By Linda Hasseler, Paralegal, Fennemore Craig

Join us for the MCBA 12th Annual Paralegal Conference on Friday, Sept. 30 to be held at the Hyatt Regency in downtown Phoenix. This year’s theme is “Paralegals in Practice: Where the Legal Community Connects.” The topics presented at this year’s conference may qualify for a total of 6.0 hours of CLE credit – including 1.5 of ethics – for both paralegals and attorneys.

Conference registration includes breakfast, lunch, snack breaks, refreshments, networking opportunities and most important, continuing legal education. Registration will be from 7:30 to 8:15 a.m., with the program starting at 8:15 a.m.

Programs and Panels

Starting off the paralegal conference will be “Ethics & Professionalism for Today’s Paralegal,” presented by Ralph Adams of Adams & Clark, PC. Adams will lead the attendees in an interactive discussion of the rules governing paralegal conduct, conflicts of interest, and the civil and professional liability of paralegals.

2011 Hall of Fame Inductees Announced

Ten extraordinary lawyers and judges comprise the 2011 Class of inductees to the Maricopa County Bar Hall of Fame. Eight are from the modern era and two, whose main accomplishments occurred before 1964, were selected for the pioneer category.


The Hall of Fame was created in 2008.

Networking, CLEs, Door Prizes, Oh My! It’s the Annual Arizona Paralegal Conference, Sept. 30

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New Member Insurance Program Offers Quality Options

The MCBA is pleased to introduce a new corporate partner to benefit members: The MCBA Member Insurance Program. This could well be one of the most valuable benefits of your membership.

Effective Aug. 1, 2011, MCBA has entered into a sponsorship agreement with Insurance Specialists, Inc. (ISI), which will provide a broad base of insurance services and significant savings. ISI, as one of the original affinity insurance administrators, brings to you over 50 years of experience in providing these programs to bar associations.

Originally based in Atlanta, Georgia, ISI has grown to a national presence, now supporting over 20 affinity associations. Members of MCBA are now able to access nationwide insurance programs tailored for attorneys. Applicants benefit from quality plans featuring simplified underwriting, shortened applications, online sales access, discounted rates, and personalized service.

Plans currently available to Maricopa
What You Think...Yeah, It Matters

David H. Benton
MCBA PRESIDENT

Before I get into this, allow me to share something with you that maybe you already know; and maybe you don’t. I have been attending American Bar Association conference and seminars, and with me – guiding, introducing, advising – is Allen Kimbrough.

Did you know Allen, your executive director of the MCBA, is a rock star in the ABA world? All I need to say is “I’m from Arizona and my ED is Allen Kimbrough,” and the accolades start a flowing. His reputation among bar association executives nationwide is exceptional. And there is a hint of jealousy, I might add. He was just voted the president-elect of the Metropolitan Bar Caucus (which speaks for bar associations like yours) at the ABA annual meeting in Toronto, Canada. You may be thinking, “Conventional wisdom dictates that such recognition is usually left at the end of something,” the end of my tenure as MCBA president, maybe. But upon witness, once again, of the remarkable respect and admiration held for Allen, I believe it wise to do it now. And now, onward.

If you have been living at, near, or under a rock, I am certain you have heard of your nation’s most recent political debacle and compromise regarding the debt limit. I say compromise, while others, who I describe as “totalizers,” would claim recent events as a victory.

The Tea “totalizers” Party totalitarian approach appears to want nothing less than total domination while the grand ole’ pachyderms are less likely to trumpet the compromise as a triumph, but may ascribe the compromise as reasons they should be the heirs in the battle for the White House. I listened to the debate, starting way back when everyone said the drop-dead date of Aug. 2 was so far off and that there was plenty of time to reach consensus. Well, “plenty of time” was quickly dissipated by the hot air of blowhard.

Democrats said the consequences of default of the United States government (first time ever) would be devastating, world wide. The Republicans said the tax-and-spend liberals have gotten into this mess, and they must be controlled. And no new taxes! The Tea Party said less government – we can figure it out from there. Of course, a “compromise” was reached at the 11th hour. Is anyone surprised? I say it was a debacle. Debate...debacle. I think the terms are interchangeable in this case. The back and forth and grandstand-banter and barbs could hardly be mistaken as debate. Yet, one message was constantly reported: we are doing the will of the American people.

Now, I certainly don’t speak for the American people, but I am willing to go to the mat for the proposition that the American people wanted anything else but what was given them. For all the reasons you send elected officials to Washington, I am certain the recent debate and compromise didn’t make the list. Ideological foot stomping was not supposed to be an option that one turns to.

I rattle on about this to illustrate how disconnected our elected officials are with their so-called constituents, the American people. I am certain no one told them to behave that way. In fact, I am certain they were told the opposite: compromise; discover real common ground; do what is in the collective best interest of us all and find real solutions to the real problems.

There is a lesson here, for this organization, the MCBA.

When there is a substantive disconnect between the board and our members, it will play out, in public, to the embarrassment of us all. Furthermore, such conduct quickly leads to a tangible lack of confidence. Witness Standard & Poor’s reduction of the credit rating of the U.S. Treasury. Whether or not you agree with S&P’s reaction, or even if you thought it was politically motivated, it does not matter. Perception matters. I am sure that comes as no stark revelation.

So let me end by being blunt. I am certain we hear you and we are delivering all the services a member of the MCBA could want. I am also certain we are not. So consider this an invitation. We want to hear from you.

So when the major networks appear and ask what we are doing for our members (don’t laugh, it could happen!), I want to look straight into the camera and say with absolute conviction and unwavering sincerity, “We are doing the will of the attorneys of Maricopa County.”

OPINION
Reducing the Cost of the Disciplinary System

By Jack Levine

At the present time the operation of our disciplinary system utilizes more than half of the State Bar’s total budget. Under our present disciplinary rules, when a complaint is made by a client or other member of the public, the lawyer must respond in writing to the staff bar counsel who has been assigned to the matter.

If it appears that the charge has no merit it will be dismissed and the lawyer and complainant are notified. If the probable cause panelist determines that probable cause exists, it is referred back to the State Bar for intensive investigation and the filing of a formal complaint. If the matter does not involve deceit, dishonesty or actual harm to a client, by the lawyer, the state Bar would issue a letter of concern. If the accusation is not sustained, the matter is then scheduled for a hearing before a three-member panel consisting of the presiding disciplinary judge, a lawyer member and a public member.

If the lawyer is found guilty of an ethical violation carrying a punishment of censure, suspension or disbarment, the lawyer has a right to appeal to a nine-member Disciplinary Commission, which reviews the evidence and findings of the hearing panel. The decision of the Disciplinary Commission is final, subject only to a discretionary review by the Arizona Supreme Court.

Although our disciplinary system is an important part of the State Bar’s function, the expenditure of huge sums presently spent for discipline seems grossly excessive. It appears that much of the State Bar’s disciplinary resources are being utilized in processing relatively minor violations, i.e., those whose anticipated sanctions do not rise to the level of suspension or disbarment.

Instead of processing these minor violations by conducting investigations, submitting them for probable cause determinations and then holding extensive and costly hearings, we should instead simplify and streamline this process by issuing “Letters of Concern,” which is a practice utilized by other professional licensing boards.

Under this proposal, when the State Bar receives an allegation about the ethical conduct of a lawyer, the member of the disciplinary staff assigned to the matter should, as now, request a written response from the lawyer. Based solely on the complaint and the written response from the lawyer, the State Bar staff member would either, individually or collectively with the other bar counsel, determine whether there is probable merit to the complaint.

If so, the State Bar would issue a Letter of
Arizona Legislature Reduces the Legal Interest Rate and Supersedeas Bonds

The Arizona Legislature quietly took $5,750 per year out of your judgment, effective July 25, 2011. This is the result of SB1212, which reduced the statutory interest rate in A.R.S. § 44-1201. More important, and more alarming, this change will require lawyers to do math.

Formerly, A.R.S. § 44-1201 provided that the rate of interest was ten percent per year. Easy. The amendment to A.R.S. § 44-1201 changes this where there is a judgment “that is based on a written agreement evidencing a loan, indebtedness or obligation.” For those judgments, the statutory interest rate will now be the lesser of ten percent per year or the prime rate published by the federal reserve board plus one percent.

This change puts a premium on clearly spelling out the interest rate in loan agreements. For example, if the creditor has a written loan for $100,000 that does not specify the interest rate, that creditor formerly would have obtained 10 percent interest per year in the resulting judgment – $10,000 after one year. Under the revised version of A.R.S. § 44-1201, the creditor must now take the lesser of 10 percent per year or prime plus one. Prime is currently 3.25 percent, meaning at a rate of prime plus one, the judgment creditor gets $4,250 on that same $100,000 judgment after one year.

At the same time the Legislature was tinkering with the interest rate, it also changed the amount of the supersedeas bond an appellant can be required to post through the addition of a new statute to Title 12: A.R.S. § 12-2108. The Legislature’s expressed concern with the current law under Arizona Rule of Civil Appellate Procedure 7 was that overly high bonds could make it impossible to appeal. Thus, under A.R.S. § 12-2108, an appellant is required to post the lesser of (1) the total damages awarded, exclusive of punitive damages; (2) 50 percent of the appellant’s net worth; or (3) $25 million.

Does this statute effectively mean no bond at all in some cases? If the plaintiff prevails on a large enough judgment, the defendant’s net worth could conceivably be $0. Accordingly, a plaintiff that has been severely harmed by the defendant could be left with no security at all pending an appeal.

The addition of this statute raises two additional questions. First, the statute raises concerns under the separation of powers in Articles 3 and 6 of the Arizona Constitution. The Legislature was clear when enacting A.R.S. § 12-2108 that it was attempting to change the rules applicable to bonds under ARCAP 7. Yet the rule-making power is specifically given to the Arizona Supreme Court by Article 6, Section 5 of the Arizona Constitution. Future litigation will have to resolve whether the statute and the rule can be harmonized, or whether there is an irreconcilable conflict such that the rule would prevail.

Second, notice that the statute applies where the plaintiff obtains judgment “under any legal theory.” Does this mean that A.R.S. § 12-2108 does not apply at all where the plaintiff obtains a monetary judgment on an equitable theory? Future litigation will have to then resolve whether plaintiffs prevailing on equitable theories look only to ARCAP 7. Defendants suffering a judgment on an equitable theory might then question whether there is a basis to single them out for higher bonds under Arizona’s equal protection provisions in Arizona Constitution Article 2, Section 13.

Commission Recommends 16 For Trial Court Appointments

The Maricopa County Commission on Trial Court Appointments has recommended 16 candidates to Gov. Jan Brewer for five openings on the Maricopa County Superior Court.

Nominees for the opening created by the retirement of Judge Gary E. Donahoe are Cynthia J. Bailey, 44, Republican, of Phoenix, a commissioner for the Maricopa County Superior Court; Shellie Smith, 48, Democrat, of Phoenix, a commissioner for the Maricopa County Superior Court; and, Todd F. Lang, 45, Independent, of Phoenix, executive director of the Arizona Citizens Clean Elections Commission.

Nominees for the opening created by the retirement of Judge Brian R. Hauser are Katherine M. Cooper, 49, Republican, of Phoenix, an attorney with the Scottsdale City Attorney’s Office; Mikael H. Hintze, 53, Democrat, of Phoenix, a commissioner for the Maricopa County Superior Court; and, Stephanie L. Hiltl, 38, Independent, of Phoenix, a partner in the law firm of Perkins Coie, LLP.

Nominees for the opening created by the retirement of Judge J. Kenneth Mangum are Joan M. Sinclair, 49, Democrat, of Scottsdale, a commissioner for the Maricopa County Superior Court; Boyd W. Dunn, 58, Republican, of Chandler, a commissioner for the Maricopa County Superior Court; and, Bradley H. Armstrong, 40, Republican, of Scottsdale, a commissioner for the Maricopa County Superior Court.

Nominees for the opening created by the retirement of Judge M. Jean Hoag are Michael T. Morrissey, 49, Independent, of Phoenix, a commissioner for the Maricopa County Superior Court; Shellie Smith, 48, Democrat, of Phoenix, a commissioner for the Maricopa County Superior Court; and, Todd F. Lang, 45, Independent, of Phoenix, executive director of the Arizona Citizens Clean Elections Commission.

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Supreme Court Enforces Mandatory Civil eFiling

How to Find People in Mexico

It can be done, but it’s not easy

By Robert Barraza

Most people in the U.S. have at least a home telephone, a cellular phone, an email address or a membership in some type of social networking site. This leaves a digital footprint, and once information is posted on the Internet, it is usually there forever. And usually, using a common search engine will yield some information on the person you are looking for in this country.

Private investigators and other companies that perform skip tracing services have access to other databases, mostly through paid subscriptions, which filter the information and provide more solid leads to locate a person. A private investigator can then use that information in tracking down the individual.

Finding someone in Mexico is a different story altogether. An investigator can’t rely solely on the Internet and will need some additional investigational skills. One of the first problems is that most of the population of Mexico is not online. According to La Asociacion Mexicana de Internet (AMIPCI), as of 2010, there are approximately 30.6 million Mexicans out of a total population of 112.5 million that use the Internet. That’s only 27 percent of the population as opposed to 77 percent of users online in the U.S. Facebook is the largest social networking site in Mexico, but that still doesn’t guarantee that you will find the person you are looking for using only that site. In fact, a majority of the people in Mexico do not have computer, much less a home telephone, and cellular records are as closely guarded as they are in this country.

Another problem is that many government records are not in digital format and are not available to the public in Mexico. If any of those records are available to the public, researching the records is done manually and can be time consuming. Civil court, criminal history, drivers license, medical and business records are not available to the public at all. Civil records, such as birth certificates, death certificates, marriage licenses, and filings for divorce are only available to the parties involved or their representatives.

There is no online version of the White Pages for Mexico and directory assistance cannot be dialed outside of the country. Access to that is only allowed to customers of the telephone company, Telmex, who can access that information online. There is also no reverse phone number look-up such as in the U.S. But, you can look up the city code if you have a telephone number for that person and start your search from there. This will at least give you a general idea of the city and state in Mexico where the person is possibly located.

A number of resources are available if you are looking for someone who has passed away, such as www.familysearch.org; however, there are very few resources for finding a current address or phone number if the person is still alive. These resources may contain collections of records, such as civil registrations of births, marriages and deaths for the states of Mexico from the mid-1800s, yet the limitations are that these records contain information on people that have passed away.

The verdict is in, Corporate Office Centers is the right choice for small firms, sole proprietors and large firm branch offices. Come visit any of our six convenient Phoenix locations and see why we set the precedent for first-rate office space.
When editing or grading, I always take more time when it comes to questions of joint possession. I know to use the apostrophe to indicate possession, but joint possession among two or more individuals is not as straightforward to punctuate. My review of the most popular and revered grammar guides (The Chicago Manual of Style and anything by Bryan Garner) have led me to the following three easy-to-apply principles.

1. If each person in the ownership list jointly owns the same item, then you need only use one apostrophe “s” after the last name in the list.

   John and Maureen’s cars need repair.

   The single apostrophe “s” indicates that James and Maureen jointly own the broken-down cars in question.

2. If each person owns his own item (individual ownership), then both names need to use an apostrophe “s” to indicate possession.

   John’s and Maureen’s cars need repair.

   By using an apostrophe “s” after each name, the reader knows that John’s car – that he owns alone – needs repair and Maureen’s car – that she owns alone – needs repair.

3. If one of the names in the ownership list is a pronoun, then put the possessive version of that pronoun (my, her, his, your, their) last in the list and use the apostrophe “s” for the other names in the list, regardless of whether ownership is joint or individual.

   John’s and my cars need repair.

   You will need to make clear in another sentence whether John and I own the cars jointly or separately.
The Paralegal Conference is Almost Here! Plus, Division Elections Start in October; Three Officer Positions to be Filled

Have You Registered Yet?
The “Paralegals in Practice – Where the Legal Community Connects” conference is just around the corner. You will not want to miss the conference this year! Not only will you receive valuable continuing legal education, there will be an opportunity to network and connect with other paralegals working in the profession. The registration forms and schedule have been mailed and you can also register online at maricopa-bar.org. I’m looking forward to meeting you at the conference.

Board of Directors Election
The Paralegal Division will be holding elections in October to fill the offices of president elect, treasurer, secretary and four director positions. The officers serve for a one-year term commencing on Jan. 1, 2012. Please note that the president elect position is a three-year commitment. The first year the president elect shadows the current president; the second year they take on the role of president; and the third year they support the incoming president, committing to fill in where needed.

The directors serve for a term of two years and are tasked with leading the Conference, Resource, Membership and the Paralegal Scholarship committees. One of the big events, in addition to the conference, is the Paralegal Career Day. The person who has handled that commitment for the last several years is stepping down this year to take care of a new addition to her family. The scholarship leader is also stepping down as his term as director is up at the end of the year. However, he has agreed to help introduce the new scholarship leader to each of the schools’ contracts and to instruct the new leader on the process he used for the scholarships. A Need for Commitment to the Division
I have asked several times this year to hear what you have to say and I have not heard from you. I am now going to provide my personal email address because I want to know what you have to say about the division. My email is Notabene246@yahoo.com.

I want to know if you are interested in serving on the board, what you believe the division can do better, and what you would like to see in the future. I and the president elect, Cami Barnella, feel the division has somewhat fallen into a “comfortable rut” and we would love to get more member involvement and, in essence, revamp the division and get people involved and excited again with new events and fun activities.

We understand that life is busy and people may be worried about how much time we are asking you to commit, but in reality, we are always appreciative and thankful for any time people offer to help out. Just remember, the more people we can have volunteer, the less time each person will need to commit. So, please discuss with either co-workers or friends in the legal community about pairing up and volunteering together!

I believe that if you don’t like something, you need to offer a solution when you raise a concern. I’d like to know what concerns, as a member of the division, you have and what you offer as a solution. I’ve served, in some capacity, on this board since 2006 and do not regret one moment. We need more involvement from the membership and need your commitment.

What can you offer the division? Are you willing to be a “part of” something that is valuable to the community, the profession and supports the utilization of paralegals? Submit your name for an officer or director position.

At the end of June, we held a No Host Happy Hour Event and are in the process of setting up another one in the near future, so please keep your eye out for the e-mail blast on upcoming events. How do you feel about having these No Host Happy Hour Events? We need and are asking for your commitment! See you on September 30.

If your client suspects fraud in their business, we can help you discover what’s behind the numbers.

According to the Association of Certified Fraud Examiners, 5% of an organization’s gross revenue is lost to fraud. Don’t let your client become part of this statistic!

Our forensic accounting and investigation professionals have over 60 years of experience investigating and uncovering acts of financial fraud. We can help you build a stronger case.

- Asset Misappropriation
- Contractor Fraud
- Bribery and Corruption
- Financial Statement Fraud
- Conflict of Interest
- Breach of Fiduciary Duty

Call Chris Linscott today for a free consultation

Keegan, Linscott & Kenon, PC
Certified Public Accountants
Certified Fraud Examiners
Certified Insolvency & Restructuring Advisors
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Calendar of Events

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<td>12 Monday</td>
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<td>Board Meeting</td>
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<td>15 Thursday</td>
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<td>Conference Committee Meeting</td>
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<td>22 Thursday</td>
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All Board of Director and Conference Committee Meetings are held at 5:30 at the MCBA offices unless otherwise specified. Quarterly CLE Division meetings are held at the MCBA Offices unless otherwise specified. Please visit the website at maricopabar.org and click on the “Paralegal Link” for updated information.

CASE, Huff & Associates Inc.
2011 PRO BONO GOLF CLASSIC

DRIVE HOPE HOME
SATURDAY • NOV. 5, 2011
AT THE LEGACY GOLF RESORT

Registration 6:30 a.m. • Shotgun Start 7:00 a.m.

The Golf Classic benefits the Maricopa County Bar Foundation and Volunteer Lawyers Program, which supports victims of domestic violence and legal services for low-income families. To register or for more information, please contact Laurie Williams (602) 682-8585 or lwilliams@maricopabar.org.
Imagine landing the hardest job ever in your field, one you couldn’t turn down. One with an outcome that would be lousy, no matter what. Judge Sam L. Amirante accepted that job over 30 years ago, and in John Wayne Gacy: Defending a Monster (with Danny Broderick), you’ll read about it.

Sam Amirante knew John Gacy – not well, but Gacy, a “political wannabe,” belonged to a few Chicago political organizations and Amirante was their lawyer. Because of that tenuous connection, Gacy obviously felt comfortable enough to call and ask Amirante for a favor. The police were following Gacy, and it was ruining his contracting business. He asked if Amirante would call off the “coppers.”

Though Gacy didn’t give Amirante all the info then, Amirante quickly learned that his new client was in deeper trouble than he’d admitted. It was late 1978, Gacy was being tailed because a local teenager had disappeared, and Chicago detectives had reason to believe that he knew something about the boy. But it was worse than “something” – it was one of America’s most gruesome, sensational crimes: Gacy had killed 33 young men and had buried the majority of them in the crawlspace beneath his house. The man who many knew as a contractor, beloved as a clown who entertained children, was a killer.

The evidence against him was overwhelming and Gacy freely offered a confession with the wish for “proper burial” for his victims. Amirante knew Gacy’s “brain was broken,” but he felt strongly about Gacy’s constitutional right to a fair trial, so he eagerly began to assemble a team to defend his client. And in becoming defense counsel, Amirante also became one of the then-most vilified men in America.

You might think that John Wayne Gacy: Defending a Monster would be gruesome. You’d be partially right: there are pictures in here that tell a gory story. And that’s where the Ick Factor ends because authors Sam L. Amirante and Danny Broderick don’t dwell much on what Gacy did to his victims. This book – sassy, surreal, and surprisingly personal – is mostly about Gacy’s trial and Amirante’s observations of his “pathetic and sad” first client.

That’s the good part, and I enjoyed it. Conversely, though John Wayne Gacy: Defending a Monster is a work of non-fiction, it seems to be embellished quite a bit. Conversations and emotions are reconstructed with impunity, which moves the story along but also detracts from it. It set the scene nicely, but it felt too much like fiction. Still, I think true crime aficionados would want to make a special place on their bookshelves for this unique-slash look at one of America’s most notorious killers. If you love courtroom drama, you won’t find this book hard to enjoy at all.

Terri Schlichenmeyer has been reading since she was three years old and she never goes anywhere without a book. She lives on a hill in Wisconsin with two dogs and 12,000 books.
MCBA's Best Deal for Members in Tough Times

The fact is, your bar association offers you the best value for finding employment opportunities, networking for social and business purposes, and staying connected with the local legal profession. And now, for members who renew for 2012, MCBA is offering a new dues option: a quarterly payment plan through automatic credit card charge. This allows a member’s dues to be divided into four equal payments, making membership dues an easier expense to swing.

Watch for your dues statement this month for more details.

More Best Features of Membership

Membership Luncheons
Held several times per year, these lunches feature a speaker and topic not necessarily legal-related, but on a topic of interest to lawyers—and it’s another informal opportunity to meet and mingle.

Print and Online News—Association, Legal and More...

The Maricopa Lawyer is the newspaper you receive each month to keep up to date with MCBA and legal community. New this month is the Legal News Flash, which will feature MCBA, local and national legal news twice per week. The Friday E-News will continue to bring members plenty of CLE news and upcoming MCBA events.

Section and Division Socials
Often held in conjunction with CLE programs, these food and drink get-togethers bring together lawyers and other legal professionals in a casual setting. If getting connected is important, these are great functions. For most, you don’t have to be a member of the section or division to attend.

Career Center
Anywhere from 5-20 new employment opportunities are emailed directly to members and also posted on the website for members only. It’s an essential—and effective—service, more important in these times than ever.

Bring in Business

Join the MCBA Lawyer Referral Service

Lawyer Referral Service

The Right Attorney. Right Now.

The MCBA Lawyer Referral Service (LRS) is online at www.maricopalawyers.org and can help you bring clients in the door. MCBA members in good standing with the State Bar and who carry malpractice insurance may sign up as 2012 members. The LRS pre-screens clients and makes the appropriate match with a panel attorney. Potential clients pay a $40 nonrefundable fee for a half-hour consultation with their selected attorney. After that, the attorney’s regular rate applies if both decide to proceed.

Contact the LRS director Jennifer Deckert at (602) 257-4200 with questions or for assistance in signing up.

The Best Special MCBA Occasions

MCBA Annual Meeting and Hall of Fame Induction

The exceptional lawyers and judges, past and present, selected by a special committee, are honored each October, this year on the 27th. Eventually, the Hall of Fame honorees will be housed in the proposed Justice Learning Center and Museum at the Old Courthouse in downtown Phoenix.

Barristers Ball

The legal community’s formal gala, with a silent auction to benefit a worthy charity, is sponsored by the YLD and brings out a spiffily dressed crowd each March.

Pro Bono Golf Classic

Sponsored in 2011 by Case, Huff & Associates, this Nov. 5 outing for the legal community offers plenty of enjoyment and helps support the Maricopa County Bar Foundation and the Volunteer Lawyers Program.

Arizona Paralegal Conference

MCBA’s paralegal members are an active part of the association. Their annual conference, held in downtown Phoenix on Sept. 30 this year, is the largest of its kind in the state.

Race Judicata

Set for Oct. 2 this year, this annual YLD-sponsored event invites everyone (the family, the kids, the friends, the dogs, AND the serious runners) out for a morning of exercise and entertainment. It’s all for a good cause, as it helps fund the several charitable activities of the YLD throughout the year.

Law Week

Another YLD event, this one held around the ABA’s Law Day, May 1, that serves the community: A walk-in legal clinic for the public, an essay contest for elementary students, and a CLE geared for younger lawyers along with a social.

Related Organizations: The Best Way to Service the Community

Share Your Legal Skills and Your Humanity

The Maricopa County Bar Foundation

The MCBF is the charitable arm of the association. It raises funds through the donations of members who donate $15 above their dues amount each year when renewing their membership, through the Case, Huff & Associates Pro Bono Golf Classic, and various other fundraisers.

Volunteer Lawyers Program

VLP is a joint project between the MCBA and Community Legal Services that provide legal services to the indigent in Maricopa County and recruits attorneys for pro bono representation. Its annual awards event honors the individual generosity of the legal community. It also serves as a reminder of how lawyers can make a huge difference in the lives of people who would not otherwise receive legal assistance.

Contact Us

Website
www.maricopabar.org

Phone
(602) 257-4200

Office Hours
Monday-Friday, 8:30 a.m.-5:00 p.m.

Address
303 E. Palm Lane, Phoenix, AZ 85004

Email
idavidson@maricopabar.org

Lawyer Referral Service/attorneys
(602) 257-4200

Lawyer Referral Service/public
(602) 257-4434
CATHY JUDGE
(602) 953-5300 or
CORPORATE OFFICE CENTERS
CityScape. Using COC involves no capital expenditure and conference space, all fully furnished and equipped, Corporate to front your virtual office, or a full-blown suite of offices with services.

The Maricopa County Bar Association benefit from ISI’s members, employees, spouses and family members of www.isi1959.com/MACBA for details and to learn how stability, product quality, and client satisfaction. Hartford Property and Casualty, and Zurich, which ISI Guardian Life Insurance Company of America, The ReliaStar/ING, Aetna Life Insurance Company, The Prudential Insurance Company of America, of coverage to sponsoring associations are cornerstones of the highest level.

Quality carrier affiliations and maintenance of continuity of coverage to sponsoring associations are cornerstones of the sound reputation of ISI. Current carrier relationships include The Prudential Insurance Company of America, ReliaStar/ING, Aetna Life Insurance Company, The Guardian Life Insurance Company of America, The Hartford Property and Casualty, and Zurich, which ISI continuously monitors for industry strength, financial stability, product quality, and client satisfaction.

Online webinars and meetings made even easier with ISI’s innovative technologies. Services include: Electronic discovery, data hosting, forensic collection, legal reporthe graphics, and scanning and imaging. Did you know TERIS has the largest & fastest paper scan/copy facility in Phoenix? With TERIS, you get speed, savings, communication, quality, experience, security and convenience. Contact Brandon Colburn (602) 241-9333 or bcolburn@teris.com. See www.teris.com for more information.

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.

InSurance Specialists, Inc.
County Bar Association members include the following: Medical Insurance from top rated carriers, Accident and Disability Insurance including Individual and Group Disability, Accidental Death & Dismemberment, and Comprehensive Accident plans, Term Life Insurance featuring plans for members and their spouses, Long Term Care Insurance plans with multiple benefit options available, Property and Casualty Insurance including Business Owners Policy, Commercial Auto, Worker’s Compensation, and Contract Litigation Insurance plans

ISI operates a service center in Beaufort, South Carolina, which houses a seasoned staff of insurance professionals. Underwriters and Sales Agents maintain licensure in life, health, & disability and property & casualty for all product lines they handle. ISI is a HIPPA compliant entity, placing security of records and confidentiality of client concerns at the highest level.

Quality carrier affiliations and maintenance of continuity of coverage to sponsoring associations are cornerstones of the sound reputation of ISI. Current carrier relationships include The Prudential Insurance Company of America, ReliaStar/ING, Aetna Life Insurance Company, The Guardian Life Insurance Company of America, The Hartford Property and Casualty, and Zurich, which ISI continuously monitors for industry strength, financial stability, product quality, and client satisfaction.

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CorporatE Office centers
Cathy Judge (602) 953-5300 or mbsp@coroff.com
Whether you need just a receptionist and mailing address to front your virtual office, or a full-blown suite of offices with conference space, all fully furnished and equipped, Corporate Office Centers (COC) can make it happen fast. COC has six Valley locations, including right across from the courthouse in CityScape. Using COC involves no capital expenditure and flexible or traditional space within a 24 to 36 hour timeframe. Be sure to indicate you’re an MCBA member for best rates and service.

Affiniscape Goto Partner Program
Online webinars and meetings made even easier
This product is perfect for any board or committee meetings, online training events or educational webinars. The program features: One organizer; unlimited GoToWebinar® sessions with a maximum of 1,000 participants per session; unlimited GoToMeeting® or GoToWebinar ® sessions to your local computer; ability to add more accounts for an additional 10% discount; initial support; and one-year contract.

Because MCBA is an affiniscape partner you and your firm can purchase a license for only $79/year or $79/month. This is a huge savings for you. Only a limited number of licenses are available at this rate. Go to https://www.affiniscape.com/goto to get started. Already a corporate customer and want to switch? Go to AffinGoToSupport@affiniscape.com. Be sure to reference the MCBA when you make contact!

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Brooks Brothers
Since 1818, Brooks Brothers has set the standard for quality and classic elegance in modern American style for men, women and boys. 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 road) 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. Click here for that information—you must be a member and log in to this page.

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

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 1-800-654-2200 and mention your Hertz Discount CDP# 24454. Present your membership card at the time of rental.

Banks of America Credit Card with World Points
(800) 545-7899
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.
$311K GOAL FOR 2011

CHARITY DRIVE

“LAWYERS REALLY DO CARE.”

[An letter to all Maricopa County Lawyers]

THE MARICOPA BAR FOUNDATION . . . LAWYERS CARE! THEY REALLY DO CARE!

Since 1996, I have served on and off as a Trustee of the Maricopa County Bar Foundation. I know that lawyers really do care and should care . . .

Lawyers were the ones who formed the Bar Foundation back in 1933 as the “charitable arm” of the County Bar Association. Lawyers were primarily the ones who raised and proudly awarded over $800,000 in grants to deserving organizations that address a variety of justice-related needs in our community. Lawyers show up each year to play golf at the Bar Foundation’s Annual Golf Tournament. MARK YOUR CALENDARS – this year’s event is Saturday November 5, 2011 at the Legacy Golf Resort. Lawyers give money to the Bar Foundation through dues check off and donating their court-appointed arbitrator fees. Lawyers give their time by volunteering as Trustees for the Bar Foundation and involving themselves in other fundraising and activities of the County Bar.

With that said, lawyers should care more than ever. They should care that the current state of the economy has not only affected the survival of the Bar Foundation, but more importantly, the survival of many organizations that rely on the Foundation’s grants and in turn serve the needs of those who are simply trying to survive. Our society looks to lawyers to lead. Leadership is an integral part of our professional upbringing and practice. Thus, as hard as these economic times may be, now more than ever our profession must take the lead.

Please support the “Lawyers Really Do Care” campaign by giving of yourself, your time, and/or your money to ensure that the Bar Foundation and the organizations that it funds continue to thrive in their good and needed works.

Very Truly Yours,

Frank W. Moskowitz

14320 NORTH NORTHSIDE BLVD. • SUITE 125 • SCOTTSDALE, ARIZONA 85260

CALL or EMAIL to give your support
602-257-4200 | twilliams@maricopabar.org

Frank W. Moskowitz

www.maricopabar.org

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Murdered ASU Student’s Father Reaches Out to Hurting Families

By Laura Swendsen

It was a senseless, brutal killing that shocked many in the Arizona State University community and those who learned of it through TV stations and newspapers throughout the Valley. A 21-year-old student, on his way home after studying at the college campus, was shot and killed outside his apartment complex. The motive behind his murder: a laptop and iPad he was carrying in a bag.

Nearly one year later, the death of young Zachary Marco — a hardworking, ambitious, and popular political science major — is still hard to grasp, especially for his doting and proud father, Daniel Marco. However, the elder Marco, a former criminal defense attorney based in Tempe, has decided to channel his pain and anger into causing more damage and destruction, but into bettering the world around him.

One month later, Tempe police arrested two suspects. Both have been charged with first-degree murder and armed robbery; their trial is expected to begin on April 25, 2012. Not long after his son’s death, Marco decided he could no longer represent those accused of committing crimes and decided instead to use his energies to start The Zachary Marco Light of Day Foundation.

The purpose of the foundation is to help the families of wrongful death victims to work through both the financial and emotional roller coasters of losing a loved one. Marco is in the process of getting 501(c)(3) status and will then start to focus on fundraising. He is also offering speaking engagements to inspire others to hang in there — no matter how bad the circumstances get.

He said he had the idea to start the foundation when he was paying the bills for his son’s funeral and saw how many thousands of dollars it was costing. “It came across my mind: What do people do when they don’t have the money to pay for a funeral?” he said.

Marco said the foundation is meant to provide an alternative to the car washes and bake sales people often use to supplement the cost of paying for a loved one’s funeral. The foundation will also provide scholarships for students 25 years and younger who are interested in studying political science or desire to go to law school and are financially in need.

Marco said he learned recently that his son was not only planning on going to law school, but had aspirations of attending Harvard Law. He said he believes his son would eventually have made an outstanding lawyer and politician — another one of his dreams. “He would have been a very good attorney; a very good advocate.”

Marco said his son believed in the concept of the common good and would have been the kind of lawyer who would have fought his opposing counsel as hard as he could in the courtroom and then invited them out for a drink. That element of not taking the work personally, Marco said, has been lost in the legal profession over the years. “I made a lot of friends [who were prosecutors] back in the day,” he said.

Thus far, Marco said the foundation has raised approximately $7,000 but is still awaiting approval to become a non-profit. Recently, he helped pay part of the costs of a funeral for a 16-year-old girl who was killed in April. The teenager was dragged to her death after attempting to retrieve a laptop stolen by two young men.

Marco said he decided to stop representing those accused of committing crimes because he had lost his passion for it. “I would have too much empathy with the alleged victims to cross them,” he said. “I want to help victims of crime now.”

In addition to helping provide financial assistance to families, Marco said he wants to provide emotional support by reaching the public through speaking engagements. His goal is to carry out what Zachary can no longer do. “I’d like to do good. I’d like to do some good because Zachary would have done a lot of good,” he said. “He was an excellent kid.”

If you would like to donate to The Zachary Marco Light of Day Foundation, please send 123 N. Centennial Way, #110, Mesa, AZ.

You can also read Daniel Marco’s blog, “My Path – From Murder to a New Ordinary,” at www.mysonzack.wordpress.com.

Legal Briefs

By Joan Dalton

UELMA: Coming soon to a legislature near you!

A proposed uniform state law requiring government entities to provide authentication, preservation, and accessibility for digitally born primary legal materials will make its way to state legislatures in the coming year. The Uniform Electronic Legal Materials Act (UELMA) was adopted by the Uniform Laws Commission (“ULC” – & National Conference of Commissioners on Uniform State Laws or “NCCUSL”) on July 12. Although the act does not require state governments to publish primary law electronically, it does require governmental stakeholders who publish in an electronic-only format to ensure that those digitally born materials are:

- Authenticated: i.e., primary law that is born digitally must carry an official designation that carries with it a presumption that the document is a true copy.
- Preserved: state governments that publish official documents in an electronic-only format must ensure that measures are taken to preserve these materials in a stable environment, whether in print or electronic.
- Accessible: Digitally born legal materials cannot have a limited web life and must continue to be made publicly accessible in the long term.

The Act as adopted by the ULC is intended to be applied prospectively.

Pilot project seeks to increase access to federal court opinions

Twelve federal courts are earmarked to participate in a pilot project that will make judicial opinions free and available to the public through the Government Printing Office’s “FDsys” website. The one-year pilot project commences later this year and will include the U.S. Courts of Appeals for the Second and Eighth Circuits; the U.S. district courts for the Districts of Minnesota, Rhode Island, Maryland, Idaho, and Kansas; the Northern District of New York; and the Northern District of Alabama; and the U.S. bankruptcy courts for the District of Maine, the Southern District of Florida, and the Southern District of New York. Although presently federal court opinions are available for free on PACER (the federal judiciary’s “Public Access to Court Electronic Records”) website requires users to register in order to access it. The federal judiciary now seeks to enhance public access by providing direct, registration-free access through FDsys.

Digital video pilot to evaluate the effects of cameras in the courtroom

Fourteen federal courts are taking part in a three-year trial project that allows federal district courts to record and provide videos of court proceedings to the public. The fourteen participating courts are:

- Middle District of Alabama
- Northern District of California
- Southern District of Florida
- District of Guam
- Northern District of Illinois
- Southern District of Iowa
- District of Kansas
- District of Massachusetts
- Eastern District of Missouri
- District of Nebraska
- Northern District of Ohio
- Southern District of Ohio
- Western District of Tennessee
- Western District of Washington

The pilot is limited to civil proceedings in which both parties consent to the recording. Parties must consent to each proceeding that will be recorded. A judge has the option of stopping a recording at any time to preserve the rights of the parties and witnesses or to preserve the dignity of the court. Additionally, a judge may choose not to post a video for public viewing.

Video recordings will be made publicly available on uscourts.gov and may also be available on local courts’ websites at the court’s discretion. While U.S. bankruptcy courts are not participating in the pilot, photographing in the courtroom and the broadcasting of federal criminal cases is prohibited by Rule 53 of the Federal Rules of Criminal Procedure.
Continuing Legal Education from the Maricopa County Bar Association

WINE AND CLE
How Climate Change Changes Everything: The Cost of “Green” and the Impact of Less
May qualify for 2 hours of CLE
Enjoy this informative CLE AND the great wine at Page Springs Winery. This is a great CLE to attend in conjunction with weekend in Sedona or surrounds.

WHEN
FRIDAY, OCT. 7
3 P.M. CLE
5:00 P.M. WINE TASTING AND TOUR

WHERE
PAIGE SPRINGS WINERY

THE COST OF GREEN
Marlin T. Jones, Gent Rosenfeld

THE CLIMATE CHANGE IMPACT ON ARIZONA
Robert Lynch, Robert Lynch & Associates

Register at www.maricopabar.org or call Angie at (602) 682-8588
MCBA is Going Social (and Viral)!

The MCBA wants to make it easier for you to get involved in our many exciting events, from the Hall of Fame to the Race Judicata to the Golf Classic. This fall, we will be using the Events feature on Facebook to bring you the latest info, photos and videos. We will also be posting updates on our Facebook and Twitter walls as well as uploading videos to YouTube. If you haven’t already “Liked” us on Facebook, you can do so by logging onto our page at https://www.facebook.com/pages/Maricopa-County-Bar-Association/88618034464 and clicking the “Like” button. You can also get plugged into our Twitter page by following us at www.twitter.com/maricopabar. We look forward to seeing you there!

How to Find People in Mexico
continued from page 4

Carlos is his middle name. Rodriguez is his father’s last name and Guzman is his mother’s maiden name. Searches would need to be conducted using both last names. A date of birth and an approximate age would be very important.

Also, know your geography. Mexico is divided into 31 different states with one federal district, and some cities have the same name in some of those states. If you’ve managed to nail down a city, the best place to start is to contact the church in that city. Churches maintain many records, including marriage, birth and death records. You might also contact an attorney in the area and state the reason you are looking for that person. This will probably involve a fee.

If you’re in the U.S., try the local Mexican consulate and explain the circumstances regarding your need to locate a person. Their records are highly guarded but you may find someone willing to point you in the right direction.

A major issue is the language barrier. If you are looking for someone in another country, it usually helps if you speak at least enough of the language to communicate effectively. Placing an ad in the local newspaper will probably not yield any results, but can be a last resort.

A private investigator license is not required in Mexico, but investigative firms do have proper documentation to conduct business in the country and the states they work in. Be extremely careful if you plan a trip into the country due to the frequent kidnappings and shootings caused by the hostilities between the Mexican government and various drug cartels. Also note that Mexican law prohibits anyone from bringing firearms or ammunition into the country. The penalty for such a crime is imprisonment.

It's not impossible to find a person in Mexico, and it can best be accomplished by using basic investigative skills and not relying solely on the Internet. There are also a number of investigative firms in Mexico who can assist in locating a person if your search comes up dry. ¡Buena suerte!

Robert Barraza is a bi-lingual investigator with Subrosa Investigations and was previously a senior paralegal with the Arizona Office of the Attorney General. He is a member of the Phoenix Police Department Citizens Police Academy Alumni Association. He can be reached at www.subrosapi.com.

MCBA Welcomes
CLE Coordinator
Angie Perez

Angie Perez has been hired as MCBA’s new CLE coordinator. Perez is a native of Arizona and spent five years in the U.S. Army as a personnel manager specialist. She also has over 15 years of combined experience as a legal secretary, legal assistant, and paralegal.

In her new position, Perez will assist CLE Director Laurie Williams with CLE operations, including registration, and organizing programs, and will also serve an assistant staff liaison to sections, divisions, and committees.

Perez has three children, AJ, Abel and Alicia, and a passion for sports. “I think it’s safe to say that all my free time is spent either watching my boys play for their schools or traveling all over Arizona and out of-state to watch them play on their traveling competitive teams.”

PROBATE AND ELDER LAW MEDIATION

Susan M. Robbins, J.D., M.S.W.
Attorney/Mediator

- Trained and Experienced Private and Court Mediator
- Over 30 Years Professional Work in Mediation, Negotiation, Litigation, Elder Law, Elder Care Management, Mental Health, Social Work/Counseling
- Reasonable Rates
- Co-Mediation When Appropriate
- Valley Wide
- No Charge for Initial Consultation

SEPTEMBER 2011 CALENDAR

All meetings at MCBA Office, unless otherwise specified.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>1</td>
<td>Construction Law Section Board meeting</td>
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<tr>
<td></td>
<td>Noon</td>
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<tr>
<td>1</td>
<td>Paralegal Conference Committee meeting</td>
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<td></td>
<td>3:30 p.m.</td>
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<td>2</td>
<td>MCBA Office closes at Noon</td>
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<td></td>
<td>Estate Planning, Probate &amp; Trust Section Board meeting</td>
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<td>7:30 a.m.</td>
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<td>3</td>
<td>MCBA Office closed for Labor Day holiday</td>
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<td>Maricopa Lawyer Editorial Board meeting</td>
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<td>5</td>
<td>Paralegal Division Board meeting</td>
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<td>5:30 p.m.</td>
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<tr>
<td>6</td>
<td>Young Lawyers Division Board meeting</td>
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<td>Noon</td>
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<td></td>
<td>Environmental Book Party</td>
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<td>5:30 p.m.</td>
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<td>7</td>
<td>CLE: Wealth Transfer Opportunities Under the Tax Relief Act of 2010</td>
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<td></td>
<td>7:30 a.m.</td>
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<td>8</td>
<td>Executive Committee meeting</td>
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<td>7:30 a.m.</td>
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<td></td>
<td>Paralegal Conference Committee meeting</td>
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<td>5:30 p.m.</td>
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<td>9</td>
<td>CLE: Environmental Law: Session 1 - Hot Topics in Hazardous and Solid Waste Permitting</td>
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<td></td>
<td>Noon</td>
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<td>11:30 a.m. to 1 p.m.</td>
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<td>10</td>
<td>Public Lawyers Division Phoenix School of Law presentation</td>
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<td>Noon</td>
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*Please watch your MCBA E-News for updated information about meetings and events.

Cooley & Robbins, L.L.C.
10211 W. Thunderbird Blvd
Suite 201
Sun City, AZ 85351

Susan Robbins, J.D., M.S.W.
623-977-1900
crlaw@azprobatelaw.com
Electors

Artbx+tor and mediator Merton Marks has been elected to membership in the National Academy of Distinguished Neutraals, a nation-wide association of experienced neutrals in commercial cases. Marks specializes in insurance, reinsurance and securities cases and is an arbitrator for the American Arbitration Association, the Reinsurance & Insurance Arbitration Society and the Financial Industry Regulatory Authority. He is a former partner in Lewis & Roca, LLP.

New Hires

The Sandra Day O’Connor College of Law at Arizona State University has hired two faculty members to develop and lead new programs in response to the foreclosure crisis. Timothy P. Burr is director of the College of Law’s new Foreclosure Mediation Unit, which will provide impartial mediation services between lenders and residential borrowers facing foreclosure. Previously, Burn practiced commercial alternative dispute resolution and real estate law with the firms of Jennings, Strouss & Salmon, Fennemore Craig, and Morrison & Hecker. Mary Ellen Natale is director of the College of Law’s new Homeowner Advocacy Unit of the Civil Justice Clinic, in which student attorneys will represent families who are at risk of foreclosure or victims of mortgage fraud scams and engage in advocacy and community outreach on foreclosure law and related issues. She was an adjunct professor at St. John’s University School of Law and has several years of housing law experience with legal services programs in New York and Ohio.

The Arizona Commission on Judicial Conduct has named George A. Riener as its new executive director following the retirement of E. Keith Scott. Jr. Riener comes to the commission with extensive experience involving legal ethics and lawyer regulation issues and has been a frequent speaker and author on these topics. Riener graduated with an undergraduate degree from Pacific Lutheran University in Tacoma, Washington and received a law degree from Valparaiso University School of Law in Indiana. Riener is a past secretary and treasurer of the National Council of Lawyer Disciplinary Boards, Inc., and represented the Oregon State Bar in the American Bar Association’s House of Delegates from 1999 and 2000. He serves as a volunteer lawyer hearing panel member in Arizona’s new lawyer disciplinary process and was recently appointed to the Arizona Supreme Court’s new Attorney Regulation Advisory Committee.

Recognitions

Quarles & Brady, LLP announced that two of its Phoenix attorneys, Roger N. Morris and Christine Cassetta, were recently recognized with awards by the Arizona Pharmacy Alliance. Morris, who is chair of the firm’s national Health & Life Sciences Industry Group and a registered pharmacist, received the 2011 Bowl of Hygieia Award, the highest level of recognition provided to an Arizona pharmacist for outstanding community service. Cassetta, a member of the firm’s Health Law Group, received the Pharmacy Appreciation Award for her work on behalf of the alliance and the pharmacy professions. Morris’ practice focuses on the representation of health care providers and other employers emphasizing health care and pharmacy law, employment law, pharmaceutical and medical devices, and product liability cases. Cassetta’s practice includes regulatory issues with an emphasis in health care and pharmacy law and representation of health care providers.

Jeff Molinar, an attorney in the Phoenix law firm of Osborn Maleden, PA, has been honored by the Arizona Foundation for Legal Services & Education for “giving tirelessly to provide legal services to low-income clients.” The Foundation named Molinar as a Top Pro Bono Attorney for 2011. Molinar is a litigator whose practice encompasses a wide range of areas, including commercial litigation, Indian law, construction law and real estate litigation. He is active in the community and contributes pro-bono time to Community Legal Services Program, working particularly with clients involved in landlord-tenant disputes.

The Attorney General’s Office, Swisher, has been named by the National Law Journal as one of the top 20 mid-sized law firms in the nation. In addition, the firm was notified that Corporate INTL, a print and online publication, has chosen it as “Arizona Litigation Law Firm of the Year.” The National Law Journal annually selects a “Mid Size Hot List,” interviewing “scores of firms of between 50 and 150 attorneys.” A questionnaire is designed to See Bulletin Board page 15
Networking, CLEs, Door Prizes
continued from page 1

 Included in this discussion will be the distinction between Certified Legal Document Preparers and paralegals, and specifically who is responsible, both civilly and professionally, for the conduct of a paralegal. Adams will also discuss relevant statutes, court rules, Unauthorized Practice of Law Advisory Opinions, and State Bar Ethics Opinions.

This year’s conference will also include two interactive panel discussions on the Utilization of Paralegals in Practice. Part I of the Utilization of Paralegals in Practice discussion will be the effective utilization of paralegals in practice in the areas of criminal, probate and corporate law. The panel will comprise Jess Lorona of Lorona Steiner & Ducar, Ltd; Phoebe Moffatt of Sacks Tierney, PA; and Dorsey Norwood of Circle K Stores, Inc.

Part II will be the Effective Utilization of Paralegals in Practice in the areas of litigation, personal injury and family law. The panel will comprise Lisa Couder of Snell & Wilmer; James Goodnow of Fennemore Craig, PC; and Nicole Siquisots of Hailer Law Firm, PLC.

We believe these panels will offer an interesting and diverse look at today's paralegals in practice.

Medical Marijuana

Finishing up our conference will be a presentation on Proposition 203: Medical Marijuana and the Impact to Arizona, presented by Cameron Artigue of Gammage & Burnham, PLC. This program will provide up-to-the-minute news on the current status of Arizona’s “medical-marijuana” program under Proposition 203.

Artigue will provide attendees a brief summary of the history and background of Proposition 203 and will also cover the current status of applications for cardholders and caregivers with the Department of Health Services, as well as the status of litigation regarding implementation of the dispensary process by DHS.

This presentation will include the latest guidance on the relationship between state and federal marijuana laws, possible timetables for resolution of the current situation, and potential developments that may occur in 2012 and beyond.

Registration

Online registrations can be completed at www.maricopabar.org (“For Paralegals” link) or you may call or e-mail Angie Perez for more information at (602) 628-8588 or aperez@maricopabar.org.

Reducing the Cost of the Disciplinary System

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Concern, with a copy of the Letter to the complainant, so that he or she would know that their complaint was listened to and acted upon. On the other hand, a lawyer who receives a Letter of Concern would know that his or her conduct may be below that which is acceptable and that the lawyer might want to seriously consider changing his or her ways.

Under this proposal, a Letter of Concern is not a finding that the lawyer was guilty of unethical conduct, it is merely an expression of the Bar’s concern that a complaint has been made and that the lawyer should reflect on his or her practices. Under this proposal, Letters of Concern would go into a lawyer’s member- ship file and remain there on a permanent basis, but would not be available to the public.

Therefore, a Letter of Concern from the Bar would not ordinarily require a “due process” hearing before it is issued because it is not an assessment of blame by the Bar and, thus, there is no harm or detriment to the lawyer by virtue of its issuance. Under this proposal, if a lawyer accumulates three Letters of Concern, any further disciplinary complaints after that would be processed in the normal way, i.e., it would be subject to investigation, formal complaint, response, probable cause determination, evidentiary hearings and whatever sanctions are deemed appropriate if a violation is found.

This proposal is designed to substantially reduce the State Bar’s budget with a corresponding decrease in our membership dues. It will eliminate a great deal of the State Bar’s time and effort in dealing with relatively minor allegations of wrongdoing. It will not impair the Bar’s ability to police the profession in any way. In fact, it may improve the Bar’s ability to do so.

Finally, this proposal is not intended to condone any ethical misconduct on the part of lawyers. Instead, it is intended to respond directly to the public’s concern about the ethical standards of lawyers and the public’s expectation that the State Bar will, in some manner, admonish lawyers who do not meet the high standards of our profession.

Jack Levine is a member of the State Bar Board of Governors from District 6 (Maricopa County) and has recently been appointed to the Board’s Long Range Planning Committee.

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Jean Williams, First Black Woman Municipal Court Judge, Dies

By Laura Swendsen

Jean Williams, 86, the first African-American woman to be appointed to a municipal court judgeship in Tucson and Phoenix, has died.

Judge Williams, a strong, outspoken woman who was the only African-American woman in her law school class of 200, died on July 23 following a brief illness.

Williams was appointed to the judgeship after earning her J.D. from Loyola University Chicago School of Law in 1951 and passing the Illinois state bar exam that same year.

From 1951 to 1970, she practiced in Chicago, where she represented welfare recipients and criminal defendants. She was notably active in defending protesters for civil, housing and voting rights in Chicago during the protest marches associated with Dr. Martin Luther King, Jr. She was also a legal consultant to the Chicago Coordinating Committee and the Southern Christian Leadership Conference.

Judge Williams came to Arizona in 1971 to be near her retired parents in Tucson. She was admitted to the State Bar of Arizona in 1972 as only the second African-American woman. After a brief stint as the executive director of a senior citizens law center in California, her parents’ deteriorating health brought her back to Arizona, and she served as an attorney for the Southern Arizona Legal Aid Society.

From 1973 to 1974, she was a Pima County Public Defender and then was selected as a judge of the Tucson Municipal Court beginning in 1974. In 1976, she accepted a judgeship in the Phoenix Municipal Court where she served until her retirement in 1996.

Along the way, Williams faced the double-edged sword of being both a woman and black. However, she never allowed both the overt and subtle discrimination to discourage her and, instead, remained devoted to improving others’ lives, including those of the homeless, minorities, and the impoverished.

Williams received many honors, including induction into the Maricopa County Bar Hall of Fame in 2009 and the 2006 Spirit of King Award for Lifetime Achievement in the Pursuit of Justice from the National Action Network. She is survived by her daughter Nina Robinson, grandchildren Lawrence and Nyla Robinson, and great-grandchildren Israel Kinds and Alex Robinson.

2011 Hall of Fame Inductees Announced

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by the MCBA to recognize the outstanding lawyers who are or were true giants of the profession, primarily in Maricopa County.

Inductees were selected based on criteria which includes: Practiced at least for 10 years; played prominent and important roles that have had an impact on the history and development of our local bar and the legal profession; made significant or unique contributions to the law or the administration of justice; and/or demonstrated significant leadership, advocacy and accomplishments in service to the community or the profession.

These 10 inductees will be honored on Oct. 27 at the MCBA’s annual Hall of Fame/Annual Meeting Luncheon at the Hyatt Regency Phoenix (see invitation on front page for details). Registration for this event is available now at www.maricopabar.org.


Bulleted Board
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measure what makes a firm great – big cases and deals, but also commitment to diversity and their pro bono responsibilities,” the Journal wrote in the letter announcing the winners. “From street crime and white-collar defense to mergers and acquisitions and malpractice litigation, Osborn Maledon of Phoenix has the appearance of a firm twice its size,” the Journal said. Corporate INTL selected Osborn Maledon for its 2011 Global Award in Litigation after reviewing more than 11,500 nominations from lawyers, business people and private individuals from a variety of locations.

Events

Bryan Cave, LLP has announced the launch of a Sports, Sponsorship and Event Venue Group. The group’s formation is in response to the ongoing evolution of the world of sports into a world of big business – and a corresponding increase in the need for legal counsel. Members of Bryan Cave’s Sports, Sponsorship and Event Venue Group span several of the firm’s offices and Client Service Groups. The group will draw upon the diverse practices and experience of its members to represent teams, owners, players or sponsors in Major League Baseball (MLB), the National Basketball Association (NBA), the National Football League (NFL) and the National Hockey League (NHL); leaders in sports and entertainment presentation and venue management; marketing and development; the NCAA, the PGA and Ping, among other clients. These clients bring with them a unique range of projects that fall within the sports, sponsorship and event venue realm.
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