



OVERCRIMINALIZATION 2.0

DEVELOPING CONSENSUS SOLUTIONS

OCTOBER 21, 2010 • WASHINGTON, D.C



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The *Journal of Law, Economics & Policy*, together with the Law & Economics Center at George Mason University, the National Association of Criminal Defense Lawyers, and the Foundation for Criminal Justice, announces its annual symposium. *Overcriminalization 2.0: Developing Consensus Solutions* tackles one of the hottest and most dynamic areas of the law—overcriminalization.

There is widespread recognition, across the political and ideological spectrum, that the United States is overcriminalized, and that overcriminalization poses serious threats to our liberties, our values, and our prosperity. With recognition and examination of this problem, it is now time to move to the next level—developing solutions. This Symposium will capture the broad consensus on the overcriminalization problem and serve as the motivation for reform. The Symposium will be held on **October 21, 2010**, from 8:30am to 5:30pm at the **Georgetown University Hotel and Conference Center** located at 3800 Reservoir Road, NW, Washington, D.C. Breakfast and lunch will be served to all participants. **Five (5) VA CLE credits are approved.**

For more information, please visit: www.jlep.net

Co-Sponsors: *Journal of Law, Economics & Policy*; The Law & Economics Center at George Mason University School of Law; National Association of Criminal Defense Lawyers; and Foundation for Criminal Justice.

Overview: There is widespread recognition, across the political and ideological spectrum, that America is overcriminalized, and that overcriminalization poses serious threats to our liberties, our values, and our prosperity. With recognition and examination of this problem, it is now time to move to the next level – developing solutions. This conference will capture the broad consensus on the overcriminalization problem and serve as the motivation for reform.

Overcriminalization 2.0: Developing Consensus Solutions

PROGRAM SCHEDULE • THURSDAY • OCTOBER 21, 2010

OPENING AND KEYNOTE

8:30 - 9:30am

Welcome

Samuel Adelman, Editor in Chief, *Journal of Law, Economics & Policy*

Norman L. Reimer, Executive Director, National Association of Criminal Defense Lawyers

Keynote

Larry Thompson, Senior Vice President of Government Affairs, General Counsel and Secretary, PepsiCo, Inc. and former U.S. Deputy Attorney General

Session 1: The Potential of "Smart on Crime" Reform Initiatives

9:45 - 11:00am

Introduction to Criminal Law Reform

Ronald L. Gainer, Attorney and former Associate Deputy Attorney General and former ex officio member of the U.S. Sentencing Commission

Principal Presenter

Roger A. Fairfax, Associate Professor of Law, The George Washington University Law School

Commentary

Cynthia E. Orr, Attorney, Goldstein, Goldstein & Hilley and Immediate Past President, National Association of Criminal Defense Lawyers

Ilya Somin, Associate Professor of Law, George Mason University School of Law

Solomon L. Wisenberg, Partner and Co-Chair of the White Collar Crime Defense Practice Group, Barnes & Thornburg LLP

Moderator

Jim E. Lavine, Zimmermann, Lavine, Zimmermann & Sampson P.C. and President, National Association of Criminal Defense Lawyers

Session 2: Monitoring Prosecutors

11:15am - 12:30pm

Principal Presenter

Larry E. Ribstein, Mildred Van Voorhis Jones Chair in Law and Associate Dean of Research, University of Illinois College of Law

Commentary

Sara Sun Beale, Charles L.B. Lowndes Professor of Law, Duke University School of Law

Lucian E. Dervan, Assistant Professor of Law, Southern Illinois University School of Law

Glenn Lammi, Chief Counsel Legal Studies Division, Washington Legal Foundation

Paul Rosenzweig, Principal, Red Branch Consulting, PLLC

Moderator

Craig Lerner, Associate Dean for Academic Affairs and Professor, George Mason University School of Law



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| <p>12:30 - 1:30pm</p> | <p>LUNCHEON</p> |
| <p>Session 3: Regulation Or Criminalization</p> <p>1:30 - 2:45pm</p> | <p>Principal Presenter Darryl Brown, O.M. Vickers Professor of Law, University of Virginia School of Law</p> <p>Commentary Carmen D. Hernandez, Law Offices of Carmen D. Hernandez and Past President National Association of Criminal Defense Lawyers Tim Lynch, Director, Project on Criminal Justice, Cato Institute Kate Stith, Lafayette S. Foster Professor of Law, Yale Law School Paul Kamenar, Attorney</p> <p>Moderator Shana-Tara Regon, Director, White Collar Crime Policy, National Association of Criminal Defense Lawyers</p> |
| <p>Session 4: Restoring the Mens Rea Requirement</p> <p>3:00 - 4:15pm</p> | <p>Principal Presenter Geraldine Moehr, Professor of Law, University of Houston Law Center</p> <p>Commentary Lawrence S. Goldman, Law Office of Lawrence S. Goldman and Past President National Association of Criminal Defense Lawyers Julie Rose O’Sullivan, Professor of Law, Georgetown University Law Center Harvey Silverglate, Author and Of Counsel, Zalkind, Rodriguez, Lunt & Duncan, LLP Marie Gryphon, Senior Fellow, Center for Legal Policy, Manhattan Institute for Policy Research</p> <p>Moderators Tiffany Joslyn, Counsel, White Collar Crime Policy, National Association of Criminal Defense Lawyers Brian Walsh, Senior Legal Research Fellow, The Heritage Foundation</p> |
| <p>Closing Session: Developing Consensus Solutions- Judicial Perspectives</p> <p>4:30 - 5:30pm</p> | <p>Judges Hon. Frederic Block, United States District Judge, Eastern District of New York Hon. Cormac J. Carney, United States District Judge, Central District of California Hon. Nancy Gertner, United States District Judge, District of Massachusetts Hon. Jed S. Rakoff, United States District Judge, Southern District of New York</p> <p>Moderators Jeff Parker, Professor of Law, George Mason University School of Law Ellen S. Podgor, LeRoy Highbaugh Sr. Research Chair and Professor of Law, Stetson University College of Law</p> <p>All Presenters and Commentators in a group discussion</p> |



REGISTRATION



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| NAME | TITLE | ORGANIZATION | EMAIL | PHONE |
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NUMBER OF TICKETS:

\$30 – Students (must present Student ID at registration) _____

\$125 – General Admission (effective until 10/1) _____

\$175 – General Admission (after 10/1) _____

Total Amount Enclosed: \$ _____

The *Journal of Law, Economics & Policy* must receive all registrations by **Wednesday, October 20, 2010.**

Five (5) VA CLE credits are approved.

We will also assist in completing paperwork for other bar associations.

Please make checks payable to **George Mason Foundation** and indicate **JLEP** in the note section.

MAIL REGISTRATIONS:

Journal of Law, Economics & Policy
George Mason University School of Law
Attn: Managing Editor
3301 Fairfax Drive
Arlington, VA 22201

ELECTRONIC REGISTRATIONS:

Registrants may also pay by Visa, MasterCard, or Discover credit cards online at www.jlep.net.

Questions and completed registration forms may be emailed to: jlep@gmu.edu.