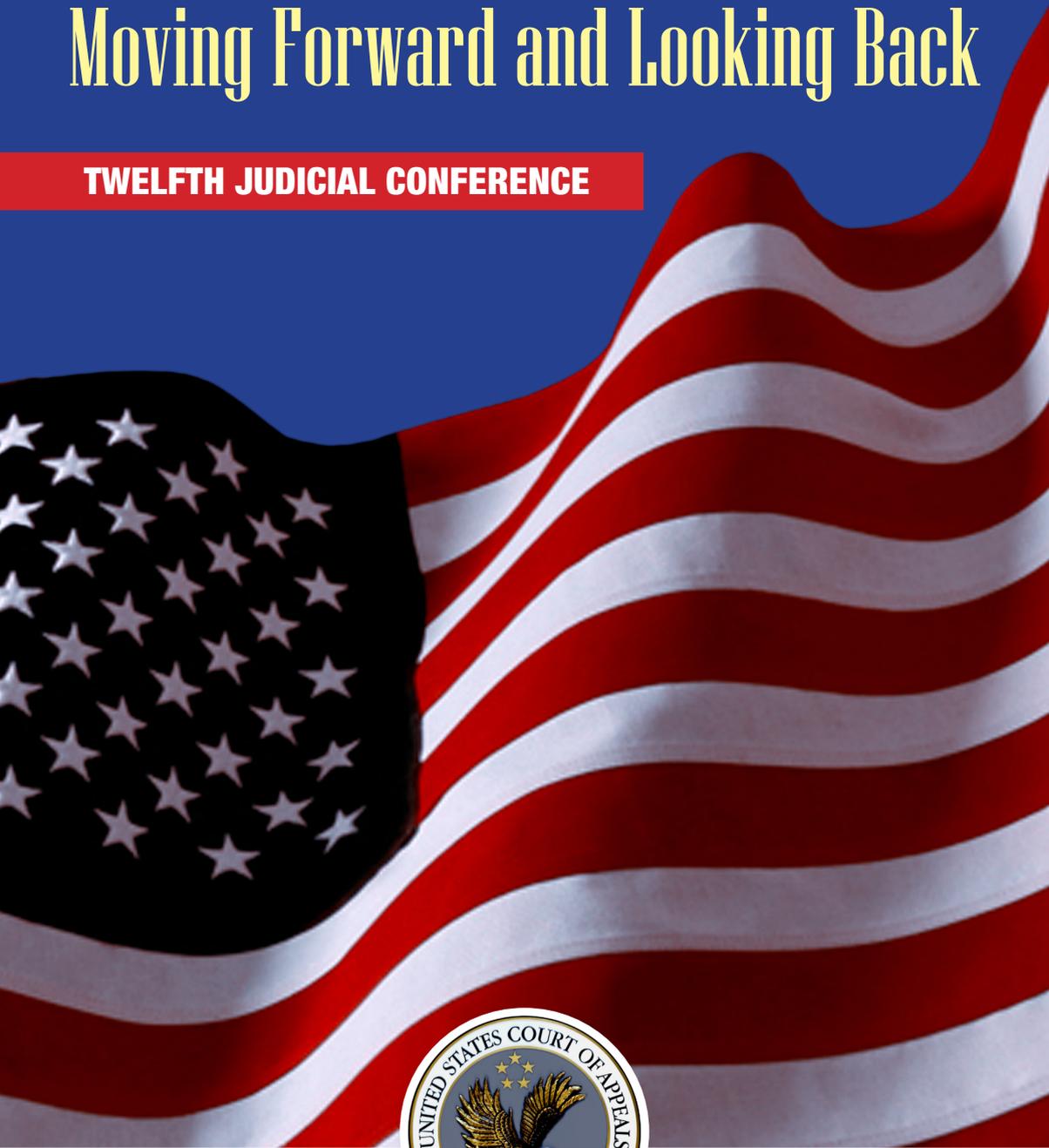


UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

25 Years of Judicial Review: Moving Forward and Looking Back

TWELFTH JUDICIAL CONFERENCE



Washington, D.C.

April 18-19, 2013

Grand Hyatt Washington



AN INVITATION

Chief Judge Bruce E. Kasold of the United States Court of Appeals for Veterans Claims (CAVC) summons the Judges of the Court, all persons admitted to practice before it, and all persons interested in the practice of veterans law to the Grand Hyatt Washington, for the Twelfth Judicial Conference of the United States Court of Appeals for Veterans Claims, to be held April 18 and 19, 2013, in Washington, D.C.



THE PROGRAM

Judicial Conference

The Conference theme is “25 Years of Judicial Review: Moving Forward and Looking Back.” The program will address the challenges ahead for veterans law practitioners and honor the past as we recognize and celebrate 25 years since the creation of the Court in 1988. The program will focus on the changing landscape of veterans law and will offer sessions that appeal to all who practice or have an interest in veterans law. Highlights of the offerings include:

- Keynote Address by U.S. Supreme Court Justice Antonin Scalia
- Professor Michael Allen’s Review of Recent Case Law Trends
- An Ethics Presentation Specifically Pertaining to Veterans Law
- “Meet the New Judges”—A Conversation with Judges Pietsch, Bartley, and Greenberg
- How and When to Appeal to the U.S. Court of Appeals for the Federal Circuit and the U.S. Supreme Court
- Hot Topics: A Spirited Exchange on Virtual Records, EAJA, and More
- Making Sense of *Mitchell* and *DeLuca*

The Judicial Conference Program Committee, an advisory group responsible for formulating the legal content of the Court’s Conference, developed this year’s program. The Committee is composed of representatives from all areas of veterans law practice. In addition to several members of the Court’s staff, current Committee members include Glenn A. Bergmann, Bergmann & Moore, LLC, representing the private bar; Christine Cote, Senior Staff Attorney, representing the National Veterans’ Legal Services Program; Kathy A. Lieberman, Lieberman & Mark, representing the National Organization of Veterans’ Advocates, Inc.; Tara L. Reynolds, representing the Board of Veterans’ Appeals; Leslie Rogall, Deputy Assistant General Counsel, representing the VA Office of General Counsel; and Leonard J. Selfon, General Counsel, representing the Paralyzed Veterans of America, a veterans service organization (VSO). Two of the Court’s Judges, the Honorable Mary Schoelen and the Honorable Margaret Bartley, acted as Co-Chairs of the Committee.

CAVC Bar Association – Friday Half-Day Program

The CAVC Bar Association will also conduct a half-day program on April 19, 2013, immediately following the conclusion of the Court’s Judicial Conference. The program will feature a 2-hour panel on understanding and developing expert evidence on medical causation issues. The panel will include senior epidemiologists, researchers, and physicians in a host of fields relevant to veterans law, including the Air Force’s Hearing Conservation Program Manager, an orthopedic trauma expert from Walter Reed, and a specialist from the Centers for Disease Control and Prevention on water contamination issues at Camp LeJeune, as well as private researchers with decades of experience in conditions related to radiation exposure and post-traumatic stress disorder among Vietnam veterans. The Bar Association will follow the panel presentation with an address by the Honorable Allison A. Hickey, Under Secretary for Benefits, U.S. Department of Veterans Affairs. Look for updated information at www.cavcbar.net.



GENERAL INFORMATION

LOCATION

Grand Hyatt Washington
1000 H St., N.W.
Washington, D.C. 20001

TO REGISTER

Registration Fees

Early Bird Registration:
Through March 8th.

Regular Registration:
March 9th through
April 8th (midnight).

At-the-door registration is also available.

Student rate throughout registration	\$275
Early Bird rate for Government and VSOs.	\$275
Regular rate for Government and VSOs.	\$345
Early Bird rate for Practitioners	\$340
Regular rate for Practitioners	\$390
At-the-door registration for Practitioners, Government, and VSOs	\$440

To register, please complete the Registration Form at www.uscourts.cavc.gov.

CAVC Bar Association Registration

Registration for the Bar Association’s component of the Judicial Conference is *free* to all *current* members. The cost for nonmembers is \$95, which includes membership in the CAVC Bar Association for the remainder of the membership year.



To register for the CAVC Bar Association program, please see the Judicial Conference Registration Form at www.uscourts.cavc.gov.

SEMINAR PREFERENCES

Please note the topics for the “breakout” seminars on pages 11 and 12 of this program. There will be time to attend only two seminars, one in the morning and one in the afternoon. Please list in order of preference the two seminars you wish to attend. Kindly also list your third and fourth alternate choices. We will make every effort to accommodate your preferences. Register early!

CLE ACCREDITATION

The Court will seek accreditation from any state requested by attendees. Please complete the appropriate section on the Registration Form.

DIETARY RESTRICTIONS

Lunch will be served on both days of the Conference. There are options for dietary restrictions. Please see the appropriate section on the Registration Form.

FOR MORE INFORMATION

Visit the Court’s website at www.uscourts.cavc.gov or call **Robert Bieber**,
CAVC Deputy Executive Officer,
at (202) 501-5980 ext.1050.



PROGRAM

APRIL 18, 2013

- 7:15 a.m.** REGISTRATION/CONTINENTAL BREAKFAST
- 8:15 a.m.** CALL TO ORDER
Judges Mary J. Schoelen and
Margaret Bartley, U.S. Court of Appeals for
Veterans Claims Judicial Conference Co-Chairs
- PRESENTATION OF THE COLORS
- NATIONAL ANTHEM
- 8:30 a.m.** WELCOMING REMARKS AND
STATE OF THE COURT
Chief Judge Bruce E. Kasold,
U.S. Court of Appeals for Veterans Claims
- 9:00 a.m.** **Justice Antonin Scalia**,
Supreme Court of the United States
- 10:00 a.m.** BREAK
- 10:10 a.m.** RAISING THE BAR: LAW SCHOOL VETERANS
CLINICS AND THE VETERANS LAW
COMMUNITY
- Introduction:** **Judge Alan G. Lance, Sr.**,
U.S. Court of Appeals for Veterans Claims
- Moderator:** **Justin G. Holbrook, Esq.**, *Associate Professor of
Law and Director*,
Veterans Law Clinic, Widener Law School,
Wilmington, Delaware
- Panelists:** **Michael J. Wishnie, Esq.**,
*William O. Douglas Clinical Professor of Law and
Director*,
Jerome N. Frank Legal Services Organization,
Yale Law School,
New Haven, Connecticut



PROGRAM *Continued*

Stacey-Rae Simcox, Esq.,

Adjunct Professor of Law and Managing Attorney,
Lewis B. Puller, Jr. Veterans Benefits Clinic,
William & Mary Law School,
Williamsburg, Virginia

Bryan Clauss, Esq., *Director,*

Veterans Legal Support Center and Clinic,
The John Marshall Law School,
Chicago, Illinois

Tammy M. Kudialis, Esq., *Director,*

Project SALUTE and Veterans Appellate Clinic,
University of Detroit Mercy School of Law,
Detroit, Michigan

Kyndra K. Rotunda, Esq.,

Associate Professor and Executive Director,
AMVETS Legal Clinic,
Chapman University School of Law,
Orange, California

Col. Gary Leonard, Esq.,

USAF (Ret.), General Counsel,
Fermi National Accelerator Laboratory,
Batavia, Illinois

11:00 a.m.

BREAKOUT SEMINARS

Noon

LUNCHEON

12:30 p.m.

TRENDS AT THE U.S. COURT OF APPEALS FOR
VETERANS CLAIMS AND THE U.S. COURT OF
APPEALS FOR THE FEDERAL CIRCUIT

Michael P. Allen, Esq.,

Professor of Law,
Stetson University College of Law,
Gulfport, Florida



PROGRAM *Continued*

2:15 p.m. BREAK

2:25 p.m. BREAKOUT SEMINARS

3:25 p.m. BREAK

3:35 p.m. SEARCHING FOR RECORDS: NAVIGATING
NPRC & JSRRC

Moderator: **Glenn A. Bergmann, Esq.,** *Partner,*
Bergmann & Moore, LLC

Panelists: **Scott Levins,** *Director,*
National Personnel Records Center (NPRC)

Domenic M. Baldini, *Director,*
Joint Services Records Research Center (JSRRC),
Office of Administrative Assistant to Secretary of
the Army

Christi Greenwell, *Assistant Director,*
Procedures Staff, Compensation Service,
VA Veterans Benefits Administration

5:05 p.m. COMMITTEE REPORTS

Kenneth A. Walsh, Esq., *Chair,*
Committee on Admission and Practice,
U.S. Court of Appeals for Veterans Claims

Linda E. Blauhut, Esq., *Chair,*
Rules Advisory Committee,
U.S. Court of Appeals for Veterans Claims

5:20 p.m. RECEPTION
Sponsored by CAVC Bar Association



APRIL 19, 2013

- 7:00 a.m.** CONTINENTAL BREAKFAST
- 8:10 a.m.** CALL TO ORDER
- 8:20 a.m.** A CONVERSATION WITH THE NEW JUDGES
- Moderator:** **Senior Judge William P. Greene, Jr.,**
U.S. Court of Appeals for Veterans Claims
- New Judges:** **Judge Coral Wong Pietsch,**
U.S. Court of Appeals for Veterans Claims
- Judge Margaret Bartley,**
U.S. Court of Appeals for Veterans Claims
- Judge William S. Greenberg,**
U.S. Court of Appeals for Veterans Claims
- 8:50 a.m.** ANATOMY FOR ATTORNEYS
Samuel D. Hodge, Jr., Esq., *Chair,*
Legal Studies Department,
Temple University Beasley School of Law,
Philadelphia, Pennsylvania
- 10:20 a.m.** BREAK
- 10:30 a.m.** ETHICS
Ethics and Veterans Law Practice—The
Spectrum from Discipline to Civility
- Gregory O. Block, Esq.,** *Clerk of the Court,*
U.S. Court of Appeals for Veterans Claims
- 12:30 p.m.** LUNCH/“SUGGESTION BOX” LUNCH
- 1:30 p.m.** CLOSING REMARKS
Chief Judge Bruce E. Kasold,
U.S. Court of Appeals for Veterans Claims

Judicial Conference Ends.



BAR ASSOCIATION PROGRAM

1:45 p.m. UNDERSTANDING MEDICAL CAUSATION
EVIDENCE: A CONVERSATION WITH THE
EXPERTS

Moderator: **James D. Ridgway, Esq.,**
President, CAVC Bar Association

Panelists: **Dr. Michael R. Peterson,**
Consultant, Post-Deployment Health,
Office of Public Health, VA Veterans Health
Administration

Capt. Elizabeth McKenna,
Hearing Conservation Program Manager,
Epidemiology Consult Service,
USAF School of Aerospace Medicine,
Wright-Patterson AFB, Ohio

Dr. Glen I. Reeves,
Principal Scientist, Human Effects and
Medical Response,
Applied Research Associates, Inc.,
Arlington, Virginia

Lt. Col. Wade Gordon, MD,
USAF MC, Interim Chief,
Orthopedic Trauma Service,
Department of Orthopedic Surgery, Walter Reed
National Military Medical Center,
Bethesda, Maryland

Dr. Samuel Belkin,
Chief of Optometry,
VA Medical Center



Dr. Thomas H. Sinks,

Deputy Director,

National Center for Environmental Health/
Agency for Toxic Substances and Disease
Registry, Centers for Disease Control and
Prevention,
Atlanta, Georgia

Dr. William E. Schlenger,

Principal Scientist,

Abt Associates Inc.,
Durham, North Carolina

3:45 p.m.

Brig. Gen. Allison A. Hickey,

USAF (Ret.),

VA Under Secretary for Benefits



BREAKOUT SEMINARS

Hot Topics:

A Spirited Exchange on Virtual Records, EAJA, and More

Moderator: **Linda E. Blauhut, Esq.,**
Associate General Counsel,
Paralyzed Veterans of America

Panelists: **Louis J. George, Esq.,**
Senior Staff Attorney,
National Veterans Legal Services Program

Thomas E. Sullivan, Esq.,
Senior Appellate Attorney,
VA Office of General Counsel

Understanding Character of Discharge and Benefits Eligibility Issues

Panelists: **Leslie C. Rogall, Esq.,**
Deputy Assistant General Counsel,
VA Office of General Counsel

Major John W. Brooker, Esq.,
U.S. Army, Associate Professor,
U.S. Army Judge Advocate General's Legal
Center and School

Major Evan R. Seamone, Esq.,
U.S. Army, Chief, Military Justice,
U.S. Army Maneuver Center of Excellence,
Fort Benning, Georgia



Making Sense of *Mitchell* and *DeLuca*

Moderator: **Andrew P. Reynolds, Esq.,**
Staff Attorney/Mediator,
Central Legal Staff,
U.S. Court of Appeals for Veterans Claims

Panelists: **Capt. Edward R. Zech, MD, FACS, FCCP,**
MC, USN (Ret.), Medical Advisor,
VA Board of Veterans' Appeals

Amy F. Odom, Esq.,
Staff Attorney,
National Veterans Legal Services Program

Gayle Strommen, Esq.,
Deputy Assistant General Counsel,
VA Office of General Counsel

How and When to Appeal to the Federal Circuit and Supreme Court

Moderator: **Daryl Joseffer, Esq.,**
Partner,
King & Spaulding

Panelists: **Martin F. Hockey, Jr., Esq.,**
Assistant Director,
Commercial Litigation Branch,
U.S. Department of Justice

Ronald L. Smith, Esq.,
Counsel,
Finnegan, Henderson, Farabow,
Garrett & Dunner, LLP

Richard J. Hipolit, Esq.,
Assistant General Counsel,
VA Office of General Counsel

TWELFTH JUDICIAL CONFERENCE



UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

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