



# 2023 February Finale CLE

February 20–24



## Event Schedule and Full Agenda

### **Our biggest CLE event of the year! Let's get started building your program.**

Below are 8 new three-hour CLE sessions that you can mix and match to create your own unique learning experience, broken out by day and session 1 or session 2 (if applicable).

Go to [ncbar.org/FebruaryFinale](https://ncbar.org/FebruaryFinale) to register online. If you would like us to handle the registration for you instead, give us a call at 919.677.0561.

We look forward to having you join us. It will be an engaging week of real-time Live Webcast CLE.

# NCBA FEBRUARY FINALE

DAY 1, SESSION 1

## Real Estate Development Economics and the Design Process

**Monday, February 20, 2023**  
**Live Webcast**

**NORTH CAROLINA: 3.00 MCLE HOURS**

Planned by the NCBA CLE Department

**SPEAKER**

- Ben Stevens, ZOM Living, Raleigh

This CLE, taught by developer and author Ben Stevens, provides you with information on real estate development economics and takes you on a start to finish journey of the design process.

These sessions are designed to help you best support your clients in construction and real estate projects.

**Monday, February 20, 2023 | 8:55 AM–12:15 PM**

8:55 **Welcome and Introductions**

9:00 **Real Estate Development Economics**

Numbers drive decision-making, but financial modeling courses are often long and tedious. Developer Ben Stevens, author of the popular book *The Birth of a Building*, gives beginner-friendly explanations of the big ideas and numbers that drive decision-making in real estate development projects.

11:00 **Break**

11:15 **The Design Process: From Start to Finish**

Once a purchase agreement is executed, developers start quickly designing and entitling their building idea. But what precisely happens over the course of those months? This session helps us understand how to get from an initial “test fit” sketch to “issued for construction” drawings and introduce the challenges one faces along the way.

12:15 **Adjourn**

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# NCBA FEBRUARY FINALE

DAY 1, SESSION 2

## Ethics of Law Firm Cybersecurity, Resilience Training and Reviewing the Big Cs

**Monday, February 20, 2023**  
**Live Webcast**

### **NORTH CAROLINA: 3.00 MCLE HOURS**

Includes:

- 2.00 Ethics/Professional Responsibility
- 1.00 Substance Abuse/Mental Health
- 1.00 Technology Training

Planned by the NCBA CLE Department

### **SPEAKERS**

- William S. “Will” Graebe, Lawyers Mutual Liability Insurance Company of NC, Cary
- Candace A. Hoffman, North Carolina Lawyers Assistance Program (NCLAP), Raleigh
- Sharon D. Nelson, Sensei Enterprises Inc., Fairfax, VA
- Amy E. Richardson, HWG LLP, Raleigh
- John W. Simek, Sensei Enterprises Inc., Fairfax, VA
- Lauren E. Snyder, HWG LLP, Raleigh

Satisfy your ethics/professional responsibility, technology and substance abuse/mental health CLE requirements with this convenient three-hour compliance bundle.

This program offers information on the evolving ethics of law firm cybersecurity, provides resilience training, and helps you navigate the big Cs – confidentiality, communication and conflicts.

**Monday, February 20, 2023 | 12:55–4:20 PM**

12:55 **Welcome and Introductions**

1:00 **The Evolving Ethics of Law Firm Cybersecurity: Practical and Budget-Friendly Tips\*\*** | Nelson and Simek

Did you know that 27% of law firms now acknowledge that they have been breached? Notoriously, law firms are a one-stop shop for cybercriminals because, unlike most businesses, they hold the data of many companies and individuals. Ethics rules require that lawyers take “reasonable” steps to protect their confidential data. But what’s reasonable? That changes over time. Our experts offer the most current advice on how you can shore up your defenses, identifying specific budget-friendly steps you can take.

2:00 **Break**

2:10 **Calm in the Midst of Chaos – Resilience Training<sup>†</sup>** | Graebe and Hoffman

Lawyers deal with daily, chronic stressors inherent in a highly competitive, adversarial arena, which may lead to a myriad of mental health problems. LAP staff and volunteers delve into evidence-based practices to help lawyers cope with specific stressors inherent in the practice of law. Participants are exposed to practices such as mindfulness and meditation, reframing perceptions and mindsets and ways to improve overall physical wellbeing.

3:10 **Break**

3:20 **The Big Cs – Confidentiality, Communication and Conflicts—Every Lawyer Should Know<sup>\*</sup>** | Richardson and Snyder

This course covers important ethics issues, such as maintaining client confidences, communicating effectively with clients, and properly analyzing conflicts. It reviews the rules governing those issues and offer tips for how to manage them when they arise in your practice. It also discusses recent, related amendments to the Rules of Professional Conduct, specifically amendments to Rules 1.6 (Confidentiality of Information) and 1.9 (Duties to Former Clients).

4:20 **Adjourn**

\* Indicates portion providing Ethics/Professional Responsibility credit

† Indicates portion providing Substance Abuse/Mental Health credit

‡ Indicates portion providing Technology Training credit

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# NCBA FEBRUARY FINALE

DAY 2, SESSION 1

## Count Down - Preparing for the Inevitable

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**Tuesday, February 21, 2023**  
**Live Webcast**

**NORTH CAROLINA: 3.00 MCLE HOURS**

Includes:

1.00 Ethics/Professional Responsibility

Planned by the NCBA CLE Department

**SPEAKERS**

- Tara N. Cho, Womble Bond Dickinson (US) LLP, Raleigh
- Alicia W. Lewis, Anderson Jones PLLC, Raleigh
- Erik Mazzone, Lawyers Mutual Liability Insurance Company, Cary
- Nichole P. McLaughlin, NC State Bar, Raleigh
- Patti W. Ramseur, Ramseur Maultsby LLP, Greensboro
- Catherine Sanders Reach, North Carolina Bar Association, Cary (Moderator)

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**Tuesday, February 21, 2023 | 12:55–4:15 PM**

12:55 **Welcome and Introductions**

1:00 **Count Down – Preparing for the Inevitable\***

People leave their organizations. Whether they quit, are fired, are laid off or retire, your organization needs to be prepared for departures. Prior proper planning prevents poor performance. You should have plans in place, including policies and procedures, to immediately address how to move forward after termination, resignation, or retirement. What are the best practices and checklists you should have at the ready? What are your ethical obligations? Our knowledgeable panel of experts discusses what you need to consider.

(This session includes a 15-minute break.)

4:15 **Adjourn**

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# NCBA FEBRUARY FINALE

DAY 3, SESSION 1

## Hold My Beer and Watch This! Social Media and Wearable Tech in Discovery and Litigation

Wednesday, February 22, 2023  
Live Webcast

### NORTH CAROLINA: 3.00 MCLE HOURS

Includes

1.00 Technology Training

Planned by the NCBA CLE Department

### SPEAKERS

- Angel Garrow, TCDI, Beachwood, OH
- Elizabeth Ligon, Teague Campbell  
Dennis & Gorham LLP, Raleigh
- Jesse Shapiro, Wilson Reives Silverman  
and Doran PLLC, Sanford

In today's digital age, people share more of their lives on social media or have activities in their lives recorded through wearable tech. This data becomes a crucial source of evidence in legal cases.

Hear perspectives from plaintiff and defense counsel and a forensic analyst as they discuss social media and wearable tech in discovery and litigation.

Wednesday, February 22, 2023 | 8:55 AM–12:15 PM

8:55 **Welcome and Introductions**

9:00 **Social Media Forensics – A Breakdown for Attorneys<sup>†</sup> | Garrow**

During this session, digital forensic analyst Angel Garrow dives into the intricacies of forensic preservation and analysis of social media evidence. Learn about key topics including an overview of the preservation process, current capabilities as it relates to recovering deleted data, types of evidence that can be uncovered, potential challenges and how to prepare the data for review.

9:45 **Break**

9:50 **Plaintiff Perspective<sup>†</sup> | Shapiro**

Hear the impact and responsibilities of a lawyer as it relates to social media and wearable tech from the plaintiff's perspective. From initial contact (duty to advise) through discovery and litigation.

10:35 **Break**

10:40 **Defense Perspective<sup>†</sup> | Ligon**

Hear the impact and responsibilities of a lawyer as it relates to social media and wearable tech from the defense's perspective.

- 11:25     **Break**
- 11:30     **Panel Discussion**<sup>‡</sup> | Garrow, Ligon and Shapiro
- 12:15     **Adjourn**

‡ Indicates portion providing Technology Training credit

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# NCBA FEBRUARY FINALE

DAY 3, SESSION 2

## How to Review Financial Statements, Tax Returns and Business Valuations

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**Wednesday, February 22, 2023**  
**Live Webcast**

**NORTH CAROLINA: 3.00 MCLE HOURS**

Planned by the NCBA CLE Department

**SPEAKER**

- David Amiss, Carr Riggs & Ingram, Raleigh

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**Wednesday, February 22, 2023 | 12:55–4:15 PM**

12:55 **Welcome and Introductions**

1:00 **How to Review Financial Statements, Tax Returns and Business Valuations**

How do you review tax returns, financial statements and business valuation reports? This session explains the common forms and reports, highlights the important figures and statements, and gives you tips for getting the most out of your review of these documents to help your clients.

(This session includes a 15-minute break.)

4:15 **Adjourn**

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# NCBA FEBRUARY FINALE

DAY 4, SESSION 1

## The Slippery Slopes of Online Marketing and Social Media

Thursday, February 23, 2023  
Live Webcast

### NORTH CAROLINA: 3.00 MCLE HOURS

Includes  
3.00 Ethics/Professional Responsibility  
1.00 Technology Training

Planned by the NCBA CLE Department

### SPEAKERS

- Jamie Kohls, GNGF, Cincinnati, OH
- Catherine Sanders Reach, North Carolina Bar Association, Cary

Thursday, February 23, 2023 | 8:40 AM–12:00 PM

8:40 **Welcome and Introductions**

8:45 **The Slippery Slopes of Online Marketing and Social Media<sup>\*‡</sup>**

There are many ways to market a law firm online. What do North Carolina lawyers need to know about directory listings, Google reviews, regulated speech, comparisons, testimonials, images, names, communications, and more? Where does North Carolina differ from surrounding states that you may have offices in? Additionally, what about clients using social media? What risks and liabilities should they be aware of when posting online? What do you need to know about different social media platforms you may not be using, but your clients are? We break it down for you so you can understand how to use these tools effectively, ethically, and wisely in practice and in marketing.

(This session includes a 15-minute break.)

12:00 **Adjourn**

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<sup>‡</sup> Indicates portion providing Technology Training credit

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# NCBA FEBRUARY FINALE

DAY 4, SESSION 2

## What You Need to Know About Digital Forensics and Cybersecurity

**Thursday, February 23, 2023**  
**Live Webcast**

### **NORTH CAROLINA: 3.00 MCLE HOURS**

Includes

3.00 Technology Training

Planned by the NCBA CLE Department

### **SPEAKERS**

- Chris Foreman, Barefoot Professional Investigations, Charlotte
- Richard Krenmayer, Stasmayer, Charleston, SC
- Micah Sturgis, Barefoot Professional Investigations, Charlotte

The world of technology gets more complicated by the day. In this CLE, receive updates on the latest trends and topics in cybersecurity and then dive into digital forensics.

These sessions provide you with best practices as you navigate day-to-day needs and support your clients.

### **Thursday, February 23, 2023 | 12:55–4:15 PM**

12:55 **Welcome and Introductions**

1:00 **Security, You and Your Firm<sup>‡</sup> | Krenmayer**

In this session, learn the latest trends and topics in cybersecurity appertaining to you, your firm and your clients in 2023.

2:30 **Break**

2:45 **Digital Forensics for Legal Practitioners<sup>‡</sup> | Foreman and Sturgis**

Receive a high-level overview of the ins and outs of digital forensics, including both computer and mobile device extraction, and the value it can bring to your firm's cases. This session covers the preservation of digital evidence, what can and cannot be obtained through digital forensics, the value of utilizing digital data to support your casework, and digital search protocol best practices.

4:15 **Adjourn**

<sup>‡</sup> Indicates portion providing Technology Training credit

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# NCBA FEBRUARY FINALE

## DAY 5, SESSION 1 Game Changers

Friday, February 24, 2023  
Live Webcast

### NORTH CAROLINA: 3.00 MCLE HOURS

Planned by the NCBA CLE Department

### SPEAKERS

- Clinton H. Cogburn, Ward and Smith PA, Asheville
- Lilian L. Faulconer, Ward and Smith PA, Greenville
- Erica B.E. Rogers, Ward and Smith PA, Raleigh

The world of name, image, and likeness (NIL) has exploded onto the scene and taken college athletics by storm. The impact of NIL on the college sports landscape is a topic of daily discussion throughout sports media.

In this CLE, learn about law and regulatory updates, FTC endorsement guidelines and brand protection and contract terms.

### Friday, February 24, 2023 | 12:55–4:20 PM

12:55 **Welcome and Introductions**

1:00 **Law and Regulatory Updates | Cogburn**

The excitement of the new NIL landscape is coupled with questions on how businesses and others looking to get involved in NIL with student-athletes and member institutions are required to act and what those entities must do not to run afoul of the NCAA and applicable state law. In this session, Clint Cogburn discusses the May 9, 2022 guidance from the NCAA and other recent guidance, regulations, and laws throughout the country.

2:00 **Break**

2:10 **FTC Endorsement Guidelines | Faulconer**

The NCAA and individual states are not the only players establishing important guidelines in the NIL arena. As part of its promotion and regulation of truth in advertising through the Federal Trade

Commission (FTC) Act, the FTC has created Endorsement Guides, which apply to companies who enter into deals with athletes to promote their business or products. In this session, Lily Faulconer discusses and apply the FTC's Endorsement Guides, with particular attention to considerations for businesses in the NIL context. Participants are exposed to practices such as mindfulness and meditation, reframing perceptions and mindsets and ways to improve overall physical wellbeing.

3:10 **Break**

3:20 **Brand Protection and Contract Terms | Rogers**

One of the most important ways to protect business clients in the NIL context is through brand protection and contract terms. Behind the exciting sports events, product giveaways, and social media posts lies important risk assessment and legal work. Making sure our business clients understand what "red flags" to avoid and what steps to take to protect themselves is key to a successful endorsement deal. In this session, Erica Rogers discusses practical considerations for attorneys working with businesses in this space.

4:20 **Adjourn**

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