



Current Issues in Maritime Law 2025

WEDNESDAY, SEPTEMBER 17, 2025

Approved for 7.0 CLE credits

(6.0 Law and Legal Procedure + 1.0 Ethics).

\$275 - Standard

Washington State Bar Association

1325 Fourth Ave., Suite 600 | Seattle, WA 98101

IN-PERSON &
WEBCAST

DESCRIPTION

Presented in collaboration with the Federal Bar Association of the Western District of Washington Admiralty Committee

Join us, in-person or online, for the biennial CLE sponsored by the Federal Bar Association of the Western District of Washington about current issues in maritime law. Hear from esteemed faculty joining us from around the nation and presenting on a wide scope of maritime law topics. Most presenters will be joining us in-person at the WSBA Conference Center.

CO-CHAIRS

Molly Henry - Schwabe, Williamson & Wyatt, Seattle

Chris Reilly - Nicoll Black Altenbrun & Feig PLLC, Seattle

SCHEDULE

7:50 a.m. > In-person Registration • Morning Refreshments

8:10 a.m. > Webcast Sign-In Opens

8:20 a.m. > Welcome and Introductions by Program Co-Chairs

- **Molly Henry** - Schwabe, Williamson, & Wyatt, Seattle
- **Chris Reilly** - Nicoll Black Altenbrun & Feig PLLC, Seattle

8:35 a.m. > The Ironic Non-Uniformity of Pattern Jury Instructions for Maritime Cases

60 minutes, 1.0 credits L&LP

There are a variety of pattern jury instructions for maritime personal injury and wrongful death cases. Not all federal circuits have such instructions and all of them are generated and maintained differently. Some are similar but most are different in sometimes significant ways. There are no pattern instructions for maritime cases being tried in Washington state courts. This panel will provide insight into how pattern instructions are created, who creates and maintains them, what type of authority they are (binding or persuasive) and how to ask for existing pattern instructions to be reviewed in light of developments in the case law. The panel will provide recent examples from experiences of the panelists in assembling jury instructions using patterns from various circuits in cases recently tried in Western Washington, as well as insights and lessons learned about working with courts and counsel on assembling instructions.

- **Nathan Beard** - LeGros Buchanan & Paul, Seattle
 - **Svetlana Spivek** - Holmes, Weddle, & Barcott, Seattle
 - **Doug Williams** - Boatlaw, LLP, Bellingham
- Moderator: Chris Nicoll** - Nicoll Black Altenbrun & Feig PLLC, Seattle

9:35 a.m. > Where is Money? with Prof. Davies

60 minutes, 1.0 credits L&LP

The presentation will deal with whether and how debts and bank accounts - particularly foreign debts and foreign bank accounts - can be attached pursuant to Supplemental Admiralty Rule B.

- **Professor Martin Davies** - Tulane University, School of Law, New Orleans, LA

10:35 a.m. > BREAK

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SCHEDULE

10:50 a.m. > Knock 4 Knock Clauses in Tow Contracts

60 minutes, 1.0 credits L&LP

Maritime industries run on knock-for-knock (K4K) agreements—mutual indemnity/risk allocation mechanisms found in maritime (and maritime-adjacent) contracts for shipyard and maritime operations, where parties agree to be responsible for their own losses and damages based on ownership and control, rather than fault. This means that each party agrees to bear the cost of any damage to their own property or personnel, and also to indemnify the other party for claims arising from their losses.

When drafted and used properly, they can simplify risk identification, reduce insurance cost, reduce the potential for costly litigation, and simplify claims handling. But K4K agreements can be subject to legal limitations, particularly regarding gross negligence or willful misconduct. Clear and careful drafting is needed to specify the scope of K4K coverage, the parties included, and compliance with applicable statutory and judge-made law. We'll do our best to cover all of that, clearly and carefully.

- **David Boyaijian** – *Schwabe, Williamson & Wyatt, Portland, OR*

11:50 a.m. > Charting Risk: Navigating Insurance and Vessel-Owner Liability in the Shift to Alternative Marine Fuels

60 minutes, 1.0 credits L&LP

With growing regulatory pressure, on the maritime sector to meet carbon-reduction goals, our presentation explores the emerging liability risks and operational challenges posed by alternative fuels including Ammonia, Hydrogen, LNG and Biofuels. We'll cover key concerns for insurers and vessel owners—including cleanup costs, environmental and public health implications, and the evolving IMO and U.S. regulatory landscape—along with potential mitigation strategies.

- **Camille Zuber** – *Kennedys CMK LLP, Los Angeles, CA*
- **Lawrence Malizzi** – *CTEH, LLC, Elkton, MD*

12:50 p.m. > LUNCH on Your Own

1:50 p.m. > Status and Jurisdiction: Beware of Ice, Drydocks, and Tunneling

60 minutes, 1.0 credits L&LP

In maritime personal injury litigation, the issues of status and jurisdiction must be carefully evaluated at the commencement of a case by both plaintiff and defense counsel because they relate to important issues of immunity, forum, statutes of limitation, available causes of action, and available remedies. The presenters will address the statutory and common-law criteria that inform whether the injured worker is a seaman, or a longshore worker or neither. The presenters will compare the situs elements of the Longshore and Harbor Worker Compensation Act vs. the situs element of general maritime law. By examining several specific scenarios involving injuries that were incurred on ice, on a vessel being repaired, and in a pressurized tunnel, the presenters will apply status and jurisdiction concepts to tease out important lessons for any maritime personal injury litigator.

- **Jerry Markham** – *Gerald Markham, Attorney at Law, Kodiak, AK*
- **Chris Reilly** – *Nicoll Black Altenbrun & Feig PLLC, Seattle*

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SCHEDULE

2:50 p.m. > BREAK

3:05 p.m. > Ethics of AI

60 minutes, 1.0 credits Ethics

This professional responsibility presentation addresses crucial ethical considerations arising from the increasing use of Artificial Intelligence and particularly generative AI in the legal profession. We will define key AI concepts and take a deep dive into the implications of generative AI and large language models. Explore how the Washington Rules of Professional Conduct apply to lawyers' use of legal AI, with a focused discussion on the duties of competence, confidentiality, communication, fees, and supervision. There will also be some examples of AI "gone rogue" and the ethical implications of over confidence and over reliance, and concerns regarding the duty of candor to the tribunal and diligence.

- **Jeanne Marie Clavere** – *Washington State Bar Association, Seattle*

4:05 p.m. > Maritime Criminal Investigations:

Red-flags and Responses

60 minutes, 1.0 credits L&LP

A panel discussion featuring prominent civil and criminal maritime specialists focusing on the identification of red-flags suggesting a possible criminal investigation arising from a vessel casualty and how to respond to such red-flags.

- **Aaron Brecher** – *Orrick, Herrington & Sutcliffe LLP, Seattle*
- **Carey Gephart** – *LeGros, Buchanan & Paul, Seattle*

Moderator: John Wolfe – *Orrick, Herrington & Sutcliffe LLP, Seattle*

5:00 p.m. > Adjourn • Complete Online Evaluations

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Wednesday, September 17, 2025 • #25800 SEA/WEB

REGISTRATION

Please fill out the registration form and mail to WSBA seven business days prior to the program. To register online, go to www.wsba.org and enter 25800 in the search box. For your security, do not email or fax credit card information.

First Name: _____ M.I. _____ Last Name _____

WSBA No: _____ Firm/Company Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: () _____ Email: _____

If special accommodations are needed, please email cle@wsba.org or call toll-free at 1-800-945-9722.

☐ Please omit my name from the networking list made available to exhibitors and/or attendees.

PAYMENT INFORMATION

☐ **#25800 SEA, attend in Seattle, 9/17/25**

☐ \$275.00 - Standard

☐ **#25800 WEB, attend via webcast, 9/17/25**

☐ \$275.00 - Standard

☐ **Check enclosed payable to WSBA**

☐ **Visa** ☐ **MasterCard** ☐ **AmEx**



Card No. _____



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Authorized Signature _____

Registrations received less than 48 hours before a seminar are not guaranteed a coursebook or other presentation materials on-site.

Seminar Registration Transfers, Refunds and Cancellations

In most circumstances, if you cannot attend the live event, we can transfer your registration to the on-demand product, once available (8-10 weeks from the program delivery date). Generally, for webcast/ webinar registrations, tuition fees may be refunded, less \$25 for processing, for written cancellations postmarked, emailed, or faxed up to the start of the event. For in-person registrations, tuition fees may be refunded, less \$25 for processing, for written cancellations postmarked, emailed, or faxed by 5 p.m. up to three business days before the event. No refunds will be provided after the dates specified. You may also send a substitute in lieu of canceling. *When applicable, specific exceptions to these policies will be noted on individual event registration pages.* Please email cle@wsba.org with any requests or questions.

ONLINE > Go to www.wsba.org and enter **25800** in the search box. Payment by credit card.

PHONE > Call **800-945-9722** or **206-443-9722** with credit card and registration/order form in hand. Our service provider will charge you a separate, non-refundable transaction fee of 2.5% on all bank card transactions.

MAIL > Please fill out this registration form and mail to WSBA seven business days prior to the program along with your check payable to WSBA. Credit card payments by mail or fax are no longer accepted.