Case, Huff & Associates Pro Bono Classic Brings Out the Just-for-Fun, the Good, and the Generous

The annual Pro Bono Golf Classic, held to benefit the Maricopa County Bar Foundation and the Volunteer Lawyers Program, saw 13 foursomes compete for fun and prizes on an overcast but balmy Saturday last month. Sponsored this year by Case, Huff & Associates, Inc., the classic was again held at The Legacy Golf Resort at the foot of South Mountain.

The first place foursome was sponsored by Frazer Ryan Goldberg and Arnold (see photo here; more photos on page 9). The second place team foursome comprised Lars Lagerman, Jeff Carlson, Sean McElenney and David Block. Third place went to the Gallagher & Kennedy-sponsored foursome of Mike Ross, Mike Weeks, Colin Snyder and Mark Deatherage.

Other hole sponsors with foursomes included Alvarez & Gilbert, Nussbaum & Gillis, E-Litigation Services, Gammage & Burnham, TERIS, Stone & Davis, and Gallagher & Kennedy. Sponsored holes without foursomes were FPO Solutions, Snell & Wilmer, Lewis and Roca, and Mutual of America.

Lake v. City of Phoenix

When many of us began practicing law, our documents were prepared by typewriters, which are (were?) dumb machines. The finished product had no information about who had drafted it, typed it, looked at it, or printed it (unless somebody had taken the extraordinary step of recording all this information). In short the finished document was all you got.

Computers may not be intelligent machines, but they have memories, preserving somewhere in the ether much of the information that the paper document cannot. They often perform this task whether you want them to or not.

Is this hidden information associated with the finished document an integral part of that document? The Arizona Supreme Court has recently held that the hidden information—the metadata—is subject to Arizona’s public-records laws and must be provided: “[If a public entity maintains a public record in an electronic format, then the electronic version, including any embedded metadata, is subject to disclosure under our public records laws.” Lake v. City of Phoenix, No. CV-09-0036-PR (Ariz. Oct. 29, 2009).

David Lake, a Phoenix police officer, filed an EEOC complaint against the city, along with a notice of claim. He also filed a public-records request, seeking notes documenting his work performance kept by his supervisor, Lt. Robert Conrad.

The city produced paper copies, but Lake suspected that they had been backdated on a computer. So he requested the documents’ metadata: their actual creation dates; dates they had been accessed; identities of those who had accessed them; and dates they had been printed. The city declined, contending that metadata is not a public record.

Lake filed suit alleging that the city was delaying production of the records until they could be destroyed. The superior court denied relief, and Lake appealed. A split court of

See Court Rules that Metadata is Public Record page 14
Did that Just Happen and What Happens Next?

For those of you that follow Clint Eastwood movies, the MCBA followed the directive of Gunny Sgt. Thomas Highway—we improvised, adapted, and overcame adversity.

Indeed, 2009 has turned out to be quite a year. We have been able to further established goals, as well as take advantage of opportunity that comes with challenge. We have continued to support access to justice and support of our profession locally throughout the year. By the beginning of next year, the MCBA’s offices and facilities will be newly renovated with an improved look and functionality to serve our membership and enhance our ability to further our mission to serve the profession and our community.

We also inducted another excellent slate of members to the MCBA Hall of Fame, furthering our goal of preserving the history, accomplishments and example set by those who helped define Maricopa County’s legal profession. We did so at our Annual Meeting, which had the largest attendance of any of our meetings in recent years. Also, in cooperation with the many stakeholders involved, the MCBA has been integral in getting the Maricopa County Justice Museum and Learning Center off the ground this year, with the establishment of its several development committees. The museum should soon be a reality.

So, even with the challenges that presented themselves, 2009 was a great year for the MCBA and its membership. And better yet, the future is even brighter.

2010 and Beyond...

It has been my honor and privilege working with the volunteers and staff of the MCBA, especially this past year. The experience has been personally and professionally rewarding. The friendship and collegiality among the bench and bar, as well as among the board of directors, sections and divisions, and membership, is a testament to the quality of this organization. While the MCBA does not have the pomp and circumstance of a military change of command, I take this opportunity to say that I am confident and glad in turning over the helm to my successors, and salute them for their willingness to serve our profession.

An introduction is in order. Jennifer “Jen” Green will be our 2010 president. Jen is an assistant United States attorney, and a former assistant Maricopa County attorney. Our president-elect will be David Benson. David’s legal career has focused on environmental and lobbying matters. Our treasurer will be Jennifer Cranston (formerly Jennifer Ratcliff). Jennifer is a litigation attorney with the law firm of Gallagher & Kennedy. These folks are bright, energetic, and dedicated to the MCBA—we will be well served in 2010.

In closing, I hope that when you look back on 2009, you recall a host of good times and memories, and that when you look ahead to 2010 you see more good times to come. Thank you to everyone for all of your support throughout the year, your well wishes and kind words.

And, thank you for your continued support of the MCBA and its programs in 2010.
Remote Access to Electronic Court Eliminates Need to Order Paper Copies from Clerk

Remote Records Access for Arbitrators

Attorneys can now have electronic access to the public records in adult case types where the attorney has been appointed as an arbitrator.

Remote access to the electronic court record eliminates the need to order paper copies from the Clerk’s Office. Remote access also provides up-to-date access to records as they are filed and docketed, whereas a paper record could require multiple trips to the Clerk’s Office.

Attorneys appointed as arbitrators may get remote access to court documents through the Electronic Court Record Online (ECR Online), which is the electronic repository of documents filed with the Clerk.

To take advantage of this free service, follow these steps: Register with ECR Online if not already registered and e-mail a copy of the order appointing the attorney as an arbitrator to the Clerk’s eFile support e-mail address (efilesupport@cosc.maricopa.gov) or fax to (602) 372-8751. In the e-mail or fax, the request to add the case to the arbitrator’s “My Cases” list in ECR Online must include the case number and the arbitrator’s name as well as preferred contact information in case Clerk staff need to follow up.

Clerk staff will manually add the case number to the arbitrator’s list of cases in ECR Online and will e-mail confirmation to the arbitrator, generally by the next business day. With the ECR Online system, the arbitrator can scroll through the listing of documents filed on the case and view them by clicking on the appropriate link to each individual document.


eFiling Notification

Notification e-mails from the Clerk’s eFiling system have improved. The changes emphasize that there are two e-mails regarding the status of every eFiling.

The first e-mail from the Clerk’s Office is automated and states that the filing has been received, meaning there were no technical problems between your computer and the Clerk, but no action has been taken by the Clerk’s Office at the time the eFiling is received.

The second e-mail states whether a filing was accepted or rejected. A document is not filed-in, and therefore not on the docket or in the public record until it has been accepted by the Clerk’s Office. Check all e-mails from the Clerk’s Office, as e-mail notification of an accepted document may contain instructive notes from the review clerk, such as a more appropriate file type to select in the future.

The e-mail notification for eFiled documents that are rejected will contain comments from the review clerk stating the reason(s) for rejection. Rejected documents are not filed stamped or part of the public record. Rejected filings lose the initial file date and time must be corrected and resubmitted. The electronic process closely matches the paper and night-depository box processes currently in place.

eFile support staff are available Monday through Friday from 8 a.m. to 5 p.m. by calling (602) 506-2565 or by e-mailing efilesupport@cosc.maricopa.gov. eFilings are not processed on weekends or holidays. However, the file stamp on eFilings that are accepted will reflect the day and time they were submitted to the Clerk’s Office, as is the current practice with the night depository boxes.

Electronic filing is available in all general civil cases, the criminal trial divisions and in a limited number of family court divisions. Judicial divisions that accept eFilings will have a sentence at the end of the minute entries in those cases that states “This case is eFiling eligible.”

The eFiling Guidelines are posted on the Clerk’s website and list the requirements and restrictions related to electronic filing in the Superior Court in Maricopa County. To view the guidelines or to register for electronic filing, go to www.clerkofcourt.maricopa.gov.

The YLD Carol: It’s The Most Wonderful Time of the Year

It’s the most wonderful time of the year. The B-Ball raised money, whereas a paper record could require multiple trips to the Clerk’s Office.

There were townhalls we hosted,
Job-listings we posted,
Mock interviews at A-S-U,
But the B-Ball raised money.

It’s the most wonderful time of the year,
It’s the most wonderful time of the year,
It’s the most wonderful time of the year,
In-a-weak economy. Museum’s neeaaar
It’s the most wonderful time of the year,
If that is the case, then just run next year’s Race,
And hearts will be glowing

There were women we aided,
And shelters we raided,
To leave legal skills, and shan-
So we could then defeat
LaShaaaaaan!
(Everybody sing)
(602) 257-4200

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www.azfamilymediationcenter.com
480.949.9511

9-EXPERT
(602) 279-2422 Fax (602) 604-9454
1714 E. Bethany Home Road
Phoenix, Arizona 85016
E-mail: 9expert@msn.com
This column is my last column as president of the MCBA Paralegal Division. I would like to take this opportunity to thank all of you for making my year as president an enjoyable one. A special thank you goes to the 2009 board of directors and committee chairs. It is through your dedication and hard work that we were able to accomplish so much in this year.

Providing continuing legal education for the paralegal community is one of our primary goals each year and this year was no different. We presented three, hour-long lunchtime CLEs: 1. Electronic Discovery; 2. Ethics Opinion 97-05, “Confidentiality; Attorney-Client Privilege,” and; 3. The Difference Between Large Firm, Small Firm and Corporate Paralegals.

The 10th annual conference, “Building Our Legacy: A Decade of Growth,” was worth six hours of CLE. Along with offering nine hours of CLE, we also had several CLA/CP review courses available for those paralegals who are interested in earning their CLA/CP designation. To the speakers for our lunch time CLEs, the annual conference and the review courses, all deserve a special thank you for so graciously sharing their time with us.

Another one of our goals is to assist paralegal students with their journey to become paralegals. This year we were able to award scholarships to four very deserving paralegal students, hold Paralegal Career Day, and assign paralegal mentors to 23 paralegal students. We encourage all paralegal students to join the division and offer a reduced rate to paralegal students attending ABA-approved paralegal programs.

The Outreach Committee outdid themselves again this year. Our bowling event proceeded to the William K. Eaton School and the John C. Lincoln Health Network’s Desert Mission Children’s Clinic was presented with 250 dental goody bags due to your overwhelming generosity. The Annual Toy Drive to benefit the Arizona Children’s Association is going on now through Dec. 15. Please see our website for additional information.

Our membership and our member benefits continue to grow each year. This year, in an effort to keep our division members informed of the division’s upcoming events, and to keep members current on information about the legal community and the paralegal profession, we launched our new page in the Maricopa Lawyer, “Inside the Paralegal Division.”

We are looking forward to 2010 being another great year for the division. However, there is one more division event to attend before Stacy Palmer and the 2010 board take over. Please join the 2009 board of directors for an End of Year Celebration on Dec. 15 at Macayo’s on Central Avenue. Don’t forget to bring your Toy Drive donation to the party.

For more information on division membership, member benefits, the Annual Toy Drive and the End of Year Celebration, please visit our website at www.maricopabar.org and click on the “For Paralegals” link.

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**Calendar of Events**

**DECEMBER**

14 Monday Board of Directors Meeting
15 Tuesday Division End of Year Celebration
15 Tuesday Toy Drive Ends

All Board of Director and Conference Committee meetings are held at 5:30 p.m. unless otherwise specified.

For more information on Paralegal events, please visit our website at www.maricopabar.org; click on the “For Paralegals” link.

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**2009 MCBA PARALEGAL DIVISION TOY DRIVE**

MCBA Paralegal Division supports the Arizona’s Children’s Association

Collecting new toys for children from birth to 17-years-old, and clothing for infants and toddlers.

Please bring new, unwrapped gifts to the December Membership Meeting
5:30 pm, December 15, 2009
Macayo’s Mexican Kitchen _ 4001 N. Central Ave, Phoenix, AZ, 85012

Or collect at your business/school and will we arrange a pick up.
For more information contact: Bekki Joseph at rjoseph@gamlaw.com
Stacy Palmer at spalmer@swlaw.com or
Felice Wortman at felice.wortman@gknet.com

Collections will be from November 16th through December 15th.
**R U With Me? Using Basic Transitions**

Many writing critics blame the use of e-mails and text messages for the recently-claimed decline in writing quality. These critics may be on to something.

Specifically, e-mails and text messages are meant to be speedy, and as such, they rely on short-cuts like acronyms, bullet-point lists, and incomplete sentences. Reliance on these shortcuts, however, can result in a legal writer forgetting the important aspects of a more formal document with proper paragraphs and sentences. One aspect that legal writers should not forget is the use of transitions.

Transitions show the relationships among the points in the document and help the reader follow these points. If the writer chooses the wrong transition, though, the reader may not understand the writer’s point.

Following are lists of the basic, professional transitions to use when ordering the overall ideas in a document. Generally, a writer uses these transitions at the beginning of paragraphs or sentences, as needed.

---

**INTRODUCING**
- under these circumstances
- in order to
- initially
- to begin, to begin with
- in the first place
- viewed broadly
- in general
- to a certain extent
- in particular
- on the whole

**CONCLUDING**
- to conclude
- finally
- consequently
- as a result
- eventually
- in short, in brief
- to sum up, in sum

**SEQUENCING**
- first, second, third, etc.
- in conclusion
- initially
- up to this point
- last
- in the first place
- then

**COMPARING**
- like
- unlike, nothing like
- similar, similarly
- different, differently
- analogous, analogously
- dissimilar, dissimilarly

**CONTRASTING**
- in the same way

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**Legal Briefs**

By Joan Dalton

**NCCUSL Moves Forward with Authentication of Online Legal Materials**

In July, the Executive Committee of the National Conference of Commissioners on Uniform State Laws (NCCUSL) accepted the recommendation of its study committee to draft an act that would provide guidance to states on authenticating and preserving electronic legal materials.

**Arizona Court of Appeals, Division Two Embraces Integrated Digital Environment**

Judge Philip Espinoza of Division Two of the Court of Appeals reports that his division has entered the world of totally integrated digital information technology. Espinoza reports that the majority of appeals and related materials filed within Division Two are electronically filed directly in the court’s Electronic Digital Management System (EDMS), which results in having the entire record on appeal (including trial transcripts) easily accessible by all court personnel.

But the enhanced digital environment doesn’t end there. The court’s legal writers, ranging from law clerks to staff attorneys and judges, all have equipped at their desks three ergonomic flat display screens where briefs, computerized research, and record documents can instantly be shared throughout the court, or remotely from anywhere that has Internet access. The result is that Division Two has increasingly become “paperless” as there is no longer a need to photocopy opinions and other court documents, or release paper documents of decisions and related materials to litigants, lawyers and the public.

Espinoza says that about 70 percent of all documents coming into Division Two are now e-filed.

**Arizona Judiciary Proposes Plan to Shift 15 Percent Budget Cuts to Counties**

In response to Gov. Janice Brewer’s demand that the Arizona Judiciary cut an additional 15 percent from its budget, the Arizona judiciary is proposing a plan in which the state’s share of superior court judges’ salaries would be billed to the counties for two years, and the counties would recapture the resulting lost revenue by implementing a series of new fees.

Chief Justice Rebecca Berch considers this solution as one having the least impact on court operations and one with the potential of being cost neutral to the counties. Other proposed options could result in the layoff of up to 480 judicial employees in the Supreme Court, Administrative Office of the Courts, and the Probation Department, which is 95 percent of the Superior Court budget.

**U.S. District Court Posts New ECF Party Name Entry Standards**

The United States District Court for the District of Arizona has posted on its website a standards guide for entering party names in the court’s Electronic Case Filing (ECF) system.

The guide strives to standardize party name entries so that: 1. only one version of the name is entered into the ECF system; 2. party names are consistently entered; and 3. party names may be searched in a logical way. The standards became effective in August 2009.

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**YLD Domestic Violence Committee Distributes Necessities**

**R U With Me? Using Basic Transitions**

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Specifically, e-mails and text messages are meant to be speedy, and as such, they rely on short-cuts like acronyms, bullet-point lists, and incomplete sentences. Reliance on these shortcuts, however, can result in a legal writer forgetting the important aspects of a more formal document with proper paragraphs and sentences. One aspect that legal writers should not forget is the use of transitions.

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- in particular
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**CONCLUDING**
- to conclude
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- consequently
- as a result
- eventually
- in short, in brief
- to sum up, in sum

**SEQUENCING**
- first, second, third, etc.
- in conclusion
- initially
- up to this point
- last
- in the first place
- then

**COMPARING**
- like
- unlike, nothing like
- similar, similarly
- different, differently
- analogous, analogously
- dissimilar, dissimilarly

**CONTRASTING**
- in the same way

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Even before President Taft’s private rail-road cars disappeared in the billowing steam and smoke from the engine towing him off to the Grand Canyon, the lawyers of Maricopa County were rumination on the president’s endorsement, just a few minutes earlier, of Arizona statehood.

The super-sized Republican chief executive, in his 12 minute speech to the people of Phoenix, had placed all 335 pounds of his substantial support behind the establishment of two new states. He qualified his acceptance of the notion of separate statehood for Arizona and New Mexico with cautionary words about his expectations for the two new state constitutions and later spoke of his fear of the “rising tide of radicalism in the West,” but his comments rang the bell to begin the last round in the epic political battle for Arizona statehood.

Fancy Footwork
Almost immediately after the president’s Oct. 13, 1909, visit to Phoenix, the territory’s legal thinkers began debating the framework that would eventually become the new state constitution. Simultaneously, politicians, both in the territory and in Washington, began maneuvering for control of the yet to be born state.

In the words of the editor of the Arizona Gazette that fall, “uppermost in the minds of the people of Arizona is what kind of constitution will our convention make?” The battle lines were drawn between progressives who saw themselves supporting “state government by and for the people,” and conservatives who were thought by their opponents to be interested in preserving the dominance of corporate (big mine and utilities) and railroad interests.

Throughout November and December of 1909, Arizonans began to debate important issues like initiative, referendum, recall, suffrage for women, prohibition, anti-injunction laws (court orders forcing striking employees back to work), and employer liability (for worker injuries) in discussions of the potential new state constitution. Despite several decades of pent-up frustration with federal Republican control of the territory, Arizona Democrats, meeting at Lamont’s Hall on the evening of Nov. 10, ramped down any outward signs of radicalism and presented a deceptively non-controversial image to any opponents looking for an opening to KO Arizona statehood aspirations.

Punch for Punch
One such opponent was a lawyer from Indiana, Sen. Albert J. Beverage. Beverage, the powerful chairman of the Senate Committee on Territories, had been the primary nemesis of Arizona statehood since taking his committee chairmanship in 1901.

Although some claim Beverage opposed statehood for Arizona and New Mexico because of his concern over the power of railroads and corporations, or because of his fear that Mormons or Mexicans would dominate the new territories, his real motivation seems to have been purely political. After a brief visit to the territory in 1905 with other members of his committee, Beverage commented, “Arizona is a mining camp, and the bill admitting her is gerrymandered so shamefully that if the Republicans were to carry the State by ten thousand, she would still send two Democratic senators to Washington.”

President Theodore Roosevelt supported statehood for his former Rough Riders and a plank in the Republican platform also supported statehood, but Congress was not enthusiastic. Sen. Beverage saw it as his patriotic duty to prevent federal (Republican) interests by leading a filibuster later that year that narrowly killed the Arizona statehood bill.

Beverage was an astute politician and when he decided that he likely could not win another pitched battle on Arizona statehood, he began a series of tactical maneuvers that would successfully delay the inevitable for eight more years. In 1904, the statehood bill was amended to provide for the admission of Arizona and New Mexico together as one state.

During this period, New Mexico’s population was substantially greater than Arizona’s, its Hispanic majority was primarily Republican in their politics, and business, education and government proceedings were conducted in both Spanish and English. The joint statehood bill gained support in Washington and Roosevelt attempted to convince the people of the territories that “jointure” was the best they could ever hope for.

The bill passed Congress in 1906, but admission was conditioned on the approval of the citizens of both territories. The new state would be called Arizona, but its capital would be Santa Fe. By virtue of the strong Republican majority in the more populous New Mexico, the new state would coincidently be solidly Republican.

Arizonaans had no intention of being joined, or “Siamesed,” with their neighbors to the east. Arizona’s corporate mining and railroad interests feared loss of their influence in a joined state. The voters of Arizona also had a long list of objections to jointure. Concerns were expressed about the unfavorable division of legislative representation (two-thirds to New Mexico, one-third to Arizona); there was opposition toward locating the capital in Santa Fe; the predominantly Anglo voting population of Arizona manifested a disdain for “mexicanos” and their use of Spanish in politics and business; and political leaders feared expected loss of government jobs and patronage if the territories merged. The Arizona vote rejecting joint statehood was overwhelming, and again, territorial statehood ambitions were thwarted by Sen. Beverage and his supporters.

Final Round
With concentrated lobbying by territorial leaders of both parties and the election of President Taft in 1908, statehood was again showing signs of life. On Dec. 7, 1909, President Taft delivered his first annual message to Congress. In this speech, he acknowledged the Republican platform endorsement of separate statehood for Arizona and New Mexico and recommended the appropriate legislation be adopted.

A little over a month later, with Halley’s Comet in the night sky, the lawyers of Maricopa County received the thrilling news that the House had passed a statehood bill on a voice vote. Only two days later, on Jan. 19, 1910, Senate Beverage announced that the House bill was unacceptable and that his Senate Committee on Territories would begin drafting an entirely new bill. Maricopa County was back on the statehood roller coaster and there was uncertainty whether Mr. Halley’s Comet was an omen for good or ill.

By the end of January, Senator Beverage’s committee announced that it was ready to report a bill that mandated use of English in state schools, required the approval of both the president and Congress of any proposed constitution, eliminated three million acres of land grants to the new state (intended for support of education), and required that any amendments to the approved constitution would subsequently need to be approved by Congress. Such intrusions and perceived punitive provisions were not warmly received in Arizona, but the territory’s delegate to Congress, Coconino County Republican Ralph Cameron, urged citizens to take no public action.

Cameron, a former sheriff of Coconino County, was an early commercial developer of the Grand Canyon. He is credited with improving an old Havasupai trail in the Canyon—Bright Angel Trail—and charging visitors a toll for using it. Fortunately for Arizona, Cameron was also a close friend of Frank Hitchcock, the U.S. postmaster general, and President Taft’s top political advisor and campaign manager. His political connections and relentless persistence in lobbying his Congressional colleagues were widely credited with finally tipping the statehood fight in favor of Arizona.

And the Winner is . . .
In late March, Sen. Beverage finally presented his committee’s completely revised bill to the Senate. Through the spring of 1910, political scandals, tariff debates and international affairs took congressional eyes off the Arizona statehood battle.

Back in Phoenix, voters were similarly distracted by nasty disagreements over municipal ownership of an electric power plant and how to pay for the city’s first sewer system. Local newspapers spilled more ink on these brouhahas and the glorification exploits of former President Roosevelt than statehood deliberations.

After another intervention by President Taft on June 4, the languishing statehood bill was jump-started one last time. On June 16, a few final amendments, Senator Beverage’s statehood bill was unanimously approved by the Senate and sent back to the House in anticipation of a potentially contentious conference committee process.

In a June 17 meeting with House leaders, Taft made it clear that he did not want the bill to die in conference and to the surprise of many skeptical Arizonans, the next day, on a Saturday afternoon, as one of the final votes of the session, the House unanimously adopted the Senate bill without amendment and sent it to President Taft for his signature. President Taft signed the Arizona Statehood Enabling Act early Monday afternoon June 20, just before leaving Washington to attend his son’s graduation from Princeton.

Back home in the territorial capital, Cameron was hailed as a hero, Taft was praised as a man of honor who had pushed for the passage of the Enabling Act, and even Senator Beverage was thanked for his efforts to assure statehood—he was assured that “the latch string is always out” if he wanted to visit the new state. All three of these heroes of the Arizona statehood fight would be defeated in their next election.

On Saturday night after the House approved the bill and sent it to the President, the territory erupted in celebration. In Phoenix, four separate parades, each led by a marching band, converged on the City Hall Plaza. All loyal Arizonans were urged to fall in behind the bands, along with almost every automobile in the county.

The drivers were instructed by county attorney and auto club president George Purdy to present themselves after “trimming their lights and gauging themselves in national colors.” He reminded them that “horns are placed on automobiles for the purpose of making noise.” Speeches were made to the assembled multitude by local dignitaries in the midst of a happy cacophony of firearms, gunshot whistles, and horns.

Amid the general good will and celebration of passage of the Enabling Act, few could foresee that the contest for statehood would continue for almost two more years. The serious business of building a new state in the context of political uncertainty, violent strikes, terrorist bombings, financial scandals and economic upheaval would be no easy task. Taft may have signaled his misgivings about the stubbornly independent territory might be headed—after signing the act, he pleaded with the territorial officials present to “now all work for a good constitution.”

As a lawyer, judge and future Supreme Court chief justice, the president should have been just a little more specific—“good” was definitely to be in the eye of the beholder. And as a former boxer Taft should have been a little less confident—by the time the final bell on Arizona statehood would ring, the heavyweight would be on the mat.
THE MCBA YOUNG LAWYERS DIVISION INVITES YOU TO THE

2010 Barristers Ball

BENEFITTING THE MARICOPA COUNTY JUSTICE CENTER AND MUSEUM

The Maricopa County Justice Center and Museum educates children and adults about bedrock principles in the American criminal justice system. The Museum will restore the historic Old Courthouse’s sixth floor and preserve Arizona’s past in an interactive and vibrant way. The Justice Museum will offer visitors an opportunity to learn about Arizona’s significant contributions to the criminal justice system (e.g., Miranda rights) through interactive displays and knowledgeable tour guides. The Maricopa County Justice Center and Museum will be one more attraction that will help revitalize downtown Phoenix.

W Hotel
7277 East Camelback Road, Scottsdale, Arizona
6 p.m. Cocktails and Silent Auction
7:30 p.m. Dinner
Black Tie Optional

Cost
$125 per seat  $1,250 per table

EARLY BIRD SPECIAL
Purchase a Table of Ten by January 31, 2010 and Receive One Free Ticket to the Ball (ten tickets for $1,125)

Registration
Please print clearly

Name: __________________________________________ Firm: __________________________
Please reserve seats for __________________________ # of guests __________________________ Table host name*: __________________________
Address: ______________________________________
City: __________________________ State: ______ Zip: ________ E-mail: __________________________

* Table hosts are firms or individuals who sponsor a table of 10. Please provide guest list along with payment.

☐ Please place me/us at a no host Table____________________  ☐ Please seat me/us with __________________________

TABLE GUESTS

1. ___________  2. ___________  3. ___________  4. ___________  5. ___________
6. ___________  7. ___________  8. ___________  9. ___________  10. ___________

Payment Information

PLEASE CHARGE MY: ☐ Visa ☐ MasterCard ☐ TOTAL CHARGE TO MY C.C. $___________ ☐ Enclosed is my check for $ __________
Credit Card Number: __________________________________________ Exp. Date: __________________________
Name on Card: __________________________________________
C.C. Billing Address: __________________________________________

Please return form to MCBA, Attn: Laurie Williams, 2001 N. 3rd Street, Suite 204, Phoenix, AZ 85004-1439 or Fax to 602-682-8601. Thank You.
Tis the Season for Annual Celebrations and Holiday Receptions

Several MCBA sections and divisions are celebrating a successful 2009 with annual celebrations and holiday receptions this month. The Family Law Section’s 2009 Annual Judges and Commissioners Reception will take place on Wednesday, Dec. 2, at 5:30 p.m. at the Hyatt Regency Phoenix (122 N. Second St., Phoenix). Light fare will be provided by the section.

On the following Monday, Dec. 7, the Environmental & Natural Resources Section’s Annual Meeting & Holiday Reception will take place at the Nina Mason Pulliam Rio Salado Audubon Center (3131 S. Central Ave., Phoenix) at 5:30 p.m. Benjamin Grumbles, director of the Arizona Department of Environmental Quality, will be featured as the special guest. Attendees are encouraged to bring a non-perishable food donation to the reception.

The Public Lawyers Division will hold their Holiday Event the following day, on Tuesday, Dec. 8, at 12 p.m. at the MCBA. The event is $10 and will follow their CLE, “The Mega-Problems of Metadata Under Arizona Public Records Law.” For more information regarding the CLE, please see the CLE Communiqué on page 15.

Later that week, on Thursday, Dec. 10, the Corporate Counsel Division will host its Open House Reception at the Coup Des Tartes (4626 N. 16th St., Phoenix) at 5:30 p.m. Hors d’oeuvres and beverages will be provided by the division.

Rounding out the end-of-year celebrations is the Paralegal Division’s End of Year Celebration on Tuesday, Dec. 15, at 5:30 p.m. Taking place at Macayo’s Mexican Kitchen (4001 N. Central Ave., Phoenix), the meeting will also serve as a final collection date for the division’s 2009 Toy Drive. The division is asking for donations of new, unwrapped toys for children ages 0-17 and infant and toddler clothing. Donations will benefit the Arizona’s Children Association.

For more information or to RSVP for these events, please contact Laurie Williams at williams@maricopabar.org or call (602) 257-4200.

Misconceptions of Foreclosure and Bankruptcy

continued from page 2

teaching at short sale seminars that the anti-deficiency statute prohibits the Short Lender from pursuing a deficiency after the short sale closes. This is not always true. It depends on the nature of the property and the loan.

As a reminder, Arizona has two anti-deficiency statutes, but only one protects the Property Owner in the short sale process. The protecting statute, ARS 33-729, only protects the Property Owner from a deficiency if the property is on 2.5 acres or less, it is utilized as a single or dual dwelling, and the loan at issue was used to purchase that property. Therefore, if the loan was not a purchase money loan then the Short Lender could still pursue a deficiency after the short sale closes.

Keep in mind that Arizona’s other anti-deficiency statute, ARS 33-814(G), only offers protection if the Short Lender forecloses on the property through a trustee’s sale. Therefore, ARS 33-814(G) offers absolutely no protection through a short sale transaction since there would not be a trustee’s sale.

Some of the tall tales related to short sales may be innocent repetitions of misunderstood law. For example, Paul Sundin, a CPA who focuses much of his practice in this area, told me that Property Owners are often misdirected into believing they will be responsible for a debt forgiveness tax in a short sale or foreclosure when they are, in fact, protected by one of the several exceptions to that tax. Paul also believes that many times lenders are sending a 1099-C when one should not be sent or, even if a 1099-C should be sent, it contains inaccurate information.

The short sale process has had a tremendous impact on the real estate industry. Government lawmakers and regulators at both the federal and state levels have made and are continuing to make changes to prevent the tremendous abuse sometimes associated with short sales. Opponents seem to creep right to the outer edge of gray while lawmakers and regulators react with more and more rules and regulations.

But no matter how many laws and regulations are created, there will be people who figure clever schemes to take advantage and try to make a profit. At the same time, some lenders will take whatever aggressive measures necessary, even if it means misleading Property Owners about their rights, to protect against additional losses from the real estate crisis. A tall tale is, of course, an exaggerated story with some truthful facts. It is unfortunate that in many instances, a short sale is somewhat the same thing.
Case, Huff & Associates Pro Bono Classic
continued from page 1

Golfers get ready to roll to the links.

The Case, Huff & Associates team was the bemused winner of the golf classic’s traditional last place award—a gnome. Three of the foursome (minus Tim Huff) are Kevin Nelson, Chris McNichol, and C.W. Nichols.

Apparantly pleased with their play are Phil Weeks and Mike Ross of Gallagher & Kennedy.

Kiilu Davis of Stone & Davis tees off at The Legacy.

Making it a fivesome on the beautiful Legacy course are, from left: Michael Schwartz, Rod Galarza (president of the MCB Foundation and chair of the 2009 classic), Lani Jones, Robert Von Hellens, and Jennifer Barnes.

The TERIS team, one of the tournament's sponsors and an MCBA corporate partner, pause on the course for this photo.

THANK YOU
The Foundation and the Volunteer Lawyers Program are grateful to Case, Huff & Associates, Inc. for their major support of the classic, as well as to the following generous supporters:

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Kiilu Davis of Stone & Davis tees off at The Legacy.
Community Legal Services, Volunteer Lawyers Program Celebrates Life of Richard A. Halloran

By Peggi Cornelius

Richard A. Halloran is a name that was known for many years to members of his profession, to his colleagues at Lewis and Roca, and to his clients for his expertise in commercial litigation and intellectual property law. It was common for his name to appear in publications proclaiming him to be among the “Best Lawyers” and “Super Lawyers” in his field.

And then there was his additional reputation as an attorney who was selfless and tireless in his efforts to ensure legal assistance to low-income people with civil law problems. In June of 2009, he was honored by the Arizona Foundation for Legal Services and Education as one of the “Top 50” pro bono attorneys in the state.

For 18 years, Rick, as he was respectfully known to board and staff members of the Volunteer Lawyers Program, was an active participant in both policy making and direct legal services to clients referred by the VLP. When he joined the program in 1991, he expressed an interest in cases involving unfair trade practices or loss of an owner-occupied home, and he repeatedly accepted such matters for representation. In 2009, he reported the completion of two complex cases involving substantial equity skimming during a time when residential home ownership cases he had accepted in 2007.

Both cases involved substantial equity skimming during a time when residential real estate was rapidly increasing in value. In both cases, the home owners were having financial difficulties, were delinquent in making mortgage payments, and were seeking to refinance their homes to avoid foreclosure. They became the victims of people who sought them out with claims of rescuing them by taking title to their homes on the pretense that the property could be reclaimed when their circumstances improved or refinanced after the threat of eviction had been averted by the “rescue” intervention. One desperate couple had signed a special warranty deed without knowledge of its meaning.

Halloran’s closure reports indicate he devoted more than 300 hours to the two cases. In one case, he was able to secure tenancy for the victimized homeowner throughout the litigation. In both cases, the economic benefits to the clients were very substantial, as he helped protect them from unscrupulous predators determined to cheat them out of the equity in their homes.

A volunteer attorney himself and current chair of the VLP advisory committee, Patrick X. Fowler, commented, “I know Rick had a very busy practice at Lewis and Roca. Yet, he made time to provide pro bono representation to less fortunate people. He also shared his talents and demonstrated his interest in helping financially disadvantaged people obtain access to justice, by serving on the board of directors for Community Legal Services and the advisory committee of the Volunteer Lawyers Program. We mourn his untimely passing, and we will miss him.”

Richard A. Halloran is not only a name that inspired respect during his lifetime; those who knew him through his work with Community Legal Services and the Volunteer Lawyers Program believe it is a name that will be remembered and respected for years to come.

Volunteer Lawyers Program Thanks Attorneys

The Volunteer Lawyers Program thanks the following attorneys and firms for accepting 40 cases during the past month.

VLP supports pro bono service of attorneys by screening for financial need and legal merit and provides primary malpractice coverage, donated services from support professionals, training, materials, mentors, and consultants. Each attorney receives a certificate from MCBA for a CLE discount.

For information about cases and other ways to help, please contact Pat Gerrich at VLP at (602) 254-4714 or pgerrich@clsaz.org.

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Daniel M. Bodansky, a preeminent authority in international climate-change law, has been appointed the Lincoln Professor of Law, Ethics, and Sustainability at Arizona State University.

Bodansky also has been named an Affiliated Faculty member in both the College of Law’s Center for Law and Global Affairs and in the Global Institute of Sustainability’s School of Sustainability at ASU. His appointment is effective Aug. 1, 2010.

Carpenter Law Firm is pleased to announce that Shari L. Miller, J.D., M.A., CPhT, has joined the firm as an associate. A lawyer and a certified pharmacy technician, Miller counsels health care providers and pharmacies in the areas of regulatory law, business planning and third party payor issues. She also provides healthcare mediation services.

Holme Roberts & Owen LLP is delighted to announce that partner Brian Mueller has joined the firm’s litigation practice in Arizona. Mueller practices primarily in the area of complex commercial litigation at the administrative, trial, and appellate levels.

The national law firm of Quarles & Brady is pleased to announce that the following attorneys have been elected to partnership by the Firm’s Executive Committee:

Heather L. Bucha and Nicole Maroulakos Goodwin are members of the firm’s intellectual property group as well as the technology law team. Bucha focuses her practice on software, cloud-computing, and ecommerce transactions as well as copyright and trademark prosecution. Nicole Maroulakos Goodwin is a member of the firm’s commercial litigation group, focusing on complex litigation involving publicly-traded companies and financial institutions.

Brian A. Howie is a member of the firm’s commercial litigation group. He practices in the area of commercial, antitrust and appellate litigation. Lori L. Winkelman is a member of the firm’s bankruptcy group. She has experience representing debtors and creditors in all facets of Chapter 7, 11 and 13 bankruptcy matters, and commercial lenders in bankruptcy and in bankruptcy litigation.

Stephen Tully, managing partner of the Phoenix office of the national law firm of Gordon & Rees LLP, was recently appointed chairman of the Arizona Developmental Disabilities Planning Council by the governor of Arizona. Tully practices in the firm’s commercial litigation group.

The international law firm Greenberg Traurig, LLP announced that Kate L. Pappas has joined its Phoenix office as an associate in the litigation practice. Pappas’s practice is concentrated in multiple areas of commercial litigation, including breach of contract, fraud and general business disputes. She also practices in the area of intellectual property litigation.

Honors, Awards and Certifications

Fennemore Craig attorney Steve Good, who chaired the Ronald McDonald House Charities Expansion Committee and was president of the board of directors, received the Heart of the House award at the annual fundraising event, A McNight to Remember, on Saturday, Nov. 14.

Good led the effort that resulted in the building of the valley’s second Ronald McDonald House to provide a home-away-from-home to families whose children are undergoing medical care.

Largest Firms Set Record in Numbers of Lawyers Dropped

An article published in the November National Law Journal, authored by Leigh Jones, reports that the largest law firms in the U.S. cut more lawyers than at any time since the Journal began tracking figures more than 30 years ago.

The total number of attorneys working at the top 250 law firms dropped by more than 5,259, a four percent decline. The decline eliminated nearly one-third of the growth made by these firms in the last five years, and the number of lawyers sank from 131,928 to 126,669, the NLJ reports.

Hardest hit were the ranks of associates, with 8.7 percent laid-off, dropping total numbers from 67,648 to 61,733. The number of partners, however, increased by .9 percent among the top 250 firms.

The NLJ reports that the “overall downturn in totals this year was partly a correction of the rapid growth that NLJ 250 firms experienced during the preceding five years. Between 2004 and 2008, firms added 21,948 attorneys,” Jones writes.

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Q and A with New Judge Pamela Gates

Vinny Gambini: How many fingers am I holding up?
Judge Chamberlain Haller: Let the record show that counselor is holding up two fingers.
Vinny Gambini: Your Honor, please!

Vinny Gambini: Your Honor, may I have permission to treat Ms. Vito as a hostile witness?
Mona Lisa Vito: You think I’m hostile now, wait til you see me tonight.
Judge Chamberlain Haller: Do you two know each other?
Vinny Gambini: Yeah, she’s my fiancée.
Judge Chamberlain Haller: Well, that would certainly explain the hostility.

Q: If you had a day to spend with anyone, who would it be and what would you do?
A: My mother. I’d introduce her to our children and tell her about my life.

Q: Do you own an iPod? If so, what songs are currently in your playlist?
A: Lady Gaga, Jay-Z, Black Eyed Peas, Carrie Underwood, Pink, Katy Perry, Madonna, Frank Sinatra, Marvin Gaye, Coldplay, Green Day, U2, R.E.M., Beatles, Michael Jackson, Stevie Wonder, Beyoncé, and every show tune (because our eight-year-old daughter participates in musical theatre).

Applications Being Accepted for Vacancy on Maricopa County Superior Court

Applications are being accepted for a vacancy on the Maricopa County Superior Court created by the retirement of Judge Robert C. Houser, effective Nov. 20, 2009.

The Maricopa County Commission on Trial Court Appointments will review applications, interview selected applicants and recommend at least three nominees for the vacancy to Gov. Jan Brewer, who will appoint the new judge.

Applicants must be at least 30 years old, admitted to practice law in and a resident of Arizona for the past five years, and a resident of Maricopa County for the past year.

Applications can be obtained from the Administrative Office of the Courts, Human Resources Division, 1501 W. Washington, Suite 221, Phoenix; by calling (602) 452-3311; by sending an electronic mail request to: jnc@courts.az.gov; or at the Judicial Department website: supreme.state.az.us/jnc/Apply.htm.

The original completed application and six copies must be returned to the Administrative Office of the Courts, Human Resources Division, 1501 W. Washington, Suite 221, Phoenix, AZ, 85007, by 3 p.m. on Friday, Dec. 18, 2009. Applicants for the recent
Running for Survivors of Domestic Violence at the Fifth Annual Race Judicata

By Richard Siever

The Fifth Annual MCBA Race Judicata 5K/1 Mile was a big success, drawing more than 300 registrants, thanks to our generous sponsors and participants.

The event gets better each year and continues to raise money for the MCBA Young Lawyers Division community service programs dedicated to awareness and assistance to survivors of domestic violence.

The YLD Race Committee and many other enthusiastic volunteers arrived at the crack of dawn on Sept. 27 to set the course and prepare for the annual race at Kiwanis Park in Tempe. Runners, walkers, strollers, and canines alike gathered at the Sister Cities Gardens to take part in the 5K or 1 Mile course throughout Kiwanis Park.

One of the YLD’s core community service programs is devoted to domestic violence, including its new Legal Assistance to Women in Shelters (LAWS) Program and the YLD’s annual necessities drive supporting various domestic violence shelters of the valley. The race allows MCBA young lawyers to continue their efforts toward this wonderful cause.

The Race Judicata also represents a celebration of the legal community, in which numbers of attorneys, judges, and even justices take part. The family event this year included a Kids Dash and bounce house for the little ones, music and refreshments for those in attendance.

Congratulations to Michael Rodriguez and Tricia Schafer, the men’s and women’s 5K overall first place finishers, and to Nirenstein Garnice Soderquist, PLC, which entered the largest team this year. After both races, participants enjoyed food and drink sponsored by Sweet Tomatoes, Circle K, Watermill Express, and Revolution 3D Tea, as well as Race Judicata t-shirts and goodie bags.

The YLD extends special thanks to Race Judicata Platinum Sponsor Nirenstein Garnice Soderquist, PLC; Gold Sponsors Westlaw, Snell & Wilmer, Burke - Panzarella - Rich, the Law Offices of Stone & Davis, Two Men and a Truck, eLit Litigation Solutions, and 3D Multi Dimensional Beverage.

We also thank DJ Robert Whaley of Desert Vibe DJ, Sabnekar & Associates, Diana G. Vigil, Sole Sports, Rob Wallack of Runner’s Den, Valley Wide Health Centers for providing stretching and massage services, and Doryce and Bill Norwood who contributed to our water supply.

The YLD also thanks the event photographer, Sandra Hamlin, for her wonderful pictures. Thanks also to the various leaders for organizing teams, and each of the volunteers for their great attitudes and helping hands, and those race participants that donated toothbrushes for the annual YLD domestic violence necessities drive.

Each year the YLD Race Committee puts on a fantastic event. This year the YLD board would like to thank Shana Yoder and Rachel James for chairing the committee and largest attended race yet.

We look forward to your support for the Sixth Annual Race Judicata 5K/1 Mile, slat ed for fall 2010 at Kiwanis Park.
appeals affirmed, holding that metadata is not a public record. *Lake v. City of Phoenix*, 220 Ariz. 472, 207 P3d 725 (App. 2009). The majority concluded that metadata is not embraced by the definition of public records, leaving it to the legislature to specify whether it is a public record. Justice W. Scott Bales, who wrote the opinion for a unanimous court, disagreed. “Consistent with the goal of openness in government, ‘Arizona law defines “public records” broadly and creates a presumption requiring the disclosure of public documents,’ ” he wrote, quoting a 2007 supreme court opinion.

On the other hand, he noted, the law “does not mandate disclosure of every document held by a public entity. Only documents with a ‘substantial nexus’ to government activities qualify as public records, and the nature and purpose of a document determine whether it is a public record.”

“Even if a document qualifies as a public record, it does not subject to the public records law unless it relates to a substantive interest of privacy, confidentiality, or the best interests of the state outweigh the policy in favor of disclosure,” Bales continued. He noted that the common-law definition of public records is supplemented by A.R.S. § 39-121.01(B), which mandates that public entities “maintain all records . . . reasonably necessary or appropriate to maintain an accurate knowledge of their official activities and of any of their activities which are supported by monies from the state or any political subdivision of the state.”

“The court of appeals erred, Bales wrote, “by parsing the electronic version of Conrad’s notes and focusing separately on the metadata contained within the electronic document.”

“The pertinent issue,” he continued, “is whether metadata considered alone is a public record.” “[T]he question,” he stated, “is whether a public record maintained in an electronic format includes not only the information normally visible upon printing the document but also any embedded metadata.”

“The metadata in an electronic document is part of the underlying document; it does not stand on its own,” Bales wrote. “When a public officer uses a computer to make a public record, the metadata forms part of the document as much as the words on the page.”

“It would be illogical, and contrary to the policy of openness underlying the public record laws,” he continued, “to conclude that public entities were without information embedded in an electronic document, such as the date of creation, while they would be required to produce the same information if it were written manually on a paper public record.”

Bales rejected the city’s claim that the holding would be an administrative nightmare. “A public entity is not required to spend ‘countless hours’ identifying metadata; instead, it can satisfy a public records request merely by providing the requester with a copy of the record in its native format.”

He noted that not all requests for public records would require divulgation of the metadata. “Public entities may provide paper copies of the nature of the request precludes and need for electronic version.”

He opined that unduly burdensome or harassing requests “can be addressed under existing law, which recognizes that disclosure may be refused based on concerns of privacy, confidentiality, or the best interests of the state.”

Bales closed with a caveat: “We do not here decide when a public entity is required to retain public records in electronic format. That a public record currently exists in an electronic format, and is subject to disclosure in that format, does not itself determine whether there is a statutory obligation to preserve it electronically.”

Joining the opinion were Chief Justice Rebecca White Berch, Vice Chief Justice Hurwitz, and Justices Michael D. Ryan and John Pelander.

Which Court to Follow?

Imagine that you’re a superior court judge facing with ruling on a difficult motion. Fortunately, there are clear appellate decisions on the subject. Unfortunately, these opinions conflict. Even more unfortunately, this split in authority resides within the two divisions of the Arizona Court of Appeals. What do you do? You obviously choose to follow the opinion from the division to which any appeal from your case would go? The not-so-obvious answer is “no,” according to a recent decision from Division One, State v. Patterson, No. 1 CA-CR 08-0610 (Ariz. App. Oct. 20, 2009).

A Maricopa County jury found Maurice Patterson guilty of possession of narcotics. He had one prior conviction of attempted possession or use, and a prior conviction for possession. Patterson’s current conviction qualified him for probation under Proposition 200, except for the priors. Prop 200 excepts from mandatory probation defendants who have “been convicted three times of personal possession of a controlled substance or drug paraphernalia.”

The question facing the trial judge was whether Patterson’s conviction for the preparatory offense—attempted possession or use of narcotics—should be counted as prior conviction Proposition 200. There was a split in authority.

In *Roney v. Lindberg*, 206 Ariz. 193, 76 P3d 867 (App. 2003) Division One panel held that defendants are permitted to bring to the trial court’s attention the fact that he made a defendant ineligible for Prop 200 probation. Before that, a panel of Division Two had reached the opposite conclusion in *State v. Osaha*, 199 Ariz. 459, 18 P3d 1258 (App. 2001).

Patterson urged the trial judge to follow Osaha. The state countered that the judge...
Court Rules that Metadata is Public Record

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sitting in Maricopa County, was geographically bound to follow Raney. The trial judge rejected the state’s argument, but he nevertheless applied Raney after deciding that it was the better authority. He sentenced Patterson to prison.

Patterson appealed, arguing that the split of authority created an equal-protection problem. The state again argued that the judge was bound to follow the Division One opinion.

Judge Daniel A. Barker’s opinion presented a short history of the Arizona Court of Appeals and a discussion of its structure and that of the superior court. He noted that the idea of the territorial authority of the two divisions’ opinions emerged in Judge Donald Froeb’s concurrence in Seiter v. T’s Restaurant v. Industrial Commission, 131 Ariz. 389, 641 P.2d 877 (App. 1981); “I would hold that given conflicting decisions between Division One and Division Two, the superior court must follow the decision of the division in which it is located.” The supreme court expressed general agreement with this approach but expressly declined to adopt it. Seiter v. T’s Restaurant v. Industrial Commission, 131 Ariz. 360, 641 P.2d 848 (1982).

Barker declined to follow suit “[b]ecause the superior court is one court [and] there is no legal distinction between courts located in Division 1 and Division 2.” He also noted that decisions of both courts are made by panels—departments—rather than by the whole court. Indeed, there is no provision for en banc determination of cases. Hence, no territoriality: “[T]he geographical location of the trial court is of no consequence in determining which of two conflicting decisions between departments of this court the superior or court must follow.”

Barker gave guidance to trial judges facing conflicting Arizona appellate decisions: “When confronted with conflicting decisions by different departments of our court, a trial court must use its discretion to adopt the decision that most persuasively interprets the law, regardless of the division to which the department making the decision belongs or within which the trial court sits.” The trial judge had therefore acted correctly.

Joining Barker in affirming the sentence were Judges Diane M. Johnsen and Maurice Portley.

Applications Being Accepted

continued from page 12

vacancies in Maricopa County must reapply to be considered for the new vacancy. However, recommendation letters received on or after Aug. 1, 2009, are still on file and will be sent to the commission members for the new vacancy.

The commission may, at its discretion, use the applications filed for this vacancy to nominate candidates for any additional vacancies known to the commission before the screening meeting for this vacancy is held.

All meetings of the Maricopa County Commission on Trial Court Appointments are open to the public. Meeting dates will be announced next month. The new judge will be paid $145,000 annually.
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