

WELCOME TO THE

# Seventh International Conference on Legislation and Law Reform — 2022 —

NOVEMBER 3-4

DC BAR HEADQUARTERS  
901 4TH STREET NW,  
WASHINGTON, DC, 20001

A program of the Capital Hill Chapter of the Federal Bar Association

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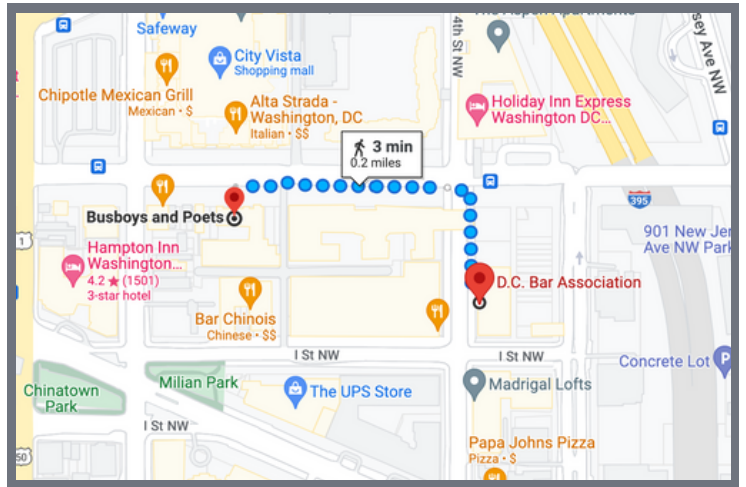
Boston University School of Law

## Reception information

Please join us Thursday evening immediately following the last presentation for an evening reception at Busboys and Poets, including drinks and a light food selection. Busboys and Poets is a 3 minute walk from the Conference venue.

Thursday, Nov. 3 | 5:15 p.m. - 7:15 p.m.

Busboys and Poets  
450 K St NW, Washington, DC 20001



For the full program, including speaker biographies and detailed topic descriptions, see [www.ilegis.org](http://www.ilegis.org) and click on "2022 Agenda"

# AGENDA AT A GLANCE:

## THURSDAY, NOVEMBER 3

- 7:45 – 8:25** **REGISTRATION AND BREAKFAST**
- 8:25 – 8:30** **WELCOMING REMARKS**  
Kimberly K. Faith, Conference Chair
- 8:30 – 9:30** **PLENARY SESSION 1**  
Kashish Aneja and Neal Quenzer, *Courts Advising Legislatures: Contrasting the Legislative Advisory Roles of the Supreme Court of India and the Massachusetts Supreme Judicial Court*
- 9:45 – 10:45** **PLENARY SESSION 2**  
Elise Bean, *Using Oversight Tools to Effect Change and Design Legal Reforms*
- 10:45 – 11:00** **LIBRARY OF CONGRESS**
- 11:15 – 12:15** **BREAKOUT SESSIONS 3A AND 3B**  
**3A:** Matthias Rossi, *Involvement of Citizen's Councils in Legislation*  
**3B:** Stephan Naundorf\* and Filisity Owoses, *Drafting with the Phrases "In Consultation With," "After Consultation With," and "On the Recommendation Of" in National and International Legislation*
- 12:15 – 1:15** **LUNCH**
- 1:15 – 2:15** **BREAKOUT SESSIONS 4A and 4B**  
**4A:** Lina Albahouth, *Legislation in the Kingdom of Saudi Arabia: Past, Present, and Future*, Moderated by Matt McGhie  
**4B:** Segametsi Mothibatsela, *Challenges Posed for Drafters by COVID-19 Related Legislation\**
- 2:30 – 3:30** **BREAKOUT SESSION 5A and 5B**  
**5A:** Michele Forzley, *Shifting Sands in Public Health Law Reform – During and Post Pandemic*  
**5B:** Joseph Kimble, *The Courts' Overuse and Misuse of Dictionaries\**
- 3:30 – 4:00** **AFTERNOON COFFEE BREAK / REMOTE NETWORKING SESSION**
- 4:00 – 5:00** **PLENARY SESSION 6**  
Kelsey Kober, *How Can We Legislate Algorithms? Lessons Learned at the State and Local Level*, Moderated by Cathy Pagano
- 5:15 – 7:15** **RECEPTION**  
Busboys & Poets, Sponsored by the Capitol Hill Chapter of the Federal Bar Association

## SATURDAY, NOVEMBER 5

- 8:30 – 11:30** Morning Tour of the Law Library of Congress (*limited availability; email [libraryofcongresstour2022@gmail.com](mailto:libraryofcongresstour2022@gmail.com) by Oct. 31 to RSVP*)

## FRIDAY, NOVEMBER 4

- 7:45 – 8:30** **REGISTRATION AND BREAKFAST**
- 8:30 – 9:30** **PLENARY SESSION 7**  
Betsy Wright Hawkings, *Making the U.S. Congress Work Better: Highlights from the Work of the U.S. House of Representatives Modernization Committee*, Moderated by Cathy Pagano
- 9:45 – 10:45** **PLENARY SESSION 8**  
Enrico Albanesi, *Legislative Drafting in Multilingual Legal Orders and Computer-Assisted Translation Tools Case Study: The European Union*
- 10:45 – 11:00** **XCENTIAL PRESENTATION**
- 11:15 – 12:15** **BREAKOUT SESSIONS 9A AND 9B**  
**9A:** Dr. Stelios Koutnatzis, *Executive State and the Quality of Law-Making: Perspectives from Greece*  
**9B:** Maria Magdalena (Maika) Chiquier, *Using the World Bank Business Enabling Environment Report to Guide Policy Dialogue and Reforms Around the World*
- 12:15 – 1:15** **LUNCH**
- 1:15 – 2:15** **BREAKOUT SESSIONS 10A AND 10B**  
**10A:** Miles Rapoport, *Universal Voting: What If They Gave an Election and Everyone Came?*, Moderated by Larry Shapiro  
**10B:** Donncha Ó Conmhuí, *Modern Debates on Referring to Gender in Legislative Texts*
- 2:30 – 3:30** **BREAKOUT SESSIONS 11A and 11B**  
**11A:** Dr. Xanthe Scharff and Eva Rodriguez, *Journalism's Impact on Global Policy*, Moderated by Susan Kovarovics  
**11B:** Amauri Costa, *Limits on Executive Power: Are Brazilian Presidents More Powerful Than U.S. Presidents?*
- 3:30 – 4:00** **AFTERNOON COFFEE BREAK / REMOTE NETWORKING SESSION**  
(Break to be preceded by a brief group photo)
- 4:00 – 5:00** **PLENARY SESSION 12**  
Ricardo Sousa da Cunha, *The Legislative Challenges in Timor-Leste*
- 5:00 – 5:05** **CLOSING REMARKS**

# PLENARY SESSION 1

THURSDAY: 8:30 AM - 9:30 AM

## Courts Advising Legislatures: Contrasting the Legislative Advisory Roles of the Supreme Court of India and the Massachusetts Supreme Judicial Court

This session will explore the scheme of separation of power in the Indian Constitution and the functional overlap of the branches of the government in the Indian constitutional context and the advisory opinion process in the Massachusetts Supreme Judicial Court. There is a well-established (but sparingly used) judicial practice by which Indian constitutional courts advise Legislatures, while exercising their constitutional powers of judicial review, presidential reference and adjudication. Indian courts have frequently exercised this advisory role when there is a legislative vacuum or insufficient safeguards of constitutional rights. In contrast, the United States Supreme Court and most of the State supreme courts are not empowered to provide advisory opinions. However, the Commonwealth of Massachusetts is one of a few States that allows the Justices of its highest court to render advisory opinions to its legislature on matters of constitutional concern or with constitutional implications, typically in connection with legislation that is being contemplated. The Indian Supreme Court's advisory role will be illustrated with a range of judicial decisions delivered in the past two decades, including recent decisions impacting the COVID-19 pandemic response, while the Massachusetts Supreme Judicial Court's advisory role will be explored by two experts with decades of experience on the court.

**Kashish Aneja** is a practicing advocate at the Supreme Court of India and a legal consultant at the Georgetown University O'Neill Institute for National and Global Health Law, focusing on noncommunicable disease regulations and epidemic and pandemic preparedness. He co-founded the Society for Democratic Rights (Delhi) which is a collective of lawyers involved in the strengthening of democratic and civil rights through public interest litigation and evidence-driven policymaking. Aneja clerked for Justice Dr. A. K. Sikri at the Supreme Court of India. Aneja holds an LL.M. from the Georgetown University Law, a postgraduate diploma in medical law and ethics from the National Law School of India University and a B.A. LL.B. from the Guru Gobind Singh Indraprastha University, Delhi, India.

**Neal Quenzer**, senior counsel with Wilmer Cutler Pickering Hale and Dorr LLP's Appellate and Supreme Court Litigation group in Boston, Massachusetts. Prior to joining the firm, he served for more than three decades on the legal staff of the Massachusetts Supreme Judicial Court, including twenty years as the court's Chief Staff Counsel, the principal legal adviser for the Justices on all aspects of the court's appellate business. He is a longtime co-editor of Appellate Practice in Massachusetts, published by Massachusetts Continuing Legal Education Inc., and has contributed to many educational programs for attorneys and judges on the topic of practice in the Massachusetts appellate courts.



**Kashish Aneja**

Practicing Advocate at the  
Supreme Court of India



**Neal Quenzer**

Senior Counsel, Wilmer Cutler  
Pickering Hale and Dorr LLP



# PLENARY SESSION 2

THURSDAY: 9:45 AM - 10:45 AM

## Using Oversight Tools to Effect Change and Design Legal Reforms

In this insightful presentation, those who attend will learn how legislators can use their inherent investigative powers to examine problems, evaluate laws, and determine if new laws are needed. Using examples from nearly thirty years conducting US Senate investigations, our knowledgeable and experienced presenter will offer tips and advice on how to use oversight investigations to spark change, write better laws, and foster accountability and fact-based discourse in government. Among the topics the presenter will cover are the legal basis for legislative oversight, how legislative oversight hearings and reports can impact public opinion, and available resources to learn more about oversight.



**Elise Bean**

Washington Office of the Levin  
Center for Oversight and  
Democracy

**Elise Bean** is co-director of the Washington Office of the Levin Center for Oversight and Democracy, which is part of Wayne State University Law School in Detroit, Michigan. The center is dedicated to strengthening oversight by the U.S. Congress, the 50 U.S. states, and legislatures around the world. For nearly 30 years, from 1985 to 2014, Elise Bean worked as an investigator for United States Senator Carl Levin (representing Michigan), including 15 years at the Senate Permanent Subcommittee on Investigations (PSI). Appointed his PSI staff director and chief counsel in 2003, Ms. Bean handled investigations, hearings, and legislation on matters involving money laundering, shell companies, offshore tax abuse, corruption, and corporate misconduct. In 2018, she authored a book: *Financial Exposure: Carl Levin's Senate Investigations into Finance and Tax Abuse*. Ms. Bean graduated Phi Beta Kappa from Wesleyan University and received a law degree from the University of Michigan. She clerked for the Chief Judge of the U.S. Claims Court, and worked for two years at the U.S. Department of Justice. In 2018, Ms. Bean was recognized as a leader in tax justice matters by Global Witness. In 2016 and 2015, she was included in the Global Tax 50, a list compiled by the International Tax Review of the year's top 50 individuals and organizations influencing tax policy and practice. In 2013 and 2011, the Washingtonian magazine named her one of Washington's 100 most powerful women.



# BREAKOUT SESSION 3A

THURSDAY 11:15 AM - 12:15 PM

## Involvement of Citizens' Councils in Legislation

Recently, so-called citizens' councils have appeared in several states. Despite differences in detail, their common feature is that a group of citizens randomly selected by lot forms an opinion on a particular issue and subsequently makes (nonbinding) recommendations. Such citizens' councils take place at all levels of government action - from the municipal level to the regional and federal levels, to the state or European level. This presentation explores the opportunities that such citizens' councils provide for good lawmaking and discusses various mechanisms by which citizens' councils on the one hand and institutional representative lawmaking on the other can be linked. Our expert presenter will also discuss whether citizens' councils are themselves in need of regulation (i.e., whether there is a need for a law governing citizens' councils and what form such a law might take).

**Matthias Rossi** holds the Chair for Constitutional Law, Administrative Law, EU Law and Legislation Theory at the Law Faculty of Augsburg University (Germany). From 1988 to 1993, he studied law in Trier (Germany) and Nancy (France) and then completed his legal clerkship in Berlin, Paris and Haifa (Israel). In 1997, he earned his doctorate from the Humboldt-University in Berlin, where he also habilitated in 2004. Since then, he has been a visiting professor in Bangalore (India), Paris and Brescia (Italy). Matthias Rossi not only deals with legislation on a national and European level in numerous academic articles, but is also repeatedly involved as an expert in practical legislation. In addition, he regularly teaches "Legislative Theory" to students.



**Matthias Rossi**  
Augsburg University



# BREAKOUT SESSION 3B

THURSDAY 11:15 AM - 12:15 PM

## Drafting with the Phrases “In Consultation With,” “After Consultation With,” and “On the Recommendation Of” in National and International Legislation

This practical and insightful presentation explores the legislative impact of the inclusion of certain common phrases requiring an implementing agency or official to interact with designated parties when carrying out statutory duties, including examples of how the judiciary has interpreted such phrases.

**Stephan Naundorf** is chair of the Organisation for Economic Co-operation and Development’s Regulatory Policy Committee since 2020. In the German context he manages the cooperation of the German Government’s Better Regulation Unit (BRU) at the Federal Ministry of Justice with the regional governments, the scientific sector and the main umbrella organisations of the German Economy. His scope of work includes the development of the Federal Government’s programme for better regulation and the cooperation with international partners and supranational organizations like OECD or UNECE. Naundorf holds a MBA and a Master of Political Sciences. Naundorf was formerly a member of the Ministry of Defence staff for five years and worked in the economic sector for ten years, including the emerging online and digital markets following the turn of the millennium. He also was member of the management board and shareholder of an advertising and public relations agency specialised on disruptive business models.

**Filisity Owoses** is the Chief: Directorate Legislative Drafting Ministry of Justice, Namibia with 17 years’ experience in drafting Bills, subordinate legislation and statutory measures. She holds a Bachelor of Laws (LLB) degree from the University of Namibia (UNAM). She is also Commissioner of the Law Reform and Development Commission of Namibia. Ms. Owoses lectured Legal Research, Writing and Statutory Interpretation, at Faculty of Law: UNAM. She is the Author of “Planning Law in Namibia” published with Juta Law South Africa. She also published a number of academic articles in Constitutional Law, Statutory Law and Interpretation, Environmental law and Family law; which can be accessed on Academia.Edu



**Stephan Naundorf**  
Organization for Economic Co-operation and Development



**Filisity Owoses**  
Ministry of Justice, Namibia

\* Stephan Naundorf will be appearing remotely



# BREAKOUT SESSION 4A

THURSDAY: 1:15 PM - 2:15 PM

## Legislation in the Kingdom of Saudi Arabia: Past, Present and Future

Unified in 1932, the Kingdom of Saudi Arabia's founder, King Abdulaziz Al-Saud, focused on civil society and how to improve and empower the Saudi community through legislation. The Kingdom's legal system is unique because of its centralized royal government, the use of civil law, and constitutional requirements based on the Quran and Sunnah. The Kingdom is therefore a civil law country within the idea of Islamic law, requiring the use of the Legal Rule Hierarchy Theory. This thought-provoking session will discuss several current and interesting issues related to the Kingdom's legislative process, including: the Legislations Ecosystem Development Project, the Ministry of Justice's efforts to automate litigation procedures and the enforcement of judgments, the use of public opinion platforms to comment on draft legislation and regulation, innovations in the regulatory process within the financial and tourism sectors, and how the Kingdom's laws may change to build the new city of Neom.



**Lina Khalid Suliman Albahouth**

LLM Candidate, Pennsylvania State University



**Matt McGhie**

United States Senate Office of the Legislative Counsel (Moderator)

**Lina Khalid Suliman Albahouth** is currently pursuing an LLM degree in Administrative Law and the Regulatory State at Pennsylvania State University and holds a degree in Law from King Saud University (2018). Until recently, Lina served as a legal researcher within the Kingdom of Saudi Arabia's Ministry of Tourism, where she drafted legislation on tourism, sustainable tourism, space law, and air connectivity.

**Matthew McGhie** is a Senior Counsel at the United States Senate Office of the Legislative Counsel, where he has drafted legislation on homeland security, transportation, foreign assistance, global health, and immigration since 2001. In his role as office liaison, he has met with dozens of legislative staff from around the world. Mr. McGhie graduated from Brigham Young University in 1989 with a B.A. in International Relations and Sociology. He received a Master's in Public Administration from the University of Southern California in 1992 and a Juris Doctorate (cum laude) from the J. Reuben Clark Law School at BYU in 2001. Prior to working at the U.S. Senate, Matthew held government positions at the city, county, state, and federal level. He has held many positions with the Federal Bar Association, include Chapter President, Section Chair, and member of multiple national committees. He and his wife, Angela, live in Maryland with their three children.





# BREAKOUT SESSION 4B

THURSDAY: 1:15 PM - 2:15 PM

## Challenges Posed for Drafters by COVID-19 Related Legislation

*To be presented remotely*

The timely presentation examines the challenges the COVID-19 pandemic has posed for legislative drafters in their role as legal advisers and “servants” of the government, given the often unconstitutional nature of some of the instructions they are given. The examples our presenter will give focus, for the most part, on law reform in the British Commonwealth and deal with conflicts of interest for the drafter, emergency regulations and the propriety of some of the powers granted to officials, and the effect of COVID-19 related legislation on constitutional rights, particularly in small developing Commonwealth countries.



**Segametsi Mothibatsela**  
Governance and Peace  
Directorate of the  
Commonwealth Secretariat in  
London

**Segametsi Mothibatsela** is a Legal Adviser who is responsible for legislative drafting and law reform in the Rule of Law Section of the Commonwealth Secretariat in London. Prior to that she was an instructor in Canada’s Athabasca University’s distance programme in legislative drafting, and also served the Caribbean Community Secretariat as a Commonwealth Fund for Technical Cooperation consultant in legislative drafting. She holds an LL.B degree from the University of Botswana and Swaziland, and an LL.M degree in Legislative Drafting from the University of the West Indies (Cave Hill Campus). Segametsi served in the Attorney General’s Chambers of Botswana first as a prosecutor, then as a legislative drafter and legal adviser for more than 15 years, and was Head of the Legislative Drafting Division for several of those years. She also represented Botswana at many international meetings including Commonwealth Senior Officials and Law Ministers’ Meetings, WIPO meetings, Southern African Customs Union meetings, and served as legal adviser to the boards of several bodies including the Tax Review Committee, the Tax Adjudication Board, the Botswana Medical Professions Council, and the Botswana Tourism Licensing Board. She retired from the Botswana Government in 2005 as Deputy Permanent Secretary in the capacity of Acting Deputy Attorney General and Head of the International and Commercial Division of the Attorney General’s Chambers to establish a legal consulting firm before joining the Commonwealth Secretariat. She is a member of the Commonwealth Association of Legislative Counsel (CALC), and has authored and co-authored various resources on legislative drafting for the Caribbean region.



# BREAKOUT SESSION 5A

THURSDAY: 2:30PM - 3:30 PM

## Shifting Sands in Public Health Law Reform – During and Post Pandemic

In this presentation, our knowledgeable presenter will discuss the pending pandemic treaty at the World Health Organization, the latest revisions to the International Health Regulations, and the process followed to enact both documents. The session will then explore changing public health laws in developing countries, with case studies involving Laos, Zambia, and Uganda.

**Michele Forzley** is a global public health legal and policy expert with experience in multiple countries and regions in public health sector and medicines regulatory strengthening and reform and legislative drafting, policy development and implementation and in international trade and business. She is a thought leader who shares her expertise through consulting, research, analysis, publishing, training, and technical assistance. Ms. Forzley has experience in AFRO, SEARO, WPRO, EMRO, EURO and PAHO regions and countries, and in emerging economies, fragile, conflict and post-conflict states, small and island states on projects on behalf of the World Health Organization, the World Bank, the European Union, national governments, advocacy organizations, and trade associations. She is a member of the World Health Organization's International Health Regulations Roster of Experts on Health Law, Ethics and Human Rights, author, and is a law professor teaching global public health law and policy. She holds a J.D. from New England Law School in Boston and is licensed in New York and Massachusetts.



**Michele Forzley**  
Forzley & Associates



# BREAKOUT SESSION 5B

THURSDAY: 2:30PM - 3:30 PM

## The Courts' Overuse and Misuse of Dictionaries

*To be presented remotely*

In the past few decades, the use of general (lay) dictionaries by courts everywhere - but especially in courts dominated by textualists - has soared. Join former law professor Joseph Kimble as he presents empirical data to show this jump in one supreme court. At the same time, he will illustrate with cases how the practice is misused; explain why he thinks it is linguistically misguided; summarize two surveys of the extent to which legislative drafters themselves use dictionaries; and present a sampling of the critical scholarly commentary.

**Joseph Kimble** taught legal writing and drafting for more than 30 years at Western Michigan University-Cooley Law School. He has lectured throughout the United States and abroad, published many articles on writing and interpretation, and written three books on legal language. He is senior editor of *The Scribes Journal of Legal Writing*, the longtime editor of the "Plain Language" column in the *Michigan Bar Journal*, editor of the "Redlines" writing column in *Judicature*, and a founding director of the Center for Plain Language. Since 1999, he has been the drafting consultant on all U.S. federal court rules. He has received several national and international awards for his work. He holds a J.D. from the University of Michigan Law School.



**Joseph Kimble**  
formerly of WMU Cooley Law  
School



# PLENARY SESSION 6

THURSDAY: 4:00 PM - 5:00 PM

## How Can We Legislate Algorithms? Lessons Learned at the State and Local Levels

The rapid proliferation of artificial intelligence (AI) throughout our daily lives will bring enormous implications for legislators, from automated decision systems to autonomous vehicles. The panel will explore how policymakers can draft legislation that will protect citizens from the potential harm of AI bias while also enabling innovation as well as address the need to write legislation that accounts for the natural growth and evolution in the AI field. The panel will also address how state and local legislators have grappled with this issue, using the New York City Automated Decision Systems Task Force as a case study.

**Kelsey Kober**, as the Senior Manager of Policy on the Information Technology Industry Council's Public Sector team, analyzes policy developments related to key issues facing technology companies that work with federal and state governments. Over the past four years, she has led the industry response to key initiatives on cybersecurity, supply chain risk management, IT modernization and innovative technologies, and has participated in groups like the U.S. Department of Homeland Security's Information and Communications Technology (ICT) Supply Chain Risk Management Task Force. Previously, Kelsey was a Policy Associate at Common Sense Media, which advocated for technology policy that benefits kids and families. Kelsey holds a Bachelor of Arts in Political Science and Philosophy from Denison University, and is currently pursuing a Masters in Political Management at the George Washington University.

**Cathy Pagano** has been a Board member of the Women's Bar Association of DC (WBA) since 2017, and has served as Co-Chair of the WBA Government Attorneys Forum and of the WBA Energy & Environmental Law Forum. She has worked for the Federal Government at the U.S. Postal Service since 1987, both in Government Relations and in the Law Department in the legislative and administrative law area. She is a member of Women in Government Relations and of the Washington Council of Lawyers (legal pro bono association). Ms. Pagano is a member of the Minnesota Bar and the U.S. Supreme Court Bar. She received her Law Degree from Stanford University, her M.A. in English from Indiana University (Bloomington), and her B.A. in Spanish from the University of Georgia (Athens).



**Kelsey Kober**

Technology Industry Council



**Cathy Pagano**

US Postal Service  
(Moderator)



# PLENARY SESSION 7

FRIDAY: 8:30 AM - 9:30 AM

## Making the US Congress Work Better: Highlights from the Work of the US House Modernization Committee

Join Betsy Wright Hawkings as she gives an insider's view of the origin and achievements of the United States House of Representatives Select Committee on the Modernization of Congress. One of the only truly bipartisan committees in the US Congress, this non-legislative committee has issued over 170 recommendations in support of its mission to make the US Congress work better for the American people. The Modernization Committee was tasked in 2019 to investigate, study, make findings, hold public hearings, and develop recommendations to make Congress more effective, efficient, and transparent; in so doing it has held more than 40 public hearings; released a 295-page public report on its work in the 116th Congress in October 2020; and will issue a final report before it sunsets at the end of this year. Ms. Hawkings, who has served as a fellow on the Modernization Committee, will share the highlights of the Modernization Committee's work during the last two sessions of the US Congress, the current status of its recommendations, and the outlook for implementation of its remaining recommendations going forward.



**Betsy Wright Hawkings**  
Democracy Fund

**Betsy Wright Hawkings** served as chief of staff to four Republican House members, including Congressman Christopher Shays, over 25 years. In that capacity she helped develop coalitions to pass cross-partisan legislation, such as the Congressional Accountability Act, the 9-11 Commission Act of 2007, and legislation to implement its recommendations. The founding Managing Director of Democracy Fund's Governance Program, she now heads Article One Advisors, providing support to entrepreneurial organizations seeking to foster dialogue across the ideological spectrum; promote more effective congressional systems, processes and procedures; develop innovative programs to deepen leadership development for members of Congress and staff; and reduce incentives for hyper-partisanship and gridlock in government. Utilizing more than 30 years of experience working in Congress and the good government field, she now provides strategic advice on planning, fundraising, communications, engagement and advocacy plan development to nonprofit clients seeking to work across the aisle to help Congress work more effectively. She also currently serves as a Fellow to the House Select Committee on the Modernization of Congress.



**Cathy Pagano**  
US Postal Service  
(Moderator)

**Cathy Pagano** has been a Board member of the Women's Bar Association of DC (WBA) since 2017, and has served as Co-Chair of the WBA Government Attorneys Forum and of the WBA Energy & Environmental Law Forum. She has worked for the Federal Government at the U.S. Postal Service since 1987, both in Government Relations and in the Law Department in the legislative and administrative law area. She is a member of Women in Government Relations and of the Washington Council of Lawyers (legal pro bono association). Ms. Pagano is a member of the Minnesota Bar and the U.S. Supreme Court Bar. She received her Law Degree from Stanford University, her M.A. in English from Indiana University (Bloomington), and her B.A. in Spanish from the University of Georgia (Athens).



# PLENARY SESSION 8

FRIDAY: 9:45 AM - 10:45 AM

## Legislative Drafting in Multilingual Legal Orders and Computer-Assisted Translation Tools. Case Study: The European Union

Computer-assisted translation (CAT) tools are of significant help within multilingual legal orders. In the European Union (EU), they are used in drafting legal acts in its twenty-four official languages. This presentation will look at these tools in the EU from a perspective of constitutional law. Join our insightful presenter as he explores whether these tools are sufficiently transparent. Do they jeopardize the role of human intelligence? Can they play any role with regard to the implementation/transposition of EU legal acts within member states, when legal terms - that are used by the EU legislator - have slightly different meanings from the meanings that those terms have within domestic legal orders?



**Enrico Albanesi**  
Department of Law,  
University of Genoa

**Enrico Albanesi** (PhD) is an Associate Professor of Constitutional Law at the Department of Law, University of Genoa, where he holds a course in Legislative Drafting. He is also an Associate Research Fellow at the Institute of Advanced Legal Studies (IALS), University of London, where he co-leads the IALS Law Reform Project. He wrote a handbook on legislative drafting for University students (2nd edition, 2019). He had been working for several years as legal advisor to the President of the Comitato per la legislazione, the committee of the Italian Chamber of deputies that scrutinises the quality of the bills. He gave several presentations overseas (Albania, Algeria, Belgium, Bulgaria, Estonia, Finland, Hungary, Iceland, Israel, Japan, Montenegro, Poland, Portugal, Spain, Thailand, United Kingdom, United States) and published articles in peer-reviewed international books and journals, such as *European Journal of Law Reform*, *The Theory and Practice of Legislation*, *Statute Law Review*, *The Cardozo Electronic Law Bulletin*, *European Public Law* and *International Journal of Parliamentary Studies*. He earned a Law Degree from University LUISS Guido Carli, Department of Law, in Rome, Italy and a Ph.D. in Constitutional Law from the University of Genova, Department of Law.



# BREAKOUT SESSION 9A

FRIDAY: 11:15 AM - 12:15 PM

## Executive State and the Quality of Law-Making: Perspectives from Greece

Polynomia and caconomia reflect the longstanding status quo in the Greek legal system: fragmented and conflicting bits of legislation scattered in various statutes, adopted by expedited procedures, without second thought or adequate public consultation and subject to continuous revision. Against this backdrop, the bill on the executive state, in force since August 2019, has attempted a paradigm shift in the law-making process - an innovative mixture between the centralized system for legislative drafting and the more diversified legislative drafting that still prevails in continental Europe. The session assesses this approach and its implementation, while drawing potential lessons for the international discussion on the quality of law making.

**Dr. Stelios Koutnatzis** is the Cabinet Secretary and Secretary General for Legal and Parliamentary Affairs at the Presidency of the Government, Hellenic Republic (since 2019). He holds a law degree from the University of Athens, an LL.M. from Harvard Law School, and a Ph.D. degree in law from Freie Universität Berlin (with the distinction "summa cum laude"; Ernst-Reuter Prize). He is a Lecturer in Public Law at the Democritus University of Thrace and a Member of the Editorial Board of the law journal "To Syntagma". He served as legal advisor to Greece's Deputy Finance Minister George Mavraganis (2012-2015) and was a founding partner of MK LEGAL law offices in Athens, Greece (2015-2019). He has published extensively in Greek, English and German.



**Dr. Stelios Koutnatzis**  
Presidency of the Government,  
Hellenic Republic



# BREAKOUT SESSION 9B

FRIDAY: 11:15 AM - 12:15 PM

## Using the World Bank Business Enabling Environment Report to Guide Policy Dialogue and Reforms Around the World

The presentation will highlight Business Enabling Environment (BEE) - a new flagship report to be offered by the World Bank in 2023, based on research and primary data collection on annual basis from private sector contributors around the world. As private sector is the primary source of employment and pathway out of poverty, including in fragile and conflict-affected states, the BEE report will offer a quantitative assessment of the business environment for private sector development contributing to WBG twin goals of eliminating poverty + boosting shared prosperity. The assessment aims at reform advocacy to promote economic and legislative reforms, opening the door for knowledge sharing/policy dialogue for governments, civil society (including the private sector), World Bank Group, and other development institutions. The BEE report will be applying a homogeneous methodology across economies of different geographic locations, income levels, and development status to understand the gaps that economies in all stages of development can aspire to close. One of principal goals of the BEE report is reform advocacy, providing policy advice leading to legislative application, covering a wide spectrum of areas relevant to firms/markets and showing how and by how much economies lag behind good practices. The report will be a platform for guidance in legislative adjustments to improve business environment. The presentation will also provide examples on how legislative reforms were implemented in the past 15 years by developing countries on the basis of the findings on best practices in business enabling environment as presented in the annual predecessor reports, Doing Business. "I can't believe it is easier to start a business in Canada than it is in the United States, as measured by Doing Business report", Hilary Clinton.



**Maria Magdalena (Maika) Chiquier**  
The World Bank

**Maria Magdalena (Maika) Chiquier**, a lawyer and private sector development specialist at the World Bank, focuses on advising governments globally on how to reform the business climate to facilitate private sector development. She worked on the research leading to the production of the annual Doing Business report. She also worked in the IFC (World Bank) Legal Department. In 2012-13, Maika was seconded to the European Stability Mechanism, a bail-out fund in Luxembourg, where she worked on post-financial crisis corporate governance methodologies for banks in distress. Before joining IFC/WB, she also practiced law at the Clifford Chance and White & Case law firms. Maika graduated from Georgetown University Law Center and is a member of the New York bar.





# BREAKOUT SESSION 10A

FRIDAY: 1:15 PM - 2:15 PM

## Universal Voting: What If They Gave an Election and Everyone Came?

Miles Rapoport is the co-author of the recent book, *100% Democracy: The Case for Universal Voting*. In the book, he explores the policy of universal voting – making voting a required civic duty for every citizen, analogous to how we now treat jury duty, including the constitutional, legal, and societal issues relating to such a measure. Over two dozen democratic countries around the globe use some form of universal voting. Australia has had the policy in place since 1924 and gets around 90% turnout in every election. The proposal is virtually brand new in the United States, and will certainly be controversial. The presentation will make the case for universal voting and discuss the objections that have been and will be raised in a serious and thoughtful way.

**Miles Rapoport** is the Executive Director of *100% Democracy: An Initiative for Universal Voting*. He also serves as Senior Practice Fellow in American Democracy at the Ash Center of the Harvard Kennedy School of Government. He served in the Connecticut legislature from 1984–1994, serving as chair of the elections committee, and as Connecticut’s Secretary of the State from 1995–1998. He also served as President of Demos from 2000–2014, and as national President of Common Cause. He is the co-author, with Washington Post columnist E.J. Dionne, of *100% Democracy: The Case for Universal Voting*, which was published in March of 2022 by the New Press.

**Larry Shapiro** served as a Legislative Attorney in, and then Director of, the nonpartisan legal and bill drafting office of the Connecticut General Assembly – the Legislative Commissioners’ Office (LCO). As a Legislative Attorney, he served as counsel to 14 legislative committees, including elections, government administration, energy and public utilities, finance, transportation, municipalities, and economic development. He drafted legislation for committee members and advised them on legal issues and legislative procedure. As LCO Director, Larry supervised the researching, drafting and processing of 10,000 bills, amendments and acts each year and the publication of enacted legislation and updated statutes, and advised legislative leaders on legal issues and legislative procedure. He also served as an officer of the Legal Services Staff Section of the National Conference of State Legislatures. Since retiring from the Connecticut General Assembly, Larry has been a Legislative Consultant, providing bill drafting and bill review services and training legislative staff in several states. He volunteers as a member of the organizing committee of the International Conference on Legislation and Law Reform and is co-chairperson of the conference’s Promotions Committee. Larry earned a B.A. Degree “With Distinction” from Stanford University and a J.D. Degree from Boston College Law School.



**Miles Rapoport**  
100% Democracy: An Initiative  
for Universal Voting



**Larry Shapiro**  
Legislative Consultant  
(Moderator)



# BREAKOUT SESSION 10B

FRIDAY: 1:15 PM - 2:15 PM

## Modern Debates on Referring to Gender in Legislative Texts

It is virtually impossible for laws dealing with human subjects to avoid the question of how (or whether) to refer to those subjects' gender and identity. A diversity of perspectives on the best way for legislation to refer to gender has arisen over many years. The controversies are political, legal, and increasingly visible. Though debate in this area is not new, the perspectives appear in many respects to be becoming more divergent over time, rather than approaching consensus. This thought-provoking presentation considers current and historical debates in this area from an international comparative perspective, with a particular focus on the arguments put forward by those who have opposed making concessions to modern innovations in legislative language around gender. Our insightful presenter will then consider how best to synthesize a drafting philosophy that moves past these concerns, with a view to allowing a consistent, practical, and inclusive approach to be identified.



**Donncha Ó Conmhuí**  
Office of the Attorney General,  
Dublin

**Donncha Ó Conmhuí** is a legislative drafter in the Office of the Attorney General in Dublin, Ireland, where he and his colleagues are responsible for drafting primary and secondary legislation for the Government of Ireland. Prior to that, he specialised in environmental law in a large commercial law firm in Dublin. He is a graduate of the University of Oxford, Trinity College Dublin, and is a qualified solicitor. His legal interests include legislative drafting, data protection law, European law, lawyer-linguism and legal translation.



# BREAKOUT SESSION 11A

FRIDAY: 2:30 PM - 3:30 PM

## Journalism's Impact on Global Policy

The Fuller Project is the global newsroom dedicated to groundbreaking reporting that catalyzes positive change for women. Its global reporting has influenced new legislation, helped end life-threatening practices, and led to large scale releases of public data. For example, following the Fuller Project's story on immigrant mothers deported days after giving birth without their children's birth certificates, President Biden released updated policy guidance and eleven mothers were paroled back into the US. In turn, following the Fuller Project's investigation into sham virginity testing in the US and internationally, New York and California lawmakers introduced new legislation to ban the practice, and in Angeles City, Philippines, officials stopped the practice of hymen exams in government clinics. Join Fuller Project cofounder and CEO Xanthe Scharff, who will talk about the ways that journalism raises awareness and often sparks legislative and other forms of action. Fuller Project editor in chief, Eva Rodriguez, having covered the Supreme Court and legal affairs for outlets ranging from The Washington Post to The New York Times, will provide case studies of the impact of journalism on legislation. Susan Kovarovics of Akin Gump will moderate the panel.

**Dr. Xanthe Scharff** is the CEO of The Fuller Project. Since cofounding the organization in Istanbul in 2015, she has built a team and newsroom that are dedicated to reporting exclusive stories centered on women that otherwise would not be told. This reporting is published in renowned outlets and relied on by policymakers, corporate leaders, influencers and individuals across the globe, leading to better outcomes for women and their communities. Scharff is the Founder and Board Chair Emeritus of Advancing Girls Education in Africa and a lifetime member of the Council on Foreign Relations. She was awarded a Helen Gurley Brown Genius Award for building news coverage of women and climate and was named Top 40 under 40 by the Leadership Center for Excellence.

**Eva Rodriguez** is the award-winning editor-in-chief of The Fuller Project, focused on groundbreaking coverage to raise awareness of the myriad important, interconnected issues impacting women, and catalyze positive change through storytelling. Eva was previously deputy foreign editor at The Washington Post, overseeing coverage of Ukraine, Afghanistan and the global Covid-19 pandemic, among other global news stories. Eva was a lead editor of the "Losing Control" series that won a 2021 Overseas Press Club Award that judges praised as revealing "the shocking truths of how pervasive corruption and violence had become" in Mexico. Her career has also included The New York Times, The Wall Street Journal, Politico, and the Miami Herald.

**Susan Kovarovics** has more than 20 years of experience providing practical solutions for legal and compliance matters. She counsels U.S. and international companies across myriad industries, including aerospace, agribusiness, consumer electronics, defense, health care, higher education, manufacturing and national security. She focuses her practice on matters involving the International Traffic in Arms Regulations (ITAR), the Export Administration Regulations (EAR), sanctions administered by the Office of Foreign Assets Control (OFAC), U.S. antiboycott laws and the Foreign Corrupt Practices Act (FCPA).



**Xanthe Scharff**  
The Fuller Project



**Eva Rodriguez**  
The Fuller Project



**Susan Kovarovics**  
Attorney at Akin Gump  
(Moderator)

# BREAKOUT SESSION 11B

FRIDAY: 2:30 PM - 3:30 PM

## Limits on Executive Power: Are Brazilian Presidents More Powerful Than U.S. Presidents?

With increased partisanship in Congress, recent United States presidents have used executive orders to implement policy and, as much as possible, avoid the arduous legislative process. Join us for this interesting presentation that discusses how the Brazilian Constitution authorizes the president to issue provisional measures, which are presidential decrees with the force of law, effectively legislating until reviewed and approved or rejected by Congress. While provisional measures are designed for urgent matters of importance for the country, their frequent use has tested the limits of the constitutional permission. Still, provisional measures have shown to be a valuable tool available to the Brazilian president, expanding traditional presidential powers.

**Amauri G. Costa** is a dual-qualified (Brazil/District of Columbia) attorney focused on cross-border corporate and commercial transactions, ranging from complex mergers, acquisitions and joint ventures to structured finance and trade finance matters. His transactional practice focuses on representing US- and Europe-based companies doing business in Latin America, and foreign companies doing business in the United States. Mr. Costa advises clients in the energy, telecommunications, information technology and financial services industries and assists extensively with interpreting the legal and regulatory environments in Latin America. Mr. Costa earned his law degree from the Law School of the University of São Paulo, his graduate specialization in Brazilian corporate and commercial law from University Mackenzie in Brazil and his LL.M. from Queen Mary and Westfield College in London.



**Amauri G. Costa**  
Duanne Morris LLP



# PLENARY SESSION 12

FRIDAY: 4:00 PM - 5:00 PM

## The Legislative Challenges in Timor-Leste

This presentation will analyze the process of building democratic procedures of legislation in a post-conflict society, including legislating in the context of a constitutional “Bing-Bang,” building democratic procedures in legislation in post-conflict societies, and the ongoing process of legislative reform. With a focus on Timor-Leste, our presenter will recount the succession of legal orders in the context of the newest state of the 21st century, including the constitutional drafting process, the constitutional case-law on legislative hierarchy considering a constitutional omission and the balance of the legislative process in a semi-presidential system of government. This presentation will provide an overview of the legislative procedures, accountability, and compromise, the importance of customary law, comparative law, and international aid in the legislative processes of developing nations, and the challenges of a multi-lingual legislative process. The presentation will also identify the opportunities for the dematerialization of the legislative process and review the use of Regulatory Impact Assessments in the legislative cycle of Timor-Leste.



**Ricardo Alexandre  
Sousa da Cunha**  
School of Law,  
University of Minho

**Ricardo Alexandre Sousa da Cunha**, who holds a PhD in Public Law from the University of Minho and a Master in Public Law Sciences from the University of Coimbra. He is currently a law professor at the School of Law, University of Minho. He was previously a visiting professor at the Law School of the Universidade Nacional Timor Lorosa'e. Professor Sousa da Cunha has authored several academic articles and books on comparative constitutional law, including legislative reform in Timor-Leste. As senior Legal Advisor to the President of the Republic of Timor-Leste, he reviewed legislation submitted by the National Parliament and the Government for promulgation Consultant of the VIII Constitutional Government for the reform of the legislative process.

