

Today's GENERAL COUNSEL and INSTITUTE

“The Exchange” Presents
Compliance and Ethics Forum

**October 12th, 2017-The Conference Center
Chicago, IL**

Lead Moderators:

Theodore Banks

Partner, Scharf Banks Marmor LLC

Margaret Cassidy

Principal, Cassidy Law PLLC

Jeffery Cross

Partner, Freeborn & Peters LLP

8:30am-9:00am Continental Breakfast and Registration

9:00am-9:30am **Session 1: Introductions and Polling the Audience**

- What are your pain points, biggest issues?
- What is your role in the organization?
- What do you want to get out of this seminar?

Moderators: Ted Banks, Margaret Cassidy, Jeff Cross

9:30am-10:30am **Session 2: The Compliance, Governance, Structure and Culture**

- Engaging the C-Suite, Board and business leaders in an ethics and compliance program –setting the right tone
 - Implications of DOJ’s policy to pursue individuals for corporate criminal actions – “The Yates Memo” on governance and compliance
- Roles, responsibilities and reporting structure: CCO, GC, Internal Audit, HR, compliance champions, ombudsmen
- Global (centralized) versus country (decentralized) models.
- What are the options for a small in-house (solo) legal department?
Can ethics and compliance be a competitive advantage?

Moderator: Margaret Cassidy

Discussion Leaders: Neville S. Hedley, Alexis Dahmer, Christian Liipfert

10:30am–10:45am **Networking Break**

10:45am–11:45am **Session 3: Identifying and Mitigating Risk**

- Best practices in assessing risk – how to assess risk, how often to assess risk, should the risk assessment be done under privilege?
- How to prioritize identified risks
 - Developing risk mitigation strategies – who should own the mitigation plan; whose budget pays for mitigation; what does the government expect in mitigation?

Moderators: Ted Banks

Discussion Leaders: Kathleen Sweitzer, Alexis Dahmer, Christian Liipfert, Lara Liss

11:45am–12:45pm **Networking Luncheon**

12:45pm–1:30pm **Session 4: Best Practices in Compliance Monitoring and Auditing**

- How to use your hotline data to identify risks, do trend analysis, to monitor your compliance program
- Defining the audit: what should your audit, who should conduct it, how to address and resolve audit findings
 - Using
- Employee surveys and certifications to monitor your compliance program
- What information should be reported to the CEO, board, and audit committee?
- Developing reports on audits; hotline data; investigations
- Obtaining consistent enterprise-wide data for trend analysis, risk mitigation
- Monitoring and auditing third-parties – customers, sales agents, distributors, joint venture partners.

Moderator: Jeff Cross

Discussion Leaders: Alexis Dahmer, Lara Liss

1:30pm–2:15pm **Session 5: Best practices for Internal Investigations**

- Defining the scope of the investigation and who should be involved
- Who should conduct the investigation - outside counsel, in-house lawyers?
- Identifying, interviewing and managing witnesses – the complainant; the uncooperative witness; the represented witness; the former employee
- Identifying and managing documents.
- Managing confidentiality in light of Dodd-Frank’s whistleblower protections
- Closing the investigation - When to disclose to the government; when to draft a report; when does the board need to know

Moderator: Jeff Cross

Discussion Leaders: Joseph Campbell, Robert Milan, Rachel Barner, Fernanda Beraldi, Andrew Gorman

2:15pm–2:45pm **Networking Break**

2:45pm–3:30pm **Session 6: Developing Policies, Communications, and Training**

- How to determine your policy, communications and training needs
- Do you need a policy on policies? A policy on values, ethics and integrity?
- Messaging your policies: Who should get trained? Who should you train and communicate – live, webinar, external vendor or in-house?
- Engaging leadership or business functions to conduct training

Moderators: Ted Banks

Discussion Leaders: Christian Liipfert, Andrew Gorman, Lara Liss

3:30pm–4:30pm **Session 7: When Your Client Won’t Take Your Advice – What Do the Rules of Ethics Require?**

- Who is your client and how do you maintain client confidences when the client is an organization?
- What are your ethical responsibilities when your client will not follow the law?
- When must you terminate the relationship?

Moderators: Margaret Cassidy

4:30pm–5:30pm **Networking Reception**