



UNIVERSITY OF THE
PACIFIC
McGeorge School of Law

Capital Center for
Public Law & Policy

**“Ethics in Government –
Ethical Cultures,
Falls from Grace, and the
Way Ahead”**

Friday March 6, 2009

Co-Sponsored by
Ethics Across the Professions Initiative,
Supported by the Sierra Health Foundation,
Capital Center for Public Law & Policy
McGeorge Law Review

Chair: Professor Paul Paton, Director, Ethics Across the Professions Initiative

Issues of ethics and conduct in government have taken on heightened importance as local, state and federal governments address scandal, allegations of impropriety, and concerns about conflicts of interest in both political office and in the public service.

Drawing on the unique challenges and opportunities presented by an election year, and a new administration, this Symposium brings together academic experts, practitioners, and thoughtful observers with experience in and out of government for a timely reflection on the problems, analysis of the cures and an open roundtable on the way forward.

8:30 a.m. – Continental Breakfast

9:00 a.m. – Introductory Remarks and Welcome

Professor Paul Paton, Pacific McGeorge
Dean Elizabeth Rindskopf Parker, Pacific McGeorge
Professor Leslie Gielow Jacobs, Director, Pacific McGeorge Capital Center

9:15 a.m. – Panel One: Creating an Ethical Culture (or Overcoming a Corrupt One)

What does it mean to have an “ethical culture” in government? How might it be created and fostered? What are the political imperatives, and how can they be addressed? When might corruption take hold, and what can be done about it? This panel will consider “cultures of corruption”, and assess whether and where they might exist in the United States. What might be learned from recent scandals about the key issues and how to effect change?

Panelists:

Professor Lance Cole, Dickinson School of Law, Penn State
James Lager, Deputy Ethics Counselor, U.S. Government Accountability Office, Washington, D.C.
Professor Clark Kelso, Pacific McGeorge and Receiver, California Prison System

Moderator: *Professor Paul Paton, Pacific McGeorge*

10:45 a.m. – Coffee Break



11:00 a.m. – Panel Two: Evaluating the Institutional Fix: What Works?

One response to concerns about ethics in government is the “institutionalization” of responsibility for it. What mechanisms exist to institutionalize ethics? Do they work? How do they compare to means of enforcing ethics from the outside? How might these mechanisms work better on local, state, and federal levels? What is the role of the government lawyer, and how can professional responsibilities be reconciled with partisanship?

Panelists:

Professor Richard Painter, University of Minnesota

Professor Kathleen Clark, Washington University in St. Louis School of Law

Matthew Jacobs, Partner, Stevens, O’Connell & Jacobs

Moderator: Professor John Sims, Pacific McGeorge

12:15 p.m. – Luncheon: “Falls From Grace”

Keynote Address:

Willie L. Brown, Jr., Chairman and CEO, The Willie L. Brown Jr. Institute

1:30 p.m. – Panel Three: Ethics and Lobbying – Present Challenges and Future Directions

The influence of lobbyists has captured attention at federal, state and municipal levels. What is the law of lobbying? Is it working to create the ethical culture that candidates and officials are seeking to instill? What is changing, and what needs reform? Is registration and disclosure sufficient? What role will lobbyists play in a post-election Washington? And who should police them? This panel will discuss the legal and professional constraints and challenges for those responsible for policing an ethical culture in government, with special focus on lobbyists.

Panelists:

Professor William Luneberg, University of Pittsburgh Law

Tom Susman, Director, Office of Governmental Affairs, American Bar Association, and Chair, Ethics Committee, American League of Lobbyists

Michael Belote, Lobbyist, California Advocates, Inc.

Moderator: Professor Leslie Gielow Jacobs, Director, Pacific McGeorge Capital Center

3:00 p.m. – Coffee Break

3:15 p.m. – Roundtable/Forum: The Next First Step

Looking ahead, what is the most urgent priority for re-instilling ethics in government? Panelists will each briefly identify one issue (and one solution) before an open forum of all participants.

Moderator: Dean Elizabeth Rindskopf Parker, Pacific McGeorge

4:00 p.m. – Closing Remarks

4:30 p.m. – Return to Hotel