Responsibility credit.**

The live seminar and live webcast on October 12, 2018 will also be submitted for Minnesota credit.

Administrative & Local Government Law Section Members:

Attend the live seminar or live webcast on October 12, 2018 to receive a \$20.00 discount off your tuition.

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Who should attend

- Administrative law practitioners
- Local government lawyers
- Corporate counsel

How you'll benefit

- Receive an overview of where administrative law has been and where it's going in Wisconsin
- Compare gubernatorial powers in Wisconsin with those in other states
- Consider predictions for the future of judicial review of agency decisions
- Review lobbying on rules and other agency actions
- Explore ethical issues in representing individuals and entities within local government
- Hear from the ALJ bench on what happens before, during, and after hearings

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Additional Learning Opportunities

15th Annual Commercial Real Estate Update

Even small shifts in interest rates, inflation, employment levels, and wage increases can cause major changes in commercial real estate. Walk away with invaluable tools and insights that will keep your practice running smoothly whatever the future brings. **4 CLE**

Live Seminar & Live Webcast: Nov. 1, 2018 – Madison

Webcast Replays: Nov. 16, 2018 | Nov. 20, 2018 | Nov. 26, 2018 | Dec. 6, 2018 | Dec. 12, 2018

Public Records, Open Meetings Update

Receive updates on the latest developments in public records and open meetings law. Explore the impact of the *Krueger* decision on open meetings. In addition, understand public records challenges in the #MeToo era. **4 CLE**

Webcast Replays: Sept. 26, 2018 | Oct. 2, 2018 | Oct. 12, 2018 | Oct. 18, 2018 | Oct. 23, 2018
Dec. 8, 2018 | Dec. 17, 2018 | Jan. 22, 2019

Wisconsin Governmental Claims and Immunities Handbook

It's your guide to the sometimes baffling process of litigation involving a government agency. This book covers sovereign, governmental, and discretionary immunity as well as local government immunities, recreational immunity, prosecutorial immunity, and more. (Includes 2016-17 supplement)

Print Book: #AK0186; 130+ pp.; 3rd ed. 2014-15 | Member: \$119 | Nonmember: \$149
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Wisconsin 2018 Municipal Law Codebook: Cities, Towns, and Villages

Easily find the statutes lawyers deal with most when handling matters falling under municipal jurisdiction. This handy codebook addresses topics such as municipal governance, officials, and procedures; public and emergency services and personnel; and revenues and taxation. (Updated annually)

Print Book: #AK0427E18; 876+ pp.; 2018 | Member: \$69 | Nonmember: \$89

Wisconsin Public Records and Open Meetings Handbook

Learn the correct processes for responding to public records requests, reviewing notice requirements for open meetings, and determining when a meeting can be closed to the public. It also helps you stay ahead of changes with discussion of the latest case law and legislative updates. (Includes 2017-18 supplement)

Print Book: #AK0199; 382+ pp.; 5th ed. 2016 | Member: \$129 | Nonmember: \$159
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The Changing Landscape of Administrative Law

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