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## 1.0 Law & Legal Cle Credit – A/V Approval #1031329

Recording Date – November 14, 2016

Recording Availability – January 27, 2017

Meeting Location	Date	Time	Topic
King County Bar Association 1200 Fifth Avenue - Suite 700 Seattle, WA	<b>Monday, November 14, 2016</b>	12:00 PM to 1:15 PM	U.S. Supreme Court Update

### AGENDA

**12:00 PM** Introductions/Lunch

**12:10 PM** Presentation: ‘U.S. Supreme Court Update’, by Eric Miller, Perkins Coie

**1:15 PM** Evaluations & Adjourn

### SPEAKER BIOGRAPHY:

**Eric Miller, Perkins Coie** - Eric Miller focuses on Supreme Court and appellate litigation. He has presented more than 40 appellate arguments, including 14 in the Supreme Court of the United States, and has filed more than 200 briefs in the Supreme Court.

Before joining Perkins Coie, Eric served for more than five years as an Assistant to the Solicitor General of the United States. In that capacity, he represented the government in the Supreme Court in numerous cases in a wide range of fields, including communications, energy, employment, and administrative law. In 2008, he was awarded the Attorney General's Distinguished Service Award for his conduct of national-security litigation.

Eric previously served as Deputy General Counsel of the Federal Communications Commission, where he managed the litigation division of the Commission's Office of General Counsel, which is responsible for defending the Commission's orders in federal courts of appeals. He has also served on the Appellate Staff of the Civil Division of the United States Department of Justice and in the Justice Department's Office of Legal Counsel.

Eric has also served as a part-time lecturer at the University of Washington School of Law, teaching Supreme Court Decision Making.

King County Bar Association – Appellate Practice Section  
November 14, 2016

## 2016 Supreme Court Preview

Eric D. Miller, Perkins Coie LLP

A quick look back at last Term

- Issues left unresolved in a 4–4 split

Overview of the docket for October Term 2016

- How much of the docket is filled
- How the number of granted cases compares to recent years
- Who will fill Justice Scalia’s seat?

First Amendment

- *Lee v. Tam* (May Congress prohibit registration of “disparaging” trademarks?)
- *Packingham v. North Carolina* (May sex offenders be prohibited from accessing any website known to have minors among its users?)
- *Trinity Lutheran Church v. Pauley* (May a State exclude churches from an otherwise neutral secular aid program?)

Criminal Law and Procedure

- *Peña Rodriguez v. Colorado* (May a State prohibit the introduction of juror testimony to show that a verdict was tainted by racial bias?)
- Federal criminal cases: *Beckles* and *Salman*

Administrative Law

- *Gloucester County School Board v. GG* (Is an agency’s interpretation of its own regulations entitled to deference?)
- *NLRB v. SW General, Inc.* (Under what circumstances can a person nominated for a Senate-confirmed position serve in that position as an acting officer?)

Civil rights litigation

- *Hernandez v. Mesa* (Can the victim of a cross-border shooting sue a Border Patrol officer for damages?)
- *Turkmen v. Ashcroft* (Does *Bivens* permit a lawsuit against the Attorney General for post–9/11 detention practices?)

Some other topics:

- Immigration
- Intellectual property
- *Lewis v. Clarke* (Does the sovereign immunity of an Indian tribe bar individual-capacity damages actions against tribal employees for torts committed within the scope of their employment?)

## **HOW DO I EARN CREDIT FOR SELF-STUDY OR AUDIO/VISUAL (A/V) COURSES?**

For pre-recorded A/V (self-study) programs, although the sponsor should apply for accreditation, **lawyers need to report the credits earned for taking the course.**

To add an approved course to your roster, follow the procedures below:

- ❖ Go to the "mywsba" website at [www.mywsba.org/](http://www.mywsba.org/).
- ❖ Log in.
- ❖ Click on the "Access MCLE" link in the "MCLE Info" box on your home profile page.
- ❖ Click on "Add Activity." Search to find the approved course in our system. (See search suggestions on the screen.)

### **Adding a Recorded Course**

Select Recorded Course from the Add New Activity screen.

This will prompt you to search for the activity in case the activity has already been accredited in the MCLE system.

You can search by Activity ID or by specific Activity Details. For the Activity Details search, you can use keywords for the title, sponsor name and date.

After entering your search criteria and selecting Search at the bottom of the screen, a list of possible activities will be provided.

You can select the correct one by clicking the Activity ID. This will take you to the specific activity. Entered the date(s) on which you began and ending viewing this recorded activity.

Then claim the correct credits for which you attended this activity in the Credits Claimed fields and click the Submit button at the bottom of the page.

You will receive a confirmation message at the top of your screen stating, "The activity has been added to your roster."