The Supreme Court Revamps Judicial Disqualification: What Every Litigant Needs To Know

Wednesday, July 8, 2009

12:00 p.m. - Registration and Lunch

12:30 p.m. - 1:30 p.m. - Program

At the offices of

**BRADLEY ARANT
BOULT CUMMINGS** LLP

1. Birmingham, Alabama
2. Huntsville, Alabama*
3. Jackson, Mississippi*
4. Montgomery, Alabama*
5. Nashville, Tennessee
6. Washington, D.C. *

* The seminar will be live in the Birmingham and Nashville offices; the Huntsville, Jackson, Montgomery, and Washington D.C. offices will be connected via video conference.

Continuing Legal Education: This course has been approved for 1.0 hour of <u>Ethics</u> CLE credit by the state bars in Alabama and Tennessee; credit is currently being sought for Mississippi and the District of Columbia.

OVERVIEW

On June 8, 2009, the U.S. Supreme Court announced its long-awaited decision in *Caperton v. A.T. Massey Coal Co.* – the so-called "West Virginia recusal case." By a narrow 5-4 margin, the Court held that the Due Process Clause required a state judge to recuse himself from a case involving an individual who had made expenditures in support of the judge's election campaign. The contours of this new constitutional recusal rule remain very vague, and the Court's decision is likely to launch a new wave of disqualification motions in both state and federal courts.Clients and their counsel need to be prepared.

ABOUT THE SPEAKERS

Bradley Arant Boult Cummings partner **Kevin Newsom** filed an amicus curiae brief in *Caperton* and has followed the case and related recusal issues closely. Vanderbilt University law professor **Brian Fitzpatrick** is an expert on the various methods of judicial selection and how those methods might affect the recusal calculus. Bradley Arant Boult Cummings partner **Marc Ayers**, who assisted on the *Caperton* amicus brief, will moderate. (*See below for links to speakers' bios*)

Who Should Attend?
In-House Counsel
Space is limited, so reserve your spot early
RSVP to rsvp@babc.com