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Nora Pincus

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## Ethics: The Revolving Door Between Government and Private Practice

**DAY TWO: FRIDAY FEBRUARY 22, 2008****ETHICS: THE REVOLVING DOOR BETWEEN GOVERNMENT AND PRIVATE PRACTICE**

This panel provided an overview of the issues that legal practitioners face when they move between government and the private sector. Richard M. Frank, professor at the University of California Berkeley Boalt Hall School of Law moderated the panel and the panelists were Thomas Sansonetti of Holland & Hart, LLP in Cheyenne, Wyoming, and Heather Sibbison of Patton Boggs, LLP in Washington, D.C. Federal and state laws, as well as local bar association regulations, control what an attorney may and may not do when entering or leaving government service.

Mr. Sansonetti began by pointing out that there are good and bad consequences of these laws and regulations, but they largely serve their intended purposes of protecting the public and former clients. The panel then discussed the specific rules and requirements that attorneys must obey when entering and leaving government employment. The session ended with a brief discussion of the rising costs of public service as ethics laws become stricter in the post-Abramoff world. Professor Frank cautioned that if ethics laws become prohibitive, it will become increasingly difficult to get people to perform government service once, let alone multiple times.

*Nora Pincus*

**WINTERS 100 YEARS**

Tom Gede, Principal at Bingham Consulting Group LLC and Of Counsel at Bingham McCutchen LLP in San Francisco, California, moderated this session on the 100 year anniversary of the *Winters v. United States* Supreme Court decision.

John EchoHawk, Executive Director of the Native American Rights Fund in Boulder, Colorado, began by providing the background of NARF. NARF provides legal assistance to tribes in an effort to protect their sovereign status, their religion and culture, and their natural resources. Mr. EchoHawk stated that the Supreme Court reaffirmed the *Winters* Doctrine through the *Arizona v. California* case. Mr. EchoHawk also discussed statewide adjudications and the shift toward out of court settlements stating that there are currently nineteen negotiation teams with a request for more. He posits that settlement may be better than litigation because settlement involves all interested parties. Although there has been a lot of progress over the past 100 years since *Winters*, Mr. EchoHawk believes that there is still a long way to go.

Dean B. Suagee, Of Counsel at Hobbs Straus Dean & Walker LLP in Washington, D.C., discussed Seminole water rights in Florida. There was a great conflict between the tribe and state in the mid-1980s