



NAPPA

National Association of
Public Pension Attorneys

2021

VIRTUAL

**LEGAL EDUCATION
CONFERENCE**

Committed to providing educational opportunities and informational resources for our members.

Tuesday, June 22 - Thursday, June 24

Registration and CLE Information

Registration Information

Online registration begins Tuesday, April 13, 2021.

To register for the conference:

- Go to **www.nappa.org**
- Click on **Conference Registration** for the 2021 Virtual Legal Education Conference
- Visa, MasterCard, and American Express accepted
- Payment must be received prior to the conference.

NAPPA
2410 Hyde Park Road, Suite B
Jefferson City, MO 65109

Reminder: You must be an active NAPPA member to attend.

Conference Fee for Live Webcast Event\$499
(includes on-demand access for 30 days post-event)

Conference Registration Deadlines

April 13 - June 15, 2021Legal Education Conference registration open

June 15, 2021Last day to register for conference

Conference Cancellation Policy

Since the session recordings will be available for 30 days after the LEC, refunds will be considered only in the event of extenuating circumstances. Substitutions of other NAPPA members will be allowed. Please notify NAPPA of any substitutions **prior to** the day of the live event so that access may be granted.

CLE Credit for the Virtual Legal Education Conference (LEC)

The virtual LEC will consist of twelve, one-hour sessions, including two hours of ethics. **NAPPA will ONLY apply** for CLE accreditation for the **“live webcast event”** hosted June 22-24, 2021. Therefore, members pursuing CLE credit must attend the **“live webcast event”** during the published dates and times.

There is no guarantee every state will accredit the program for the total number of hours requested. Accreditation requirements vary from state-to-state.

On-Demand Viewing After the Event (for paid registrants)

Session recordings will be available on the event portal for 30 days after the close of the event. For those not able to view the “live webcast event,” **you may apply for CLE credit on your own** subject to the rules governing on-demand education courses for your state. NAPPA will **NOT** be applying for CLE credit for those viewing LEC sessions on-demand.

Conference Agenda

Tuesday, June 22, 2021

NOTE: All educational sessions last 1 hour.

Introduction by Mary Beth Foley, NAPPA President

8:30 a.m. PT | 9:30 a.m. MT | 10:30 a.m. CT | 11:30 a.m. ET

Session 1:

Ethics I – Confidentiality

8:45 a.m. PT | 9:45 a.m. MT | 10:45 a.m. CT | 11:45 a.m. ET

This interactive program uses hypotheticals to explore one of our profession's core duties—maintaining client confidences. Among other things, the program will address: the strength of the duty; the source, timing and content of information lawyers must keep confidential (for instance, does the duty cover information in the public record, or the disclosure of which would not harm the client?); comparison with the attorney-client privilege; when the confidentiality duty begins (in the context of unsolicited emails and interviews with prospective clients); when the duty ends; and what steps lawyers must take to protect client confidences, especially in the context of electronic communications.

Moderator: Ashley Dunning - *Partner, Nossaman*

Presenter: Thomas Spahn - *Partner, McGuireWoods*

15-Minute Stretch Break

9:45 a.m. PT | 10:45 a.m. MT | 11:45 a.m. CT | 12:45 p.m. ET

Session 2:

Impact and Challenges of China-Related Sanctions for U.S. Investors

10:00 a.m. PT | 11:00 a.m. MT | 12:00 noon CT | 1:00 p.m. ET

Please join us for a discussion of recent U.S. federal legislative and executive actions related to China and the implications for governmental pension plan investors. The panel will offer investment counsel and consultant perspectives on legal developments, including the passage of the Hong Kong Autonomy Act and Executive Order 13959 restricting investments in Communist Chinese military companies, and how governmental pension plans may mitigate sanctions-related risk in connection with existing and prospective investments with exposure to China.

Moderator: Maureen Hazen - *General Counsel, Florida State Board of Administration*

Presenters: Don Ampansiri - *Deputy General Counsel, New York State Teachers' Retirement System*

Michael Hirson - *Practice Head, China and Northeast Asia, Eurasia Group*

Ken Nunnenkamp - *Partner, Morgan Lewis & Bockius*

Conference Agenda

Tuesday, June 22, 2021 *(continued)*

NOTE: All educational sessions last 1 hour.

30-Minute Lunch Break

11:00 a.m. PT | 12:00 noon MT | 1:00 p.m. CT | 2:00 p.m. ET

Session 3:

Whistleblower Complaints and Disability/Member Fraud Hotlines

11:30 a.m. PT | 12:30 p.m. MT | 1:30 p.m. CT | 2:30 p.m. ET

Public pension systems are certainly not immune from whistleblower or other complaints alleging ethical violations, discriminatory employment practices, or other misfeasance by system board members or staff. In addition, hotlines for members of the public to report on, for example, their “disabled” government employee neighbors are also common. This session will discuss whistleblower complaints and disability and other member fraud hotlines and the various approaches of public pension systems to handling, investigating, and defending these complaints.

Moderator: Joseph Indelicato - *General Counsel, New York State Teachers’ Retirement System*

Presenters: Brian Bartow - *General Counsel, California State Teachers’ Retirement System*
Suzanne Dugan - *Special Counsel, Cohen Milstein Sellers & Toll*
Kenneth Kasper - *Director of Internal Audit, New York State Teachers’ Retirement System*

15-Minute Stretch Break

12:30 p.m. PT | 1:30 p.m. MT | 2:30 p.m. CT | 3:30 p.m. ET

Session 4:

Common Plan Errors and Corrections From a Benefit Administration and an EPCRS Perspective

12:45 p.m. PT | 1:45 p.m. MT | 2:45 p.m. CT | 3:45 p.m. ET

Retirement plans of all sizes deal with errors from any number of sources—humans, plan document misinterpretations, and tax code violations. In this session, panelists will discuss the errors that most commonly occur and options for correction. This will include not only conversations about appropriate correction methods but also factors to consider when determining appropriate correction from both a plan administration perspective as well as a tax perspective.

Moderator: Megan Peitzmeier - *Senior Staff Attorney, Colorado Public Employees’ Retirement Association*

Presenters: Luke Bailey - *Senior Counsel, Clark Hill*
Jessica Culotti - *Shareholder, Reinhart Boerner Van Deuren*
Nicole Giambarrese - *General Counsel, New York City Police Pension Fund*
Don Wellington - *Partner, Reed Smith*

Conference Agenda

Wednesday, June 23, 2021

NOTE: All educational sessions last 1 hour.

Session 1:

Ethics II – Taboo Topics in “Law-Law” Land: Mental Health and Substance Use Issues in the Legal Profession

8:30 a.m. PT | 9:30 a.m. MT | 10:30 a.m. CT | 11:30 a.m. ET

Recent survey results show that a greater percentage of lawyers tend to have alcohol/substance use disorders and mental health problems than the general population. This session explores the ethical issues relating to a lawyer’s mental or physical impairment, discusses substance use disorders and the high incidence of depression, stress, and anxiety among lawyers, and explores profession-specific treatment programs and hurdles to treatment and recovery.

Presenters: John Nixon - *Partner, Duane Morris*
Erin Perales - *General Counsel, Houston Municipal Employees Pension System*

15-Minute Stretch Break

9:30 a.m. PT | 10:30 a.m. MT | 11:30 a.m. CT | 12:30 p.m. ET

Session 2:

Exploiting Data on the Deep and Dark Web - How Bad Actors Acquire Data; What They Do With It; and How to Protect Your Pension Systems

9:45 a.m. PT | 10:45 a.m. MT | 11:45 a.m. CT | 12:45 p.m. ET

The panel will examine the availability of previously stolen PII, and its possible ramifications to fraud in pension benefit programs.

Moderator: Brian Bartow - *General Counsel, California State Teachers’ Retirement System*

Presenters: Adrian Gardner - *Information Security Services Manager, California State Teachers’ Retirement System*
Justine Phillips - *Partner, Sheppard Mullin Richter & Hampton*
Amy Sareeram - *Managing Director for the Intelligence Practice, AON’s Cyber Solutions*

30-Minute Lunch Break

10:45 a.m. PT | 11:45 a.m. MT | 12:45 p.m. CT | 1:45 p.m. ET

Conference Agenda

Wednesday, June 23, 2021 *(continued)*

NOTE: All educational sessions last 1 hour.

Session 3:

Benefits Spotlight: The After-Effects of COVID-19 on Disability and Death Benefits

11:15 a.m. PT | 12:15 p.m. MT | 1:15 p.m. CT | 2:15 p.m. ET

As the COVID-19 pandemic enters its second year, public employers and pension systems grapple with the impact of the virus on their workforce and search for answers on the emerging issues of virus-related disability and death benefits. This session will examine when the damage done from a COVID-19 infection constitutes a disability, particularly for employees suffering the “long-hauler” effects; if state laws have been modified to address duty-related causation concerns; and whether side-effects of COVID vaccines could impact an employee’s qualification for benefits.

Presenters: Carolyn Clifford - *Partner, Ottosen DiNolfo Hasenbalg & Castaldo*
Mary Beth Foley - *General Counsel, Ohio Police & Fire Pension Fund*

15-Minute Stretch Break

12:15 p.m. PT | 1:15 p.m. MT | 2:15 p.m. CT | 3:15 p.m. ET

Session 4:

Beyond the Arc – Innovative Funding Strategies From the Public Sector

12:30 p.m. PT | 1:30 p.m. MT | 2:30 p.m. CT | 3:30 p.m. ET

With budget constraints facing many public pension plan sponsors, the public sector has responded with the introduction of innovative funding strategies. This session will identify several of these unique efforts employed throughout the country and address the legal issues faced by public pension plans in the adoption and implementation of these lesser-known funding mechanisms.

Moderator: Kevin Gallaway - *Senior Staff Attorney, Colorado Public Employees’ Retirement Association*

Presenters: Michael Colleran - *Chief Deputy Executive Director and General Counsel, Maine Public Employees Retirement System*
Dan Doonan - *Executive Director, National Institute on Retirement Security*
Anthony Green - *Chief Legal and Compliance Officer, Indiana Public Retirement System*
Nicholas Joseph Marcucci - *Chief Counsel, Pennsylvania State Employees’ Retirement System*

Networking Opportunity

1:45 p.m. PT | 2:45 p.m. MT | 3:45 p.m. CT | 4:45 p.m. ET

Conference Agenda

Thursday, June 24, 2021

NOTE: All educational sessions last 1 hour.

Session 1:

Federal Legislative and Regulatory Update

8:30 a.m. PT | 9:30 a.m. MT | 10:30 a.m. CT | 11:30 a.m. ET

The session will cover the federal legislative and regulatory landscape related to public pension plans. Panelists will discuss the priorities of the new Biden administration and the 117th Congress, including legislation related to federal financial aid for state and local governments and any restrictions on the use of that aid for public pensions, proposals to incentivize investments by public pensions in infrastructure projects and assets, enhance income exclusions for health care premiums for retired public safety officers, and a potential increase in the age trigger for Required Minimum Distributions. The panel will also explain the various types of taxpayer guidance that the Treasury Department and IRS provide and the relative weight of those regulatory actions.

Presenters: Robert Gauss - *Partner, Ice Miller*
Tony Roda - *Partner, Williams & Jensen*

15-Minute Stretch Break

9:30 a.m. PT | 10:30 a.m. MT | 11:30 a.m. CT | 12:30 p.m. ET

Session 2:

Significant State Pension Litigation Update

9:45 a.m. PT | 10:45 a.m. MT | 11:45 a.m. CT | 12:45 p.m. ET

This session features a panel of attorneys describing and discussing recent noteworthy state public pension plan litigation of importance to pension attorneys nationally.

Moderator: Laurie McKinnon - *General Counsel, Kansas Public Employees Retirement System*

Presenters: Jay Chaudhuri - *Of Counsel, Cohen Milstein Sellers & Toll*
Ashley Dunning - *Partner, Nossaman*
Daniel Swetnam - *Partner, Ice Miller*

30-Minute Lunch Break

10:45 a.m. PT | 11:45 a.m. MT | 12:45 p.m. CT | 1:45 p.m. ET

Conference Agenda

Thursday, June 24, 2021 *(continued)*

NOTE: All educational sessions last 1 hour.

Session 3:

Presidents, Pandemics and the PSLRA: Developments in Securities Litigation

11:15 a.m. PT | 12:15 p.m. MT | 1:15 p.m. CT | 2:15 p.m. ET

This session will discuss protecting plan assets during these unprecedented and chaotic times. We will discuss recent significant cases in the securities fraud area ranging from the Goldman Sachs case pending before the U.S. Supreme Court, to significant decisions in the lead plaintiff area. We will also discuss challenges to the practice area stemming from the COVID-19 pandemic and the impact on damage calculations. Finally, we will analyze prospective changes to SEC enforcement activity and other developments we may see with a new administration.

Moderator: Maya Saxena - *Attorney, Saxena White*

Presenters: Karen Grenon - *Assistant General Counsel, Connecticut Office of the State Treasurer*
Joshua Ruthizer - *Partner, Wolf Popper*
Chris Supple - *Deputy Executive Director and General Counsel, Massachusetts Pension Reserves Investment Management Board*

15-Minute Stretch Break

12:15 p.m. PT | 1:15 p.m. MT | 2:15 p.m. CT | 3:15 p.m. ET

Session 4:

Fiduciary Duty and Professional Responsibility Framework for Fund Policies

12:30 p.m. PT | 1:30 p.m. MT | 2:30 p.m. CT | 3:30 p.m. ET

This session will examine the fiduciary duty and attorney professional responsibility issues that guide the role of legal counsel in oversight of public pension fund policies. The panel will explore the importance of policies to pension fund governance and administration, as well as the influence of peer practices on their development. New data on current public pension fund policies will be presented. Attendees will learn about potential hazards and opportunities for improvement in public pension fund policy management.

Presenters: Keith Johnson - *Institutional Investor Services Group Co-Chair, Reinhart Boerner Van Deuren*
Randy Miller - *Chief Operating Officer, Funston Advisory Services*
Tiffany Reeves - *Shareholder, Reinhart Boerner Van Deuren*
Nicholas Zuiker - *Attorney, Reinhart Boerner Van Deuren*