

2007 Admiralty and Maritime Law Conference

September 28, 2007 • Hyatt Regency • Houston, TX

Friday Morning, Sep. 28, 2007

Presiding Officer:

Bradley A. Jackson, Royston, Rayzor, Vickery & Williams - Houston, TX

8:00 am	<p>Registration Opens</p> <p>Includes continental breakfast.</p>
8:35 am	<p>Welcoming Remarks</p>
8:45 am 0.50 hr	<p>Transition From Practice to Judgeship</p> <p>A brief description of the judicial selection process and the changes encountered in moving from the practice of law to the bench.</p> <p>Hon. Gray H. Miller, United States District Court, Southern District of Texas - Houston, TX</p>
9:15 am 1.00 hr ethics	<p>The Noble Lawyer</p> <p>Ethics and professionalism viewed from the perspective of the bar throughout history.</p> <p>William J. Chriss, Texas Center for Legal Ethics and Professionalism - Austin, TX</p>
10:15 am	<p>Break</p>
10:30 am 0.75 hr	<p>Stewart's Non-Jones Act Implications</p> <p>The decision in <i>Stewart v. Dutra</i> is not limited to defining what a vessel is under the Jones Act. The decision affects all aspects of maritime law in the United States. The non-Jones Act implications will be explored.</p> <p>James Patrick Cooney, Royston Rayzor Vickery & Williams - Houston, TX</p>
11:15 am 0.75 hr	<p>The Outer Continental Shelf Lands Act's Provisions on Jurisdiction, Choice of Law, and Remedies: Correcting the Fifth Circuit's Mistakes</p> <p>Fifth Circuit panels and district courts frequently complain about the chaotic state of the circuit's OCSLA jurisprudence, and individual Fifth Circuit judges regularly call out for en banc rehearings to try to restore some coherence. This paper identifies the main concerns and proposes feasible substantive-law corrections that are easily within the Court's grasp. It also suggests that Fifth Circuit Rule 35.1, which seeks to discourage litigants from seeking en banc rehearings, needs revision.</p> <p>David W. Robertson, University of Texas School of Law - Austin, TX</p>

Friday Afternoon, Sep. 28, 2007

Presiding Officer:

12:00 pm	Pick up Box Lunch Included in conference registration fee.
12:15 pm 0.50 hr ethics	Night Court Avast ye mateys: Night Court, Houston's very own all-lawyer theater troupe, will launch a swashbuckling ethics presentation, while providing a taste of their salty 2008 musical comedy: the Law of the Sea, helping you make your legal arrrg-uments sail smoothly as you endure the tidal wave of electronic discovery. Judy Frow, Night Court - Houston, TX
12:45 pm 1.50 hrs	Recent Developments in Admiralty and Maritime Law at the National Level and in the Fifth and Eleventh Circuits This paper is the eighth of an annual series that tries to flag everything of genuine importance nationally and everything of significant interest from the Fifth and Eleventh Circuits. David W. Robertson, University of Texas School of Law - Austin, TX Michael F. Sturley, University of Texas School Of Law - Austin, TX
2:15 pm 0.75 hr	Inland Damage to Ocean Cargo: When Do the Maritime Rules Apply? When cargo carried under a multimodal bill of lading is damaged during an inland leg, some circuits apply the Carmack Amendment while others permit the contractual extension of the Carriage of Goods by Sea Act (COGSA). The two regimes can lead to remarkably different results. This presentation analyzes the relevant issues in resolving the conflict. Michael F. Sturley, University of Texas School Of Law - Austin, TX
3:00 pm	Break
3:15 pm 1.00 hr	Offshore: Wind Energy Panel Discussion Law governing the construction and operation of offshore wind energy facilities. Julia M. Adams, Sedgwick Detert Moran & Arnold LLP - Houston, TX Bradley A. Jackson, Royston, Rayzor, Vickery & Williams - Houston, TX
4:15 pm 0.50 hr	Jones Act Issues After <i>Sorrell</i> Standards and burdens of proof for the plaintiff and defense in Jones Act and unseaworthiness cases after the decision of the Supreme Court in <i>Norfolk Southern Railway Company v. Sorrell</i> . Kenneth G. Engerrand, Brown Sims PC - Houston, TX
4:45 pm 0.50 hr	Using Rule B as a Weapon: Seize the Initiative and the Bank Account Too Although Rule B embodies the traditional maritime tool of quasi in rem jurisdiction, the Second Circuit it has come to be used as a means to seize funds as security for disputes already pending elsewhere. This presentation explores recent case law regarding the use of Rule B as a jurisdictional basis and a litigation weapon. Christopher Benjami Dove, Locke Liddell & Sapp - Houston, TX

5:15 pm

Adjourn
