Miranda warnings, particularly, deviations from the Miranda script.

**Deviations in Miranda Script Lead to Appeals**

This month's topic is Miranda warnings, particularly, deviations from the Miranda script.

**Deviation in Florida v. Powell**

In *Miranda v. Arizona*, the Supreme Court created a script for police to use to clearly inform a suspect of his Fifth Amendment rights concerning in-custody interrogations, including "the right to consult with a lawyer and to have the lawyer with him during interrogation." The Court recently held that minor deviations from the script do not violate the Constitution if they are not misleading. *Florida v. Powell*, No. 08-1175 (U.S. Feb. 23, 2010).

Tampa police officers were investigating ex-con Kevin Dewayne Powell for a robbery. They found him in his girlfriend's apartment, where they also found a gun. They arrested Powell and took him to the station for questioning.

An officer told Powell: "You have the right to talk to a lawyer before answering any of our questions" and "[y]ou have the right to use any of these rights at any time you want during this interview." In the ensuing interrogation, Powell admitted that he owned the gun. His confession helped convict him of illegal possession of a firearm by a felon.
STATEMENT
From the Board of Directors of the Maricopa County Bar Association

On December 1, 2009, Maricopa County Attorney Andrew Thomas filed a federal racketeering suit against county judges, lawyers and government officials alleging, in pertinent part, that the defendants conspired to hinder County investigations.

In the ensuing week the County Attorney filed criminal charges against the presiding criminal judge of Maricopa County, Judge Gary Donahoe. The complaint alleged three felony counts stemming largely from rulings made by Judge Donahoe during court proceedings.

The indictment against Judge Donahoe was recently dismissed. The County Attorney’s Office is considering whether to appoint a new prosecutor to pursue a criminal action against Judge Donahoe. The Federal RICO action has also been dismissed by the plaintiffs.

The above events continue to spur a great deal of discussion, including concern and confusion, both within our legal community and among the general public. As a voluntary association comprised of more than 3,000 members, the Maricopa County Bar Association (“MCBA”) is a voice for our legal community. As such, we join that discussion in an effort to remind everyone of what is at issue during these times of heated differences.

Both the United States and Arizona constitutions provide for three separate but equal branches of government to help keep our democracy in balance. As a general matter, an improper influence on any one of these branches — whether in the form of corruption of the defendants or intimidation by the county attorney — jeopardizes this delicate balance. Any meaningful dialogue regarding the events set forth above should be framed, in part, by considering our government’s system of checks and balances.

With this backdrop, the MCBA urges members of our legal community and the general public to consider the many questions that have arisen as a result of these recent events.

For example: Do the recent actions taken by the Maricopa County Attorney uphold or threaten the foundation of our democracy? Should the County Attorney’s actions be applauded as an attempt to rid the county of allegedly corrupt politicians and judges?

Alternatively, do those actions serve to undermine the ability of the Judiciary to remain independent and free from outside influence? Were the county attorney’s actions consistent with upholding our system of checks and balances, or do his actions threaten our individual freedoms by upsetting the balance of power among our three branches of government?

In an effort to promote a better understanding of the issues at hand, the MCBA is organizing an educational, free-of-charge forum during which everyone, lawyers and non-lawyers alike, will be invited to attend.

We are actively working with the Phoenix College of Law on finding a date and a balanced panel of distinguished presenters in an effort to make this forum objective and informative for all attendees. We urge you to watch our website (www.maricopabar.org) for the coming details and to attend and participate in the dialogue.

Celebrate Law Week, Law Day on May 1

On May 1, we celebrate Law Day, a day christened by President Dwight Eisenhower to encourage us to celebrate the fact that our nation is founded, in part, on the rule of law.

The Presidential Proclamation from the first Law Day in 1958 urged Americans (and curiously but perhaps astutely, the “radio, television, and motion-picture industries”) to celebrate the day with fitting activities. The words of the proclamation ring true today:

“Whereas it is fitting that the People of this nation should remember with pride and vigilantly guard the great heritage of liberty, justice, and equality under law which our forefathers bequeathed to us; and . . . whereas the principle of guaranteed fundamental rights of individuals under the law is the heart and sinew of our Nation, and distinguishes our governmental system from the type of government that rules by might alone.”

President Eisenhower and his finely tuned staff of proclamation writers were onto something. We celebrate presidents, soldiers, and brave civil rights leaders. We celebrate suffragists, athletes, laborers, and Halloween.

Do we need a day to remember and honor that we were founded on the rule of law and not the “rule of might”? To rededicate ourselves to the premise that we are a nation that holds equality and justice dear? Yes. We did then and we do now.

What better time than now to educate our community and our young students about what it means to live under a rule of law instead of the rule of one?

Maricopa County has celebrated this day locally for at least 15 years. What was once Law Day has expanded to Law Week, which always surrounds the week of May 1.

Our MCBA Young Lawyers Division is hosting Law Week activities, including Ask-a-Lawyer on Saturday, April 24, at YMCA Christown from 9 a.m.-3 p.m., offering walk-in free legal advice; an Essay Contest for middle school students; an Essay Contest Awards Ceremony at the Supreme Court of Arizona on April 27; and a CLE and happy hour at the MCBA building on Thursday, April 29 at 4:30 p.m.

Please join us for these free activities as we give back to our community and use Law Day as an opportunity to celebrate our freedom. Also, there is nothing more adorably than a seventh grader with her parents and grandparents (and their requisite cameras and video camera) accepting an essay award in the mahogany-panelled courtroom from Chief Justice Berch.

303 E. Palm Lane is Back

After a year of renovation after the second fire struck, our building has re-opened.

We are especially excited about our new and larger conference room, which holds many folks for CLE presentations, meetings, and festivities. Other than our membership and quality staff (and maybe fire hydrants close to the building), our building is our finest asset, so we hope you can stop by soon.

Barrister’s Ball at the W Hotel a Success

Congratulations are also in order for the Young Lawyers Division for hosting the 2010 Barristers Ball & Silent Auction on March 6 at the W Hotel in Scottsdale. We appreciate the nearly 300 people in attendance, including many of our judges and judicial officers. The YLD selected the Justice Museum & Learning Center as the beneficiary for this year’s silent auction and raffle. The ball featured the debut of the promotional video for the Justice Museum, featuring Presiding Judge Barbara Mundell, Judge Glenn Davis, and others who spoke of the importance of preserving the old jail on the sixth floor of the Old Courthouse.

A special note of thanks to Maricopa County for their generous assistance in creating a professional quality video touting the Justice Museum.
Even the Kitchen Sink Among 150,000 Fascinating Exhibits Maintained by the Court Clerk’s Office

The Clerk’s Office is the official record keeper for Superior Court. As one function of the Clerk’s responsibilities, the exhibits department maintains and processes an average of 150,000 exhibits each year. With some exceptions, exhibits are public records that can be viewed and copied. National and international media outlets regularly visit the Clerk’s exhibits area to film items for use in television, books and documentaries.

The Clerk’s Office follows a records retention schedule for exhibits, allowing the office to return or dispose of exhibits at defined times. Some exhibits must be maintained for decades or forever, such as exhibits from capital murder convictions.

Exhibits can range in size from tiny spy cameras to large sections of an entire wall, as in the Doody case mentioned in this month’s Court Watch article. Papers, pictures, pills, diaries, maps, knives, guns, axes and other weapons, bed posts and entire beds, other items ranging from ordinary to one-of-a-kind and yes, the kitchen sink, fill the Clerk’s exhibits area, representing pieces of entire stories that play out in trials in the Superior Court.

Exhibit maintenance and processing requires ongoing training and care for the materials. Courtroom clerks receive annual training in handling biohazardous materials. Among other precautions, policies exist that require batteries be removed from conducted energy devices (tasers) and that ammunition be secured apart from weapons. Weapons or items that contain biohazardous material and other exhibits are carefully “bagged” and meticulous documentation is kept if and when these items can be removed from their protective coverings, usually determined by court order.

The exhibits department is one duty and mandate that the Clerk’s approximately 600 employees in six regional areas carry out every day to support the Superior Court’s activities.

Reminder: Law, Justice and the Holocaust Webinar

In cooperation with the Holocaust Museum and the Arizona Supreme Court, the Clerk’s Office is a participating location in the Law Day presentation of “Law, Justice, and the Holocaust: What You do Matters,” a statewide webcast.

Dr. William Meinecke from the Washington D.C. Holocaust Museum will speak on Friday, April 30. This program explores how the justice system failed Germany prior to and during World War II. A panel discussion with local experts will consider the lessons learned from this period in Germany’s legal history, the prospects of this happening again, and whether safeguards are in place to prevent such events in America. This presentation explores how decisions made by individuals really do matter.

The legal community is encouraged to participate in this webinar from 11:30 a.m. to 2 p.m. at various locations around the state or at the Clerk’s administrative offices in downtown Phoenix, located at 620 W. Jackson St., Suite 3017. Check with your bar association or the state’s Administrative Office of the Courts for details.

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A Case for Communication—Among Attorneys

Perhaps the most essential skill of attorneys is effective communication—although most lawyers focus more on communication with clients, judges and opposing counsel, overlooking the value of communicating with their fellow attorneys.

A gap in communication particularly exists between generations of attorneys, including the associate-partner relationship.

An interesting example of the importance of communication with associate level attorneys is apparent in a recent 2009 poll of midlevel associates by The American Lawyer. Of course last year’s poll reflects the anxiety of associates facing an uncertain economy and insecure job market.

Associate morale in 2009 dropped to 2.7 on a scale of 1 to 5, from 3.1 in 2008. Of associates polled, 83 percent noted “medium or high anxiety about losing their jobs,” 61 percent worked at firms with layoffs, and of those whose jobs were salvaged, they still felt they did not have enough work. But the poll is clear. Although the survey depicts uneasiness about job security, a major role in this disappointment was what associates perceived as a “lack of transparency on financial issues and layoffs.” Associates who worked at law firms that were candid about finances, cutbacks and layoffs fared better than others, even if the news was not pleasant.

The silver lining: attorneys at firms of all sizes remain confident about the future. Mid-level associates polled by The American Lawyer planned to stay in the legal profession. Nearly, 93 percent of associates indicated they would choose to work at their firm again.

Generation-Nexters and even Gen-Xers must remember the importance of communicating with others as well. E-mail is quick and convenient, but sometimes picking up the phone or dropping by someone’s office may be the best way to relay a message. Younger attorneys also tend to bottle thoughts and concerns when most of these could be nipped in the bud by a simple conversation.

Another Brilliant Barristers Ball
Let me congratulate the Barristers Ball Committee on such a wonderful event last month.

The 2010 Barristers Ball succeeded in raising funds for the new Maricopa County Justice Museum & Learning Center Foundation and providing an entertaining and elegant event, attended by many judges, attorneys and friends of the legal community.

Thank you to chair of the event, Stefan Palys, and Co-chair Jen Rebholz who also served as corporate sponsor chair, as well as Blake Mayes, silent auction chair, and Matt Mansfield, for their hard work. We also appreciate the support of Jennifer Cranton and TJ Ryan, who participated on behalf of the Justice Museum Committee.

The YLD further thanks its incredible MCBA Staff Liaison Laurie Williams for her dedication and support. If you were unable to attend this year, we anticipate an equally exciting event for 2011.

Assisting Survivors of Domestic Violence
On the lookout for more information about the MCBA YLD Legal Assistance to Women in Shelters (LAWS) Program.

The LAWS Program, entering its second year, provides pro se legal information, education, and resources to women at domestic violence shelters to better equip and represent themselves and to familiarize them with the legal system. LAWS allows victims and survivors of domestic violence to feel more comfortable and confident representing themselves in court.

Our volunteer attorneys in 2009 made a total of 18 presentations to six shelters across the valley. The YLD Domestic Violence Committee, led by Chair Leslie Satterlee, provides materials and information to volunteer attorneys who then meet with domestic violence shelters and share the information.

In light of overwhelming positive feedback last year from shelters and volunteers, the YLD hopes to expand the LAWS Program, and we need your help. If you are interested in volunteering or would like additional information, please contact Leslie Satterlee at lsatterlee@nglaw.com.

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Celebrating our fifteenth year, Keegan, Linscott & Kenon, PC has been serving businesses and individuals in Tucson and the southeastern US with innovation and insight. Call 520-884-0176 to schedule a meeting.

Law Week 2010
As I mentioned last month, each year the MCBA YLD celebrates its annual Law Week with activities aimed at benefiting the county and the MCBA membership.

Law Week presents wonderful pro-bono opportunities for attorneys of all ages. Ask-a-Lawyer, which will take place on Saturday, April 24, from 9 a.m. to 3 p.m. at YMCA Christiustown, allows people to meet lawyers and receive free advice on basic legal questions.

The YLD will prep volunteers on common questions and issues in advance.

The YLD will observe Law Day by holding an annual Law Day Middle School Essay Contest involving our theme, “Law in the 21st Century: Enduring Traditions, Emerging Challenges.” The contest provides a unique opportunity for middle school students to take a stab at legal writing.

Valley middle school students will prepare essays on the legal issues surrounding popular social media websites. Winning students will be honored at a special awards ceremony held at the Arizona Supreme Court on April 27, at which time they have the opportunity to meet a Supreme Court justice.

Law Week will conclude with a CLE and happy hour for attorneys on Thursday, April 29, at 4:30 p.m.

We hope that you will take advantage of some of these opportunities. If you are interested in supporting the YLD during Law Week or would like additional information regarding the events and volunteer opportunities, please contact Law Week Chair Nicole Holt at nholt@azcredunion.org.

Snell & Wilmer’s McAuliffe, Ethicist and Author, Dies

Daniel J. McAuliffe, a Phoenix attorney, author and past president of the State Bar of Arizona, died March 12 at the age of 64. McAuliffe died of multiple myeloma, according to Barry Halpern, a partner at Snell & Wilmer, LLP, where McAuliffe was a partner.

McAuliffe was considered by many Arizona lawyers as the ultimate authority on ethical issues. McAuliffe had published books on ethics and other legal issues.

“He was providing extraordinarily valuable legal counsel to his colleagues in the firm, literally, right up until the end,” Halpern said.

Arizona Supreme Court Chief Justice Rebecca White Berch said McAuliffe “served the legal profession selflessly.”
After the excitement of last month’s college basketball Final Four, I wondered what editing steps to recommend as legal writing’s “Final Four.”

I found a helpful answer in the Aspen Handbook for Legal Writers by Deborah Bouchoux. After proofreading for content, grammar, style, and citation, Bouchoux recommends performing these last four steps before turning in any document to any reader.

**Check All Numbers**

This check should include not only the document’s page numbers but also any dollar amounts, dates, heading numbers, paragraph numbers, line numbers, footnotes, and lists.

Many spellcheckers do not catch errors in these numbers, and these errors could affect content and enforceability (dollar amounts and dates) and clarity (other types of numbering).

**Check All Names**

Proper names are easily misspelled, and many spellcheckers will not catch these errors either. In addition, if a legal writer used a form as the basis of the document, then that document could still contain the original names from the form.

Although the global “find and replace” feature in any word processor goes a long way to avoiding this oversight, there are some variations on names that will not be caught, including the improper use of pronouns (calling someone a “they” when the person is a “she”).

**Check for Isolated Headings and Lines at the Bottom of Pages**

These isolated headings and lines are also known as widows and orphans and may affect the document’s readability. The best way to avoid this awkward placement is (1) to start a heading on the bottom of a page only if there is room to include two lines of the following paragraph and (2) if there is no heading, to keep a minimum of two lines together at the end of the page.

**Review Attachments and Exhibits**

A legal writer should make sure that all attachments and exhibits are included, titled properly, and referred to in a consistent manner throughout the document. If there is more than one attachment or exhibit, then the writer should also check to make sure they are included in the correct order.

These last “Final Four” editing steps go a long way toward winning credibility as a careful, competent writer!
Paralegal Career Day and Scholarship Winners

The Paralegal Division hosted its annual Paralegal Career Day on March 6. It was an overwhelming success with over 75 attendees. Co-chairs, Marge Haberman and Linda Hasseler, deserve a BIG Thank You for coordinating this annual event.

Thank you also to Paul Martin, chairman of the Scholarship Committee, for all of his efforts in promoting the scholarship program and to the following speakers: Meredith Larabee, Snell & Wilmer, LLP; Chris Anderson, Lewis and Roca, LLP; Paul Martin, Maricopa County Attorneys’ Office; Jennifer Caccavale, Kercsmar & Feltus, PLLC; Maureen Zachow, Snell & Wilmer, LLP; and Sheila Voigt, Snell & Wilmer, LLP.

We would also like to thank the following for helping make this year’s Paralegal Career Day a huge success: Scott Hauert and Phoenix College for the use of the Dome Auditorium and to the following speakers: Meredith Larabee, Snell & Wilmer, LLP; Paul Martin, Chairman of the Scholarship Committee, for all of his efforts in promoting the scholarship program, for being the speaker at the Paralegal Division’s Winter Quarterly Division Meeting in January on “eFiling in Superior Court.” Also, thank you to Paul Ramos for being the speaker at the Paralegal Division’s Sprint Quarterly Division Meeting in March on “DUI and Distracted Driving.” Both programs were very successful and we appreciate you taking the time to prepare and share your presentations with us.

Join the Conference Committee:  
If you are interested in being a member of the 2010 conference committee, our next meeting is scheduled for Wednesday, March 3, at 5:30 p.m. The meeting will be held at the MCBA offices. We will continue to meet once a month on Wednesday evenings through September. The paralegal conference is scheduled for Friday, September 24, 2010. If you know of anyone who would be interested in joining the committee, please ask them to join us. Putting together the conference is a lot of work but very rewarding and fun. Hope to see you there.

Felice Wortman and Sara Neely  
2010 Conference Committee Co-chairs

Calendar of Events

APRIL
7 Wednesday Conference Committee Meeting
8 Thursday Board of Directors Meeting
24 Saturday Bowling Outing

MAY
5 Wednesday Conference Committee Meeting
13 Thursday Board of Directors Meeting

JUNE
1 Tuesday Dental Drive Begins
2 Wednesday Conference Committee Meeting
10 Thursday Board of Directors Meeting
24 Wednesday Quarterly Division Meeting - Time and Topic to be determined

All Board of Director meetings are held at 12:00 p.m. unless otherwise specified. All Conference Committee meetings are held at 5:30 p.m. unless otherwise specified. All Board of Director, Conference Committee, and Quarterly Division Meetings are held at the MCBA Offices unless otherwise specified.

For more information on Paralegal Events please visit our web pages at www.maricopabar.org or www.maricopabar.org for the “For Paralegals” section.
Governor Appoints Chris Coury to Superior Court Bench

Gov. Jan Brewer announced the appointment of Christopher Coury to the Maricopa County Superior Court.

Coury is a partner with the law firm Ryley Carlock & Applewhite, where he has worked since 1999. Prior to that he worked for the Maricopa County Attorney’s Office from 1996 to 1999, and the law firm O’Connor Cavanagh from 1999 to 1996. He clerked for Judge Edward Voss at the Arizona Court of Appeals from 1994 to 1995. Coury graduated from the University of Notre Dame Law School in 1994, and received his undergraduate degree from Notre Dame in 1991.

Coury’s current law practice consists of commercial cases, securities fraud, banking law, contract and consumer fraud. At the Maricopa County Attorney’s Office, he practiced in the area of criminal law for several years, prosecuting cases ranging from misdemeanors to felonies and gang cases.

Coury is a third-generation Arizonan who has donated generously of his time to numerous community organizations and proudly serves as a coach of the Scottsdale Soccer League team, the Sharks.

"Coury's impressive background in civil and criminal law make him well qualified to serve as Maricopa County Superior Court’s newest judge,” Gov. Brewer stated. “Chris is thoughtful, deliberative and caring, and I am certain he will work diligently to assure that justice is administered fairly to all who appear before him.”

This appointment was made to fill the vacancy created by the retirement of the Hon. Robert C. Houser.

Chief Juvenile Probation Officer Appointed

The Judicial Branch of Arizona in Maricopa County announces the appointment of Vincent Iaria as chief juvenile probation officer.

Iaria will oversee 850 staff members who are responsible for programs that provide community supervision for approximately 4,500 youth on probation. He replaces deputy chiefs Debra Hall and Debra Olsen, who filled-in as interim co-chefs.

“Iaria brings tremendous leadership and vision to the position. His knowledge in juvenile probation will benefit the children, youth and families in our community,” Presiding Judge Barbara Rodriguez Mundell said. “His work with various community-based organizations will be a huge asset for the Judicial Branch of Arizona.”

Prior to his appointment, Iaria served as acting bureau chief for Los Angeles County Probation Department.

During his career, he served as the director of probation for Suffolk County Probation Department in Yaphank, N.Y. He also worked in San Diego as the chief probation officer for San Diego County Probation Department.

Associate Presiding Judge Norman Davis said, “Iaria was chosen from an extremely qualified and diverse field of excellent candidates. We are very fortunate to have a new probation chief with the vast experience and knowledge that Iaria possesses. He has extensive experience in managing large probation departments in both California and New York where he was instrumental in developing impressive juvenile justice programs.”

Iaria received his Bachelor of Arts degree in history from State University of New York at Stony Brook and received a Master’s in Public Administration from C.W. Post College of Long Island University and a Masters of Social Work from State University of New York at Stony Brook.

“I am honored to have been chosen by Presiding Judge Barbara Rodriguez Mundell and the search team of the Arizona Judiciary in Maricopa County to lead its Juvenile Probation Department.” Iaria said. “I have had a long-term career goal to work in Maricopa juvenile probation, because in the probation and community corrections field, Maricopa probation is well recognized for its innovation, its use of cost-effective, evidence-based interventions, and as a ‘force for positive change’ in the lives of youth.”

Inside the Public Lawyers Division

Public Lawyers Encourage Law Students

By Aaron Nash, President, Public Lawyers Division

One of the missions of the MCBA’s Public Lawyers Division is to encourage law students to consider a career in public service.

The division took its message to the Sandra Day O’Connor School of Law at Arizona State University in February. A panel of public lawyers provided law students some insight into their experiences, the paths that lead them to public service and their expectations when they were still law students.

The interactive presentation gave the law students a view into public service and pointers about the importance of networking, volunteering and trying different things as advantages during challenging economic times.

Speakers represented government and non-profit employers at the city, county, state and federal level. At the end of the program, one law student won a ticket to this year’s Barristers Ball at the W Hotel in Scottsdale.

The Public Lawyers Division plans to continue these presentations, alternating between ASU and the Phoenix School of Law.
### APRIL 2010

#### Regular Office hours: 8:30 a.m. – 5 p.m., Monday-Friday

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<th>Date</th>
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<tr>
<td>1</td>
<td>Construction Law Section 12 p.m. CLE: Qualified Domestic Relations Orders: The Importance of Timing and Notice 12 p.m.</td>
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<td>Estate Planning Probate &amp; Trust Section 7:30 a.m. CLE: Tax Implications for Everyday Business Decisions 12 p.m.</td>
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<td>YLD Board 12 p.m. Construction Law Section 4:30 p.m.</td>
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<td>CLE: Executive Committee 7:30 a.m. Paralegal Division 12 p.m. Volunteer Lawyers Program 12 p.m.</td>
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<td>Family Law Section 12 p.m. Public Lawyers Division 12 p.m.</td>
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<td>6</td>
<td>Environmental &amp; Natural Resources Law Section 12 p.m. Family Law Section 5 p.m.</td>
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<td>7</td>
<td>CLE: MCBA Board of Directors 4 p.m. Maricopa County Bar Foundation Trustees 7:30 a.m.</td>
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<td>8</td>
<td>CLE: The Bankruptcy Appeals Process 1 p.m. Employment Law Section 12 p.m.</td>
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<td>9</td>
<td>Volunteer Lawyers Program Reception 5 p.m. – Hyatt Regency Phoenix</td>
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<td>10</td>
<td>CLE: Everything You Know About Arizona’s Lawyer Discipline System Is About to Change 12 p.m.</td>
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<td>11</td>
<td>Ask-a-Lawyer Event 9 a.m.-3 p.m. – Christown YMCA</td>
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<td>12</td>
<td>2010 Paralegal Bowling Outing 4 p.m. – AMF Squaw Peak Lanes</td>
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<td>Hall of Fame Committee 5 p.m.</td>
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<td>14</td>
<td>Law Week CLE/Happy Hour 4:30 p.m.</td>
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*Please watch your MCBA E-News for updated information about meetings and events.

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*Savings for MCBA members. Section/division members receive a $5 discount on programs sponsored by their section/division so their savings vary. If the CLE includes lunch or breakfast, there is an additional $10 charge. CLEs that include a .5 hour of credit will count as 1 full hour off the ticket. Ticket is valid through Dec. 31, 2010.

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Legal Community Out in Force to Support County Justice Museum & Learning Center

continued from page 1

The 2010 Barristers Ball Committee comprised Stefan Palys, Lewis and Roca, and Jennifer Rebholz, Farmers Insurance, co-chairs (Rebholz was also Corporate Sponsor chair); Blake Mayes, Mayes, PLLC, Silent Auction chair; Matt Mansfield, Ballard Spahr; Paige A. Martin, Kutak Rock; Jennifer Cranston, Gallagher & Kennedy; and T. J. Ryan, Frazer Ryan Goldberg & Arnold.

The YLD and the MCBA thank the generous sponsors of the Barristers Ball:

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Enjoying cocktails while they browse silent auctions items are (from left) Alison Christian, Harper Christian Dieter Graif, PC; attorneys Margo Zelinski and David Telles, and Angelyn Guanajuato, in-house at U-Haul, Inc.

Molly Nussbaum greets Allen Kimbrough (right), executive director of MCBA. Her husband Randy (center) of Nussbaum and Gillis, is president of the Maricopa County Bar Foundation.

Retired presiding judge Colin Campbell of Osborn Maledon (right) is with Gordon Griller of the National Center for State Courts.

Ball attendees examine the silent auction items and socialize during the cocktail hour.

MCBA President Jennifer Green (right) and Board member T. J. Ryan watch as the video about the Maricopa County Justice Museum and Learning Center runs.
VLP ‘For the Love of Justice’ Awards To Recognize the Generous Spirit of Maricopa County Lawyers

When the Maricopa County Bar Association and the non-profit law firm of Community Legal Services collaborated to sponsor the Volunteer Lawyers Program (VLP) in 1981, who would have thought many of the first attorneys to volunteer would still be actively involved 29 years later?

And wouldn’t most people be surprised to learn more that 2,000 licensed attorneys in Maricopa County are on the VLP roster today?

The challenges for the VLP are to screen applicants who qualify for pro bono assistance; assess the merit of individual cases; match the interests, expertise and availability of attorneys with client needs; and manage the program through recruitment, utilization, education, retention and recognition of volunteers.

The VLP Advisory Committee and staff are especially pleased to be engaged in recognition of volunteers during National Volunteer Week, April 18-24, 2010.

On April 22, 2010, VLP’s annual “For Love of Justice” volunteer appreciation event will be an evening reception, 5:00-6:30 p.m., at the Hyatt Regency in downtown Phoenix.

Hors d’oeuvres and a no host bar will compliment the opportunity for VLP members and supporters to celebrate accomplishments in the past year, but the highlight of the evening will be presentation of the “For Love of Justice” pro bono service awards by the Honourable Rebecca White Berch, chief justice of the Supreme Court of Arizona.

The “For Love of Justice” awards recognize outstanding pro bono contributions to the mission of Community Legal Services, which seeks to eliminate poverty-based inequities in the civil justice system. Among the recipients this year are attorneys, paralegals, students, support volunteers, businesses and law firms.

A sneak preview of the honorees includes:

Children’s Law
Kyle S. Hirsch
Law Offices of Buchalter Nemer
Jane A. Proctor
Nancy E. Tribbensee

Consumer Education
W. Grant Mullins

Consumers’ Rights
Christine Cassetta
David Wm. Engelman
Mark C. Hudson
Cody James Jess
Shari Lea Miller
Thomas Moring
Rachel L. Robertson
Robert Ray Teague

Family Law
Joshua Kyle Hatch
Diana McCulloch
Olabisi Onisile
Kevin J. Parker
Jill Lanae Rogers
Nicole M. Seder-Cantelme
Ronee F. Korbin Steiner
Carlie Owsley Walker
Alan A. Waugh
Marie S. Zawotocki

Home Owners’ Rights
Mark Deatherage
Richard A. Halloran
Robert S. Reder
Jay A. Zweig

Tenants’ Rights
Thomas J. Davis
Katherine F. McLeod

Operations and Litigation Support
Theresa A. Robnett
Carrie A. Smalanskas & Carrie Reporting

Home Owners’ Rights
Mark Deatherage
Richard A. Halloran
Robert S. Reder
Jay A. Zweig

Tenants’ Rights
Thomas J. Davis
Katherine F. McLeod

Operations and Litigation Support
Theresa A. Robnett
Carrie A. Smalanskas & Carrie Reporting

Director Patricia Gerrich notes that VLP’s highest honors are named for some of those who have been or continue to be most revered in Arizona’s legal community, such as attorney John P. Frank and retired Justice Frank X. Gordon, Jr.

“It’s our great pleasure to provide an occasion for the recognition of all the tremendous good works and fine people who devote their time and talents to the ideal of equal justice for all,” she said.

For further information or to RSVP, please contact: Laurie Williams at lwilliams@maricopabar.org or (602) 682-8585, Maricopa County Bar Association.
Need to Grow Your Practice? Lawyer Referral Service Can Help

The MCBA Lawyer Referral Service (LRS) now has its own website at http://maricopalawyers.org and uses Google ad words to drive potential clients to the site. It’s also where attorneys can sign up to find new clients.

LRS is looking for additional LRS attorneys to accept clients in all areas, but particularly in consumer law, foreclosure and short sales, civil rights, and employment law.

“Some of our attorneys get as many as 15-20 referrals per month,” said Don Burns, LRS Director. “And given a current conversion rate of up to 20%, that could translate into three or more new clients per month.”

The fee for joining LRS is $50 per year, one of the lowest rates in the country. LRS members are required to have malpractice insurance and must be personally willing to handle the 30-minute free consultation offered to LRS clients. After that the attorney and client decide whether or not to proceed at the attorney’s regular fee.

There are some minimal experience requirements for LRS members who request to receive felony or certain personal injury clients.

Clients who contact the LRS by phone, email or in person and agree to use the service pay LRS a $40 administrative fee. They are then given the telephone number of an LRS attorney, with whom they set up an appointment. At the same time, the selected attorney receives an email alerting them that an LRS client will be contacting them.

To join the Lawyer Referral Service, go to http://maricopalawyers.org and click on “Join Now” on the lower right side. Download and read all four documents, complete the first two (LRS membership and LRS rules) and mail or fax to the MCBA LRS.

If you have any questions, feel free to contact Don Burns at dburns@maricopaabar.org or (602) 257-4200.

Benefit from MCBA’s Corporate Partners

The MCBA partners with providers that can offer a high-value product or service at a discounted rate to members. Please be sure to check out our current providers and come back often to see what’s new.

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RPost’s Registered E-mail® service is a critical safeguard against legal liability associated with e-discovery and email email disputes. This service reduces your risk, saves administrative time, and significantly cuts postage expenses. Be sure to attend the free webinar on October 15 at 2:00 p.m. Go here to register: www.rpost.com/mcba

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EXCLUSIVE OFFER: As a member of the Maricopa County Bar Association, you can help protect your most valuable asset and receive premium discounts up to 30% on high-quality Individual (DI) Insurance from Principal Life Insurance Company:

- 10% discount given for being a member of MCBA
- 10% select occupation discount for being an attorney
- Up to 10% discount for the Mental Nervous Substance Abuse Disorder Limitation rider (required)

For more information, contact:
Michael Abbate or Ian M. Wyer,
Financial Service Reps
(602) 957-3200
abbate.michael@principal.com or wyer.ian.m@principal.com

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Since 1818, Brooks Brothers has set the standard for quality and classic elegance in modern American style for men, boys and women. Enroll for Brooks Brothers corporate membership card and you save 15% on regular and everyday value priced merchandise at stores (Scottsdale Fashion Square at Camelback & Scottsdale roads) or online. If you provide your e-mail address, you will receive an e-mail confirmation the next business day that you can use as a temporary membership card until your personalized card is mailed to you within approximately 3-5 business days.

Enroll online at: Membership.BrooksBrothers.com (do NOT include http:// or www, in front of the website address) You will be prompted to validate your MCBA membership by using the the MCBA Organization ID and Pin Code.

- Organization ID: 10008
- Pin Code: 63980

You may also enroll by telephone at: 1-866-515-4747 during ET business hours. Have the organization ID and pin code ready.

Staples
For details on how the MCBA program benefits you, go online at www.maricopaabar.org.

Staples is not just about office products, they also about office solutions. They’ll work closely with you to find the ideal program to suit your legal needs and make it easy for you to manage your account. The program increases your control of costs through ongoing monitoring and detailed reporting. You save on supplies and your staff saves time.

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If you’re a sole practitioner or in a small to mid-sized (up to 25-member) firm, this agency has insurance to suit. Their goal is to be a single source for Maricopa County attorneys to obtain high quality malpractice insurance coverage with prices that are reasonable and sustainable. Doug Reed works with seven different primary insurance companies offering attorney malpractice insurance in Arizona.

Hertz
Now you can take advantage of special year-round savings through the Hertz Member Benefit Program. Maricopa County Bar Association members receive a discount off Hertz Daily Member Benefit Rates, Hertz U.S. Standard Rates; and Hertz U.S. Leisure Rates. You’ll be quoted the best rate for your rental needs at the time of reservation. Hertz has over 7,000 locations in more than 150 countries and special rates apply worldwide. For reservations and information, call Hertz Members-Only toll free number at 1-800-654-2280 and mention your Hertz Discount CD#. 24454. Present your membership card at the time of rental.

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This card provides an enhanced rewards program offering cash, travel, merchandise and gift certificate rewards, and a grace period. You’ll enjoy the flexibility of multiple redemption options including cash rewards up to 1%; travel services; select merchandise offers with hundreds of brand-name items; and retail gift certificates from top retailers such as Red Lobster, Olive Garden, Pottery Barn, J. Crew, TGI Friday’s, Barnes & Noble, and Gap.
By Isolde Davidson

At first glance, there’s a disconnect between the Jennifer Green you see and what Jennifer Green does for a living as a assistant U.S. attorney in Phoenix.

The latter would be prosecuting violent crime, such as stabbings, murders, and sexual assaults occurring on the Colorado River Indian Reservation near Parker. Plus bank robberies in Phoenix and drug cases from other reservations as well as felonies from the Grand Canyon.

What you see is a petite, energetic and overwhelmingly positive woman, albeit one with drive and an instinct for leadership. But Green says it’s just different parts of who she is.

“Trials are fun, but a lot of hard work. When you’re in court handling these cases, you can’t do it with kid gloves. You have to go in and prove your case to the jury or argue your motion in front of the judge. You certainly already know what you want to get out of a court hearing before you walk in the door.

“So I would like to say that my people skills are in play when I’m doing direct examination of a witness.

“You’re dealing with all levels of education and background among law enforcement, witnesses and victims. You have to have a sense of care and feeding of the people you deal with, especially when something traumatic has happened.

“But then it’s time to roll up your sleeves, go in front of the jury and tell them what you want them to do and why they should do it.”

Education and Experience

After receiving her J.D. from the ASU Sandra Day O’Connor College of Law in 1997 and admission to the Arizona bar the next year, Green clerked for Judge Jon W. Thompson of the Arizona Court of Appeals. She then moved on to the Town of Gilbert for three and one-half years as a prosecutor handling misdemeanors, domestic violence and DUI cases. From that small office, she joined the 300-lawyer Maricopa County Attorney’s Office prosecuting felonies. At the beginning of 2008, she began her current job as a federal prosecutor.

“I’ve been here two years and love it. I work with great people. Federal practice is very different from what I did before, and I’m still getting my ‘federal legs.’ I have a lot to learn.

Growing-Up Years

Green grew up in Glendale where sports and school were central to life in the Green household. She played on her first soccer team at age six.

“Sports, that’s what my family did. Church and family things too, but we were a very sports-dominated family.”

Green played soccer, softball and volleyball, and when her sister, brother and parents weren’t going to her games, they were going to one of the other siblings’ games.

“I loved soccer and softball best, but I knew that I would play softball in high school. [At that time girls’ soccer was in its infancy at the high school level]. I played year round on competitive teams from 7th grade through high school. It’s fun and defines what kind of person you are.”

Why the Law?

Green sidled into the law gradually. Both of her parents have advanced degrees and Green knew she would continue on after her undergraduate years as an English major at ASU, where she graduated cum laude, University Honors College. She could see teaching and coaching on her horizon.

But when a few friends announced plans to attend law school, that idea appealed to her, too, because she felt a law degree had broad application. After she started law school, it all fell into place.

“I thought, yes, this is exactly where I want to be.”

“When I got out of law school,” she relates, “It was clear to me what I wanted to do. I had taken prosecutor’s clinic before graduation and I couldn’t believe you could get money to do jury trials because they were so much fun. So if I could find a way to get paid for being in trial, that would be a great way to make a living.”

Leading the MCBA

Green’s involvement in Maricopa County Bar Association was initially through the Young Lawyers Division, serving in several leadership positions, including president, before moving on to be elected to the Board of Directors of the MCBA. She quickly moved up the officer ladder to assume the presidency in January.

She has definitive goals for the bar.

“First, we need to create a strategic plan to know where we want to be in three or five years and how to get there. The 2009 building fire threw us off track, but now we’re working on that.

“We also need to increase membership, make the organization better, find a way to move the ball forward, whether it’s with an irresistible benefit or increased relevance. We need to bring more people to the group.

“Third, we have a buffet of important events to maintain and even improve. We do these events well and I don’t want to focus on new project A at the expense of project B that we’ve done well for 10 years. I’m very proud of our Young Lawyers Division, which is really the community service arm of our organization and is extraordinarily active.

“And, I’d like to see us expand on the success of the Hall of Fame luncheon to membership luncheons where we can touch base with our members more frequently.”

What MCBA Uniquely Offers Her

For Green, membership in MCBA offers something vastly different than for the average MCBA member. Surveys have shown that most members join for access to the CLE programs and the Maricopa Lawyer. As a public lawyer,” Green says, “I feel I’m inundated with training and conferences, so the CLE isn’t the reason I am an MCBA member. I also enjoy reading the Maricopa Lawyer, but that’s not why I’m a member either.

‘I’ve always done a lot of community service growing up and all through law school,’ she continues. ‘Initially I volunteered at YLD Law Week grading essays. I thought it was great that there was an organization that cared so much about our profession.’

Another unique benefit that MCBA offers her is the opportunity to meet lawyers outside of her practice area.

“As a criminal lawyer, we run into the same lawyers and judges all day long,” Green says. “That’s applicable whether you work in Gilbert, in the state system or in federal court. I would have no reason to have interaction with transactional lawyers.

“But at MCBA I’ve met a mix lawyers and these friendships I’ll have for the rest of my life. MCBA is a way to stick my neck outside of my little niche and see what the rest of the world is doing.”

On the Horizon

Most important to Green right now is the Maricopa County Justice Museum & Learning Center, which will be located inside the historic Old Courthouse in Phoenix. “We’re excited to open the doors to the Justice Museum soon.”

She also values the Inns of Court experience and has served as president of the Sandra Day O’Connor Inn of Court. In 2006, she was presented the Sandra Day O’Connor Award for Professional Service by the Honorable Ruth Bader Ginsburg.

About her career in the law, Green concludes, “I feel so lucky to have found in the legal profession I love so much, this job that I feel I was definitely meant to do.

‘Coming to work every day is fun for me.’

What fun in this sense means to Green is that she helps justice be served. She elaborates:

“We all gain rewards in different ways. I’m happy when my hard work means that a victim gets served, or we were able to do the right thing and the right result happened. Victims get to say what happened to them and get a chance to take one more step toward recovery or becoming whole again from something awful.”

And now, “fun”–not to mention “busy”–is taking on a whole new meaning for Green as she adds wedding planning to her future. Shortly before this article went to print, she became engaged to Jim Dettmer, whom she met at an ASU football game three years ago.
April

THURSDAY ■ APRIL 1, 2010
12 - 1 PM (Lunch included)
Qualified Domestic Relations Orders: The Importance of Timing and Notice
1 CLE credit hour
This program will address Analysis of Timing and Notice issues when assigning benefits via QDRO. The seminar will also assist the family law attorney in reducing his or her malpractice liability while at the same time securing the client’s retirement benefits.
PRESENTER:
Raymond S. Dietrich, Raymond S. Dietrich, PLC
SPONSORED BY: Family Law section
COST:
- Family law section members: $40.00
- MCBA members: $45.00
- Nonmembers: $65.00
- Law student members: $10.00

FRIDAY ■ APRIL 2, 2010
12 - 1 PM (Lunch included)
Tax Implications of Everyday Business Decisions
1 CLE credit hour
A practical discussion of the Federal income tax implications of everyday business decisions including:
- Forming your business
- Capitalizing your business
- Firing employees vs. independent contractors
- Incentive compensation arrangements
- Member/shareholder agreements
- Member/shareholder disputes
- Selling your business
And more
PRESENTER: William A. Kastin
Snell & Wilmer, LLP
SPONSORED BY: Corporate Counsel Division
COST:
- Corporate Counsel Division member: $40.00
- MCBA member: $45.00
- Nonmember: $65.00
- Student member: $10.00

TUESDAY ■ APRIL 20, 2010
1 - 4 PM
The Bankruptcy Appeals Process
3 CLE credit hours
This seminar will provide an overview of the appeals process, including briefing tips and tools, and oral argument techniques and insight. You will learn about bankruptcy appeals from the judge’s perspective and get important case updates.
PRESENTERS:
Hon. Eileen W. Hollowell
Randy Naussbaum, Naussbaum & Gillis
Kathi Sandwina, Jaburg & Wolk
Dean Dinner, Naussbaum & Gillis
Madeline Wandile, Gries Rosenfeld
SPONSORED BY: Bankruptcy Law Section
COST:
- Bankruptcy Law Section members: $90.00
- MCBA members: $115.00
- Nonmembers: $165.00
- Student members: $10

FRIDAY ■ APRIL 23, 2010
12 - 2 PM (Lunch included)
Everything You Know About Arizona’s Lawyer Discipline System Is About to Change
2 ethics credit hours
In this program, you’ll learn all about the pending petition to adopt new rules that will take effect Jan. 1, 2011. Find out what it all means from an Arizona Supreme Court official, a state bar counsel, and an experienced discipline defense lawyer.
Highlights of the pending rule petition include:
- An expanded intake office for dealing with complaints
- A quicker process for investigating them
- An independent body to determine probable cause
- An office of presiding disciplinary judge and paid hearing officers
PRESENTERS:
Dave Byen, Director, Administrative Office of the Courts, Arizona Supreme Court
Karen Clark, Adams & Clark, PC, State Bar Counsel
SPONSORED BY: the MCBA
COST:
- MCBA member: $80
- Nonmember: $120
- Student member: $30

General Information
Advance Registration: Full payment must be received in advance of the program before you are considered registered.
Late Registration: All registrations not paid in full and in advance by day of the program will be assessed a $15 fee. You may register at the door if space is available; the late fee will apply. If you do not register at least two business days in advance of a program, MCBA cannot guarantee space or availability of materials.
Cancellations: Refunds, less a $10 fee, will be issued only if the CLE department receives your cancellation, in writing, at least two business days prior to the program.
No Shows: If you registered and paid, but could not attend, you may request that materials be sent to you, free of charge (allow 3-4 weeks). If audio tapes are available registrations may be converted to a self-study package for an additional $15 charge.
Special Accommodations: If you have a disability, please call ahead so we can accommodate your needs.
To register, use the registration form on this page, go to www.maricopabar.org, or call Jennifer Deckert at (602) 257-4200. Unless otherwise specified, all CLE programs will be held at the MCBA office: 303 E. Palm Lane, Phoenix.

Lawyer Referral Service Needs You
Potential clients can be yours with the MCBA Lawyer Referral Service. The LRS receives more than 100,000 calls per year from people seeking legal assistance as well as attorneys referring clients outside their practice area.

Among the areas needing coverage are:
- Administrative Law
- SSI-SSDI/Medicare Law
- Workers’ Compensation
- Immigration
- Spanish-speaking and West Valley attorneys are also needed.

It’s easy to join! Call Don Burns at (602) 682-8590.

Not too Early to Think of Hall of Fame Nominations
Do you know a deserving attorney or judge for the Maricopa County Hall of Fame?
The Hall of Fame Committee is counting on members of the legal community to bring the best and brightest to their attention. Nominees should have practiced for at least 10 years and made significant or unique contributions to the profession, the law, and/or the community.
You can read about 2009 inductees at www.maricopabar.org. Watch the MCBA website and May Maricopa Lawyer for details and the 2010 nomination form. The deadline for nominations is Aug. 6.
Deviations in Miranda Script Lead to Appeals

continued from page 1

The Florida Supreme Court reversed, holding that the deviation from the Miranda script made the confession inadmissible. It found the warning misleading because it suggested to Powell that he could consult with an attorney only after the questioning started, instead of informing him of his right to counsel’s presence throughout the interrogation.

The State of Florida convinced the Supreme Court to grant certiorari. In an opinion by Justice Rush Bader Ginsburg, the Supreme Court reversed.

Ginsburg noted that Miranda had held as an “absolute prerequisite to interrogation,” that the suspect “must be clearly informed that he has the right to consult with a lawyer and to have the lawyer with him during interrogation.” The script devised in Miranda performed that function.

But, Ginsburg noted, while “[t]he four warnings approved by the Court and approved by the United States Court of Appeals for the Ninth Circuit are available... this Court has not dictated the words in which the essential information must be conveyed.”

Thus, the question was whether the warning given to Powell had conveyed the necessary meaning. Ginsburg concluded that they did: “The first statement communicat- ed that Powell could consult with a lawyer before answering any particular question, and the second statement confirmed that he could exercise that right while the interrogation was underway.”

“In combination,” she continued, “the two warnings reasonably conveyed Powell’s right to have an attorney present, not only at the outset of interrogation, but at all times.”

Joining Ginsburg were Chief Justice John Roberts and Justices Antonin Scalia, Anthony Kennedy, Clarence Thomas, Samuel Alito, and Sonia Sotomayor. Justice John Paul Stevens dissented. Justice Stephen Breyer agreed with parts of both opinions.

Ninth Circuit Vacates Conviction

In a case closer to home, the Ninth Circuit affirmed a judge’s vacated the murder conviction of Jonathan Doody, in part because the Miranda warnings given by police were mislead- ing. Doody v. Schriro, No. 06-17161 (9th Cir. Feb. 25, 2010) (en banc).

In August 1991, six months and four other employees of the War Prumkonum Buddhist Temple were murdered, execution-style, in a robbery gone wrong. After having confessed confessions from four Tucson men that turned out to be false, Phoenix police focused on Jonathon Doody, a minor. They brought him in for questioning in what turned out to be a marathon interrogation lasting over 12 hours, starting in the night and lasting through the next morning.

For hours, Doody denied any involve- ment, but in the end he broke down and con- fessed. He was convicted of multiple murders and was given nine consecutive life terms in prison. The Arizona Court of Appeals affirmed. State v. Doody, 930 P.2d 443 (Ariz. App. 1996).

In federal habeas-corpus proceedings, Doody argued that the officers had both vio- lated his Miranda rights and coerced his con- fession. The district court denied relief, but the Ninth Circuit reversed on both counts.

As to the Miranda rights warnings, a Phoenix detective read Doody his rights from a juvenile-Miranda form, but they tripped up by trying to explain the rights to Doody and downplaying the situation. Writing for the court, Judge Johnnie Rawlinson stated that the Arizona Court of Appeals had “completely failed to consider the defendant’s significant deviations from the printed Miranda form and his repeated minimizing of the warnings’ significance.”

The panel had effectively told Doody that he had a right to an attorney “if you were involved in it... but if you were, then that’s what that would apply to.” This, Rawlinson held, did not comply with Miranda.

“In informing Doody of the right to counsel, Detective Riley deviated from the form containing the juvenile Miranda warn- ings, and ad libbed that Doody had the right to counsel if Doody was involved in a crime.” The implication from this improperly qualified, unclear, and confusing warning, the court concluded, “was that Doody only had the right to counsel if he were involved in a crime.” She pointed out that involving the right to counsel after such a warning would be tantamount to a confession.

“Overall, the fact that Detective Riley’s explanation of a one-page Miranda warning form consumed twelve transcribed pages of text is a testament to the confusion generated by the detective’s obfuscation,” Rawlinson concluded. “When evaluated against clearly established Supreme Court precedent, the Miranda warnings were constitutionally defi- cient. At a minimum, Doody was never clear- ly and reasonably informed that he had the right to counsel.”

In another part of the opinion, Rawlinson held that the conviction also had to be overturned because the police had coerced Doody’s confession in the marathon interroga- tion.

Joining Rawlinson’s opinion were Judges Mary M. Schroeder, Betty B. Fletcher, Harry Pregerson, Stephen Reinhardt, Sidney R. Thomas, and Kim McLane Wardlaw. Chief Judge Alex Kozinski filed an opinion concur- ring in the result. Judge Richard C. Tallman dissented, joined by Judges Pamela Ann Rymer and Andrew J. Kleinfeld.
Scottsdale Bar Invites MCBA Members to Golf

The Scottsdale Bar Association will be holding its 28th Annual Golf Tournament on June 4, 2010 at the Lookout Mountain Golf Club in Phoenix. This year the Scottsdale Bar is specifically extending an invitation to MCBA members to participate.

This tournament is a team event with a four-person scramble. The entry fee is $460 per team plus an additional $5 for each player who is not a Scottsdale bar member. The entry fee covers green fees, golf cart, lunch at the Pointe & Time Restaurant, practice balls, bag tags, divot repair tool, and other favors and tournament prizes.

To receive detailed information, including the rules of play, and an application please contact Jim Junker at (480) 951-0370 or jimjunker@azbar.org. The registration deadline is May 26.

Appointments, New Hires and Openings

Shawn M. Richter has joined Nussbaum & Gillis as special counsel. Richter assists his clients with a wide range of business matters, including LLC and corporate formations, buy/sell agreements, and the purchase or sale of businesses.

Ellis Carter has formed her own firm, the Carter Law Group. The new firm will focus in the areas of general business and tax advice as well as advice related to public and private charity formation, mergers and restructuring, joint ventures and entrepreneurial activities, nonprofit governance, compensation matters, complex gifts and grants, and audit defense for nonprofit and tax-exempt organizations.

David Bodney was elected to the governing committee of the American Bar Association’s Forum on Communications Law. His term begins in August and will last two years. The forum encourages discussion of issues relating to legal counseling and representation of the print media, the telecommunications industry, and electronic media.

Bodney is a partner in Steptoe & Johnson, LLP’s Phoenix office and his practice areas include media and constitutional law, civil communications industry, and electronic media.

Ellis Carter

David Bodney

Honors and Awards

The Hon. Roxanne K. Song Ong received the National Asian Pacific American Bar Association’s (NAPABA) 2009 Southwest Region Trailblazer Award at its 21st convention in Boston on Nov. 20, 2009. The Trailblazer Award recognizes the outstanding achievements, commitment, and leadership of NAPABA lawyers who have paved the way for the advancement of other Asian Pacific American attorneys.

Deryck R. Lavelle


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