

Professional Liability Track Schedule

12:00 - 12:45 P.M. **REGISTRATION OPEN**

12:45 - 1:00 P.M.

WELCOME AND INTRODUCTIONS

Melissa Dorman Matthews, Program Chair, Hartline Barger LLP, Dallas, TX USA

Andrew S. Chamberlin, 2020-2021 IADC President, Ellis & Winters LLP, Greensboro, NC USA

1:00 - 2:00 P.M.

CYBER SECURITY FACING LAW FIRMS

Regardless of the size of a business or law firm, the threat of a cyber breach is real and must be taken seriously. COVID's impacts reverberate throughout the legal community, and an increase in cyber exposures can be felt throughout the world. Notably, cybercrimes have evolved over the years, and extremely sophisticated operations targeted towards law firms and businesses alike are causing catastrophic losses today. This panel of experts will discuss the latest schemes and COVID's impacts, while also sharing with you their ideas for how to mitigate risks and institute the best practices for defending your businesses and firms.

Moderator: **Kathleen V. Buck**, Vice President – Claims, Minnesota Lawyers Mutual Insurance Company, Minneapolis, MN USA

Panelists: **Tara Nayak**, Senior Claims Counsel, AXA XL, Chicago, IL USA; **Todd C. Scott**, Vice President of Risk Management, Minnesota Lawyers Mutual Insurance Company, Minneapolis, MN USA; **Lisa Tulk**, Kessler Collins, Dallas, TX USA

2:00 - 2:15 P.M. **REFRESHMENT BREAK**

2:15 - 3:15 P.M.

DIVERSITY INITIATIVES FOR THE LEGAL FIELD

**THIS PROGRAM IS ELIGIBLE FOR ELIMINATION OF BIAS/DIVERSITY AND INCLUSION CREDIT.*

As part of the IADC's commitment to diversity, we strive to create an Association and collegial environment that reflects the diverse backgrounds of those in the profession and educate ourselves on initiatives underway to enhance opportunities to diversify all aspects of the legal field. In order to achieve the goal of inclusion, it is critical to understand why our profession is the nation's least diverse. Sybil Dunlop, an award-winning speaker, presents to audiences nationally on issues impacting diversity and inclusion. She will share her knowledge, drawing from neuroscience and behavioral psychology, to shed light on some of the problems while offering helpful tips on ways to effectuate change.

Panelist: **Sybil L. Dunlop**, Greene Espel PLLP, Minneapolis, MN USA

3:15 - 3:30 P.M. **REFRESHMENT BREAK**

3:30 - 4:30 P.M.

MODERN TRENDS IN THE BUSINESS OF LAW

Is the sun setting on the traditional model of only lawyers being allowed to provide legal services? A growing number of jurisdictions are considering and even allowing non-lawyers to own law firms and to provide services to the public traditionally performed exclusively by lawyers. But while some states are considering broadening who can practice law, the first state to adopt such a program slammed on the brakes after just ten years. This panel will discuss the current status of such activities and explore the legal, ethical, and business implications of this growing trend, along with pros and cons for the profession and the wider community.

Moderator: **David C. Anderson**, Collins Einhorn Farrell, P.C., Southfield, MI USA

Panelists: **Deborah Bjers**, Head of Small and Mid-Sized Lawyers Group, Swiss Re Corporate Solutions, Chicago, IL USA; **Lori Worthington Hurl**, Forsberg & Umlauf, P.S., Seattle, WA USA; **Andrea Schillaci**, Hurwitz & Fine, P.C., Buffalo, NY USA

4:30 - 4:40 P.M.

CLOSING REMARKS

Melissa Dorman Matthews, Program Chair, Hartline Barger LLP, Dallas, TX USA

4:40 - 5:40 P.M. **COCKTAIL RECEPTION**

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Medical Liability Track Schedule

12:00 - 12:45 P.M. **REGISTRATION OPEN**

12:45 - 12:50 P.M.

WELCOME AND INTRODUCTIONS

Douglas Vaughn, Program Chair, Deutsch Kerrigan, LLP, Gulfport, MS USA

12:50 - 1:50 P.M.

STRATEGIES FOR THE DEFENSE OF MEDICAL TRANSPORTATION AND PRE-HOSPITAL CARE

The panel will describe the challenges and provide strategies for the defense of pre-hospital care in the medical transportation industry. Under discussion will be the types of cases that subject defendants in the medical transportation industry to the most significant liability including airway management, traumatic brain injury, patient elopement, equipment failures (such as ambu bags and defibrillators), medication issues (particularly with mental health patients and patients with possible “excited delirium” that may receive ketamine in the field), failure to transport patients, and dealing with patients who have recently encountered law enforcement. Issues addressed may include defining the patient - provider relationship and duties, when to reach out to family related to issues, the performance of immediate investigations with serious safety events, and an exploration of causation defenses.

Moderator: **Jill M. Steinberg**, Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., Memphis, TN USA

Panelists: **Ellen Harmon**, Associate General Counsel, Global Medical Response, O’Fallon, MO USA; **Stanley T. Proctor**, Senior Vice President, Western Litigation, Inc., Houston, TX USA

1:50 - 2:00 P.M.

IADC PRESIDENT’S WELCOME

Andrew S. Chamberlin, 2020-2021 IADC President, Ellis & Winters LLP, Greensboro, NC USA

2:00 - 2:15 P.M. **REFRESHMENT BREAK**

2:15 - 3:15 P.M.

ARE HUMANS BECOMING OBSOLETE? ROBOTS, DRONES, AND 3D PRINTING - A WELCOME ADDITION OR THREAT TO JOB SECURITY?

Integration of medical technology is required to meet evidence-based medicine standards. Robots are being used to support, assist, and extend healthcare services. Robots, mostly known for their use in surgery, are also responsible for a 70% drop in hospital acquired infections with their fast and effective systematic disinfection of healthcare facilities. In jobs of repetitive nature, they are predicted to completely replace humans. Similarly, drones are being used in lieu of humans to transport blood for transfusions or to deliver medicine to rural areas, among numerous other uses. 3D printing, or additive manufacturing, enables the construction of human tissue used for burn victims, or organ prosthetics for those in need of transplants. Again, lessening the manpower required to deliver healthcare. Such innovations are mandated by evidenced-based standards, yet, there exists a pushback from healthcare clinicians who are fearful that such integration of technology will make their positions obsolete. This session will address the available technology, the legal requirements involved in providing evidence-based medicine, the potential risk exposure, and analysis of case law which suggests that the failure to incorporate technology, even in the face of minority support, can constitute a breach of the standard of care.

Moderator: **Constance A. Endelicato**, Wood Smith Henning & Berman LLP, Los Angeles, CA USA

Panelist: **Bill Bower**, Senior Vice President, Director of Healthcare, Gallagher Bassett, Houston, TX USA

3:15 - 3:30 P.M. **REFRESHMENT BREAK**

3:30 - 4:30 P.M.

CORONAVIRUS HITS HOME – HOW DO NURSING HOMES AND LONG-TERM CARE FACILITIES SWOT CLAIMS RELATE TO COVID-19?

Using a real-world example, the panel will discuss the strengths, weaknesses, opportunities, and threats (SWOT) nursing homes and long-term care facilities face as claims related to COVID-19 make their way through the court system. Issues discussed will include immunity laws, defenses, exposure timelines, staff training, documentation issues, employee exposures, insurance coverage concerns, and arbitration vs. litigation.

Moderator: **W.M. Bains Fleming, III**, Norman, Wood, Kendrick & Turner, Birmingham, AL USA

Panelists: **Reed R. Bates**, Starnes Davis Florie LLP, Birmingham, AL USA; **Joel Koppenhoefer**, Claims Consultant, MedPro Group, Chicago, IL USA

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