Candiates for MCBA Board of Directors Invited to Declare

Members interested in running for one of five available seats on the MCBA Board are invited to declare their candidacy. Incumbents are Com. Benjamin Vatz, Cathy Knapp, Roberta Berger, Holly Davies, and J. Blake Mayes.

Each of the five positions consists of a two-year term beginning in 2012. Board members attend monthly meetings, liaise with one or more MCBA sections, divisions, or committees and support the work of the Association.

Candidates must be licensed Arizona attorneys, active members of the MCBA, and in good standing with both MCBA and the State Bar of Arizona.

Candidates are asked to:

1) submit a letter of candidacy to MCBA Executive Director, Allen W. Kimbrough, either by email or postal mail: MCBA, 303 E. Palm Lane, Phoenix, AZ 85004-1532 or akimbrough@maricopabar.org no later than 5 p.m. Sept. 15, 2011.
2) Provide additional required election materials. A 200-word bio and a color jpeg

YLD President-Elect Leslie Satterlee Awarded ‘Young Lawyer of the Year’

Just one year after earning her juris doctor at Arizona State University’s Sandra Day O’Connor College of Law, family law attorney Leslie Satterlee became a member of MCBA’s Young Lawyers Division. In 2009, she became chair of the YLD’s Domestic Violence Committee.

Within two years of joining, Satterlee had already begun using her knowledge of the law and her leadership skills to make an impact in the community.

Recently, the State Bar of Arizona’s Young Lawyers Division recognized Satterlee’s efforts by bestowing on her the 2011 Young Lawyer of the Year Award at the state bar’s convention luncheon held in Tucson. Satterlee said she feels honored to receive the award, “especially since it’s something that is voted on by peers.”

Satterlee received the award primarily for her work in developing the Legal Assistance for Women in Shelters (LAWS) program while serving as chair of the MCBA YLD’s Domestic Violence Committee.

Discord Between Ninth Circuit, Arizona Courts Apparent in Case of Murdered 4-Year-Old Boy

For the second time in recent months, a published opinion has revealed discord between the Arizona courts and the Ninth Circuit. In May, the federal court overturned Jonathan Doody’s conviction in the infamous Temple Murders case, criticizing the Arizona Court of Appeals’ analysis of Doody’s federal constitutional rights.

Now, the Arizona Supreme Court has reaffirmed the death sentence of convicted killer James Lynn Styers. Responding to the Ninth Circuit’s opinion, which criticized the supreme court’s review of his death sentence, the latter court reaffirmed the sentence and shot back. State v. Styers, No. CR-90-0356-PA (Ariz. July 1, 2011).

Styers’ crime was itself infamous. He was convicted of killing four-year-old Christopher Milke, the son of Deborah Milke, with whom Styers was sharing an apartment. Styers and co-defendant Roger Scott took Christopher out to the desert, “to look for snakes.” Christopher was shot three times in the head, and his body was left in the desert.

Styers was convicted of murder. The judge found three aggravating factors and insufficient mitigation to avoid the death penalty. Although the Arizona Supreme Court rejected one of the aggravating factors, it affirmed the death sentence.

Styers turned to federal habeas corpus to avoid execution, arguing that the supreme court had failed to properly weigh the aggravating and mitigating factors. The Ninth Circuit acknowledged the supreme court’s statement that it had “considered all of the proffered mitigation.” But it concluded that the court had not done so, hinging its decision on a single word in the Arizona court’s opinion.

The issue was the rejection of Styers’ claim that post-traumatic stress disorder should have mitigated his sentence. The supreme court noted that, in appropriate cases, PTSD could be a mitigating factor. “However,” the opin-
Paper or Plastic?

David H. Benton  
MCBA President

I saw the documentary Page One: Inside the New York Times. Forgive me the mini-review I am about to offer, and for the moment, suspend the partisan predilections that rise and cancel when this stately daily is mentioned. I don’t believe I’m giving away anything here, but a camera and a microphone are allowed to roam the Times at a time when major daily newspapers are folding all over the country.

Revenue is tight all over, and the Times is hurt like the rest. The focus is on the media desk and select reporters, but the changing face of journalism and how we consume news are a couple of the big ideas in Page One. Is news delivered on paper still viable, or will the Internet (via independent organizations or compilers like The Huffington Post and Gawker) replace this archaic vehicle? This is a salient question not only for an organization with the vast reach of the Times, but even for this small and member-focused monthly.

Every newspaper in the country, no matter the size, has suffered from significant declines in advertising and reductions in the circulations, both major factors in revenues. And no one survives without revenues – even if you are the fourth branch of government.

TO THE EDITOR

Reference Libraries Also a Resource

While many of the suggestions (Nicole Siqueiros) listed in (her) column (“Ask an Associate”) in the June 2011 issue of Maricopa Lawyer are helpful resources, I was dismayed that (she) did not mention contacting a reference librarian nor did (she) list the helpful websites available at the public law libraries in Maricopa County.

The reference librarians at the ASU Law Library http://www.law.asu.edu/library/RossBlakleyLawLibrary/LibraryInformation/AskALibrarian.aspx are available via e-mail, phone and in person to practitioners in Maricopa County for reference questions and advice on how to approach legal research projects. Our website http://www.law.asu.edu/Default.aspx?alias=www.law.asu.edu/library provides research guides on useful topics such as doing Arizona Legislative History and practitioners are able to access many useful databases if they come into the law library. That is true for the Superior Court Law library as well. I hope you will make note of these valuable resources in your next column!

Alison Ewing, Reference Librarian  
Ross-Blakley Law Library  
Sandra Day O’Connor College of Law

Several fronts converged. Readers had less money to spend, but realized (maybe decided?) traditional newspapers were merely one source of news. Advertisers reacted and conserved; furthermore, they similarly recognized traditional newspapers were quickly waning as the first choice of consumers, and they understandably followed the money. But the facts are clear: the tried and true model of paper, accompanied by paper-based advertising, was being replaced with faster, content-driven, targeted, and personalized. Why buy a general-purpose newspaper (admitted by then-editor Bill Keller in Page One) when you can choose or compile what you want, from anywhere in the world, and deliver it to your inbox whenever you want, for less?

The business of news reporting and consumption has changed, and me thinks it’s permanent. Newspapers across the country failed. Some consolidated or restructured under bankruptcy. Reporters were laid off and coverage was cut back. So, several questions are raised, even for this publication. Are completely online-based models a viable option for global news organizations like the New York Times or Wall Street Journal? What about medium markets like the Atlanta Journal-Constitution or Seattle Times, or even the smaller markets like the Fresno Bee, the Casper Star-Tribune, or the Maricopa Lawyer?

But I can tell you, we are looking – your MCBA board is fully engaged in this debate. Should the Maricopa Lawyer become a completely online publication?

We can use your help. Where do you spend your time getting news or information? Do you read newspapers or use online compilers? I, for one, like newspapers and enjoy the process of going to pick up the paper and buying it. But, I think newsfeeds and compilers are useful as well, because they are customizable. I rarely use social media to consume news, but I know many others do. How do you use Facebook and Twitter? How should the MCBA use them?

I realize I have asked many more questions than I answered. But clearly, if the New York Times, with over a century in the business, is still struggling in this new landscape, I certainly don’t have the answer.

The point is we need your help. We realized a multi-platformed approach is a good start, but people change, times change, and we want to change too. But even the New York Times didn’t realize that things were changing – they reacted slowly and badly. And it cost them dearly. That was one of the poignant lessons in Page One. The MCBA plans to do better.
Probate Assistance Program Ready to Launch; Attorney, Law Student Volunteers Needed

By Laura Swendseid

Despite the enormous economic challenges the recession has brought on, life’s everyday obstacles don’t seem to abate: health issues, divorce, and other familial concerns are just a few. And for those who have already been experiencing economic hardship, the stress of the down economy is only adding to their woes.

Kelly Kral, MCBA Estate Planning Probate & Trust Section board member, is leading an effort to see that those suffering from poverty and financial challenges get some kind of reprieve. This fall, Kral and the Section are planning to launch the Section’s Probate Lawyers Assistance Project (PLAP).

Recently, the MCB Foundation donated a $1,600 grant to the program that will provide resources to assist individuals who are at or below the poverty level with probate-related legal assistance.

Kral said that the program will be similar to the Volunteer Lawyer Program’s FLAP program (Family Lawyer’s Assistance Project), but will concentrate on providing assistance in areas such as guardianship, conservatorship, trust and litigation. She said it is not aimed at providing representation for individuals but rather at giving them the tools and guidance they need to help them with their situation. By doing so, she said it will also help streamline the court system.

“People who don’t know what they are doing go to the clerk or the judge assistant. They’re kind of left in limbo with no one to help them,” she said.

Kral said that the program has two rooms donated by the Maricopa County Bar Association office that will be used to provide half-hour consultations to the public. The program is currently looking for attorney volunteers to meet with people each Wednesday for either a morning shift from 8:30 to 11:30 a.m. or an afternoon shift from 1:30 to 4:30 p.m.

Kral said they are also in need of law student volunteers to assist with scheduling. For more information about the program, or if you are interested in volunteering, please contact Kelly Kral at kkrall@dyerferriss.com.

Maricopa County Bar Foundation Announces 2011 Grant Recipients

The MCBF gave out grants to 12 legal-related programs that will fund everything from critical replacement documents for the homeless so they may seek jobs, to pro bono legal representation, to rights education for foster children, and more. The grants totaled $25,000.

More information about each of these recipients and the good works they do will be published in upcoming issues of the Maricopa Lawyer.

The 2011 grantees are:

- Azarizons for Children
- Arizona Center for Disability Law
- Maricopa County Justice Museum & Learning Center
- Ecumenical Chaplaincy for the Homeless
- MCBA Estate Planning, Probate & Trust Section/Probate Lawyers Assistance Project (PLAP)
- VLP/Children’s Law Center
- VLP/Tenants’ Rights Project
- VLP/HIV-Aids Law Project (HALP)
- Valley of the Sun YMCA/Teen Court Program
- MCBA Young Lawyers Division/L.A.W.S. Domestic Violence Program
- MCBA Young Lawyers Division/Law Week

MCBA’s Bankruptcy Section Needs You!

Join the MCBA Bankruptcy Section to discuss, plan, and organize the future of the Section. Meet other Bankruptcy Section members as well as leaders in both the Bankruptcy bench and bar. The gathering will kick off the formation of the newly revamped Section and allow for the selection of a steering committee to help shape plans for the future. We welcome your ideas and help in making the Bankruptcy Section a great success!

WHEN
Thursday, Aug. 25  5 to 7 p.m.
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RSVP
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Call today to find out more about affordable individual and family health insurance plans from Blue Cross Blue Shield of Arizona for Maricopa County Bar Association members. In quality health insurance from a name you know and trust. Call Carol today and be sure to identify yourself as an MCBA member: (602) 977-3600.

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MCBA’s Financial Institution of Choice - Banking Built for You BBVA Compass is the 15th largest U.S. commercial bank based on deposit market share and ranks as the fifth largest bank in Arizona. Through three major business units – Corporate Banking, Retail Banking, and Wealth Management – Compass offers customers unique and industry-leading products and services with a focus on providing customers with financial solutions to fit their lives. www.bbvacompass.com

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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 from attorneys referring clients outside their practice area.

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A look at Maricopa County’s first Clerk of the Court – William E. Thomas

In recognition of the upcoming 100th anniversary of Arizona’s statehood in February 2012, the article below is a summary about William E. Thomas, who was the first Clerk of the Superior Court in Maricopa County. He served in office from 1912-1914.

William E. Thomas was born in Lynchburg, Virginia on November 8, 1852. He received his education at Roanoke College in Virginia. Prior to graduating, he accepted a position as deputy clerk of the county and circuit courts, and also acted at the same time as deputy recorder. He was employed there for three years. In 1874, he took a business course at the Bryant & Stratton’s Business College in Baltimore, Maryland and after graduating he became a bookkeeper in Baltimore. In 1876, he entered the grocery business for two years.

In the spring of 1880 he married Hallie Pleasant Orme from Baltimore. She was the great-granddaughter of General Jeremiah Crabbe, who was of revolutionary war fame. Soon after marriage, the couple moved out West to seek larger possibilities. They moved to Leadville, Colorado where Thomas was appointed as the deputy county recorder of Lake County. He later became the postal carrier for the Leadville Post Office. Due to the failing health of his wife, the couple decided to make a change in climate and surroundings. They moved for a short time to Los Angeles County, California before moving to Phoenix in October 1885.

In Phoenix, Thomas got involved with town affairs. For a time, he served as a deputy sheriff and was associated with the Maricopa County Assessor’s Office. For three years he was the deputy recorder of Maricopa County. From 1888-1891, Thomas was involved in the real estate and loan business and was successful in this and other enterprises.

He purchased a 160-acre ranch one-and-a-half miles north of Phoenix at which time Van Buren was the northern edge of Phoenix on Central Avenue and ran it while he continued with his other activities until he was appointed the postmaster of Phoenix by President Grover Cleveland in 1894.

In an article in the Historical and Biographical Record of the Territory of Arizona it says, “William E. Thomas’ life has been characterized by constancy of purpose, conscientiousness, undoubted ability and energy, and as a natural result, he is one of the substantial men of Maricopa County, and has the respect and esteem of all acquainted with him.” In an article in the Portrait and Biographical Record of Arizona it says Thomas “has won the confidence and esteem of all who come within the radius of his good-will and devotion to the general well-being, and that while he has witnessed many changes in the general aspect of an originally wild and uncultivated region, the public estimation of his honesty of purpose and character has never undergone a change.”

The available information on Thomas was written before he took office as Clerk of the Court in 1912. It is unknown why his term only lasted two years or how he became the clerk. In looking at his prominence in Phoenix and the large amount of land he owned in the central Phoenix area, it is highly likely that Thomas Road is named after the very first Clerk of the Court in Maricopa County. Perhaps one of the Maricopa Lawyer’s readers or local historians can say for sure.

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2010 Law Grad Hiring Reaches Lowest Levels Since 1996, Says NALP Report

By Julie Triedman

Law school graduates looking for signs of hope in the latest hiring numbers released by the National Association for Law Placement won’t find many.

According to a report released last month, 2010 law school graduates faced the worst job market since 1996, when the legal market was still rebounding from the recession of the early 1990s.

Overall employment nine months after graduation stood at 87.6 percent, the lowest since 1996, when the rate was 87.4 percent. And the report notes that the overall number of “jobs taken”—legal and non-legal—by the class stood at 36,043, only a slight majority—50.9 percent—of last year’s 60 percent.

More surprising than the market’s overall weakness, says Leipold, is the decline in jobs that require a JD; overall, only 68.4 percent of last year’s graduates landed jobs that required bar passage, the lowest percentage NALP has ever recorded.

The drop in employment would have been even more severe for the class of 2010 if law schools had not created a variety of new employment opportunities for their graduates. Some 2.7 percent of graduates this past year got a job via a law school program. Without those jobs, the employment rate would have been about 85 percent, NALP reports.

Adding to the dire outlook, many more jobs than in previous years are part-time, temporary, or both—a major concern for graduates when almost a third of them are leaving law school with $120,000 in debt, according to a report released last January by Indiana University’s Center for Postsecondary Research.

Fewer than three-quarters of 2010 law grads who reported having a job as of February this year had obtained a position that was both full-time and permanent, the NALP report finds.

Given the scope of the legal market’s contraction and the marked shift out of private practice and large law firms specifically, the class of 2011 isn’t expected to have an easier time of it, NALP predicts. “It took till 1997 for the market to come back after the 1991 recession, and the consensus now is that big law firms aren’t going to go back to hiring like they did before,” Leipold says. An uptick isn’t expected until the class of 2012, Leipold adds.

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MCBA 100% Club Invites Your Participation for 2012

MCBA is now contacting law firms with five or more members with an invitation to join the 100% Club. Membership in the club denotes that all of the firm’s attorneys are members of the MCBA.

It also signals that the firm supports not only the bar association, but also professional competence through networking and education for legal professionals in Maricopa County.

The benefits of 100% Club membership also accrue directly to firms. MCBA offers convenient one-payment billing; the firm’s name is listed on a plaque in the bar’s lobby; year-long listing on the website and in the weekly E-News; media promotion, a discount to selectedCLE programs for the firms members; and a free promotional advertisement in the July Maricopa Lawyer.

For more information or to join, please contact Cynthia Quinonez at cquinonez@maricopabar.org or (602) 257-4200.

Proud 2011 100% Club members are:

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Quarles & Brady, LLP
Sanders & Parks, PC
Schian Walker, PLC
Thomas, Thomas & Markson, PC
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*Editor’s note: NALP’s overall employment percentages include any kind of employment—legal, non-legal, part-time, temporary or both. According to the Association for Legal Professionals, in 2010, counting unemployed new graduates, the actual percentage of those in jobs that require bar passage was 60 percent.“
Best Non-Legal Classes for Law Students

QUESTION
I'm a first-year law student. I receive credit for a few classes outside of the college of law and I'm wondering what classes you recommend I take? — Law Student in Litchfield Park

This is a fun question and a nice change of pace for my column. Here's a short list of some law school classes that would be beneficial before you start in the work force.

Accounting 101 and 102: A basic knowledge of bookkeeping and business records is very helpful in almost any law practice, either personally or professionally. It is much easier to learn this in school, than to learn it on the job.

Business 101: As a lawyer you will likely own a business or work in a business at some point in your career, or you may help someone with some aspect of their business. So understanding business structure, management, marketing and politics is imperative.

Economics 101: I put this class in here because many of my law school professors seemed to think this was a great class to take. I am not entirely convinced, but feel free to set me straight.

Expository Writing: Writing is important. Take any and all writing classes available.

Latin 101: Have you ever noticed how many legal terms are in Latin? I think a basic understanding of this dead language might actually help when you start hearing terms such as res ipsa loquitur, proprieta persona, and de facto.

Psychology: As lawyers we deal with people every day either directly or indirectly, so understanding them and what makes them "tick" is a must.

Spanish: We live in Arizona, and Spanish is the language to know if you want to increase your business and your professional network.

Surfing 101: Apparently this is a real class at some California schools. With all the hustle and bustle associated with being a lawyer, there is little time left to learn a new sport and enjoy the simple things in life. Surfing is one of the activities I wish I had mastered before I became a lawyer.

Tax Preparation 101: I realize there are tax classes in law school, but I'm talking about a basic tax preparation course. Knowing how to do your own taxes will save you money and time. In addition, as a lawyer, we often have to deal with tax issues of our clients.

Hope this gets you started! Enjoy!

Supporting Caregivers in the Workplace

By Jennifer FitzPatrick, MSW, LCSW-C

Most Americans caring for an older family member also work outside the home. Care giving for an elderly loved one is stressful enough, but trying to manage a full or even part-time job simultaneously can be downright grueling. What can employers do to ensure productivity while supporting employees caught in this predicament?

That is a question more employers will likely be grappling with as the number of persons age 65 and older is expected to rise in the coming years.

Mark Winsor, owner and founding partner of Winsor Law Group in Arizona, said he has a personal policy of being understanding with employees caring for loved ones. "The policy is that I'm a flexible dude because you keep your employees happy," he said.

According to a U.S. Census Bureau report released in May 2010, the number of people age 65 and older to every 100 people of traditional working ages is projected to climb rapidly from 22 in 2010 to 35 in 2030. That time period coincides with the time when baby boomers are moving into the 65 and older age category. Plus, the report says that the rapid growth of the older population—85 and up—may present additional challenges in the next two decades.

Most employers know what to expect when workers have a new baby. There is maternity leave and more recently even paternity leave. Typically there is a plan in place because this type of leave is expected. Coworkers have likely made arrangements to cover duties for a period of time until the new parent returns.

Once the employee returns to the office, there may be snags: the babysitter cancels, the employee is exhausted from minimal sleep so work is suffering, the employee is less willing to work overtime, etc. Good bosses are experienced in handling these issues and understand that such situations need to be managed in a way that respects the employee's life changes while protecting the integrity of the workplace.

Winsor said he understands that some employees may take advantage of his flexibility—which has happened to him before—but does not let that change his perspective. "I'm sure there are those that think that responsibility with the excuse that they're at work and I find that inexcusable," he said.

Unfortunately many bosses, even sensitive ones, are less experienced in handling caregivers of elderly parents. Caregivers in the workplace are facing just as many challenges as new parents but unfortunately, have not usually prepared for them as well as new parents have.

Frequently people become caregivers of seniors literally overnight. Mom had a stroke or long-term care is needed. Dad got lost walking around his neighborhood last week, drawing attention to the fact that his memory is failing. Uncle Jim broke a hip this morning. These are not occasions that anyone anticipates or eagerly awaits like the birth of a new baby.

Along with his personal assistant, who has been taking care of her parents through a terrible challenge for the past seven to eight months, Winsor said he too has faced challenges in caring for his own parents, especially more recently his mother. "My mom has sacrificed for me and I don't hesitate to take care of her," he said.

Winsor said he has witnessed attorneys giving for an elderly loved one is stressful for several seconds. “I was there,” the witness said, “and the light had been red for several seconds.”

The Basics of Using Capital Letters in Quotations

"Ask an Associate" is a monthly column which allows attorneys to anonymously submit questions to a real-life associate attorney. Questions cover a wide range of issues from marketing to office dynamics. To send your questions, please e-mail Nicole Siqueiros at nsiqueiros@hallier-law.com. Siqueiros is an associate family law attorney at Hallier & Lawrence, PLC.

I was looking over my son's first-grade schoolwork and was pleased to see that he was learning the most basic capital-letter usage rule: start each sentence with a capital letter. If only the style rules remained so simple to learn and apply!

Legal writers struggle with when to use capital letters consistently in one complicated scenario: incorporating quotations within a sentence. Following is a short set of guidelines to make this scenario as clear as first-grade language arts.

1. If the quotation is just a paraphrase of the actual language (indirect quotation), then do not capitalize the start of the paraphrased language.

2. If the quotation follows the word "that," then do not capitalize the start of the quotation unless the first word is one that is otherwise capitalized.

3. If the quotation is not a complete sentence, then do not capitalize the start of the quotation. Also, there is no need to set off the quotation with a comma unless a comma is needed due to another grammar or style rule.

The lawyer's defense depended on the light being "red for several seconds."

When the lawyer questioned her, the witness admitted, "The light had been red for several seconds."
The Verdict is In!

Now that I have your attention, did you really think this article would be about the Casey Anthony trial? Truthfully, I did not have time to watch the trial and while public outrage abounds, did the prosecution prove beyond a reasonable doubt that Casey Anthony committed murder? The jury did not think so.

I did have the opportunity to listen to a family member who watched the trial and I must admit that she believed the American justice system failed. However, I like to leave those matters to the persons who have the facts: the jurors! And I believe in the old saying “What goes around comes around.” We may never know, but ultimately it’s really none of our business. That is why we have the court system. I choose to leave it there – right, wrong or indifferent – it really is not going to bring that poor child back, and if the system failed, then there are ways to change the system.

Summer Social Hour
The division had our first happy hour on June 30th and those who appeared had an opportunity to meet some members of the board and network. Please check the website for future networking opportunities.

The Many Facets of Being a Healthcare Industry Paralegal

By Susan Balentine, Division Secretary

My name is Susan Balentine and I am the secretary for the MCBA Paralegal Division. I earned my associate degree in paralegal studies from Phoenix College and completed the studies and examination to become recognized as a certified paralegal in 2008. I am currently employed as a paralegal in the healthcare industry.

For the past 20 years, I have worked as the paralegal in a small in-house legal department of a hospital system. An in-house paralegal position differs from that of paralegals at law firms. Being the only paralegal, my job responsibilities encompass a variety of roles. I draft legal documents, agreements and contracts. I respond to subpoenas and discovery requests in non-related hospital litigation. I am responsible for the annual reports, trade name and trademark filing for the system. I work closely with the risk management department and am responsible for the entry of data in the claims management program. Overseeing the department budgets, handling some HR functions, and “other duties as assigned” round out my job description.

My job is certainly diverse, but my primary role is in the coordination of the hospital’s medical malpractice defense litigation. Although I report to and work under the supervision of the general counsel and associate general counsel, this work is generally not assigned by them. Rather, my workload is driven by outside legal counsel defending the hospitals. I interact and work closely with outside counsel, their paralegals and nurse consultants. It is my job to seek out and gather information to respond to the numerous requests. I compile, organize and draft the responses. Every litigation case is unique when it comes to discovery. In the many years of working at the hospital, I have gained valuable knowledge of the hospital system’s structure, its departments, and the employees. This is key in determining the appropriate persons to contact in order to obtain specific information critical to the defense of the hospital.

Another function of my role is in the coordination of interviews and/or depositions for hospital employees. I am the liaison between outside counsel and the hospital employees. Employees dread a call from “Legal.” Their initial reaction is of fear and concern. Being involved in a litigation case as a witness is nerve racking and upsetting. It is important that I am tactful, yet reassuring in my interactions with the staff.

What I enjoy most is the litigation defense work. I have the opportunity to work with so many talented attorneys and professionals. Every day I am charged with the task of tracking down a piece of information that will aid in the hospitals’ defense. I like the challenge!

2011 Arizona Paralegal Conference
The conference committee is diligently working to provide excellent continuing legal education and will need the assistance of our members to volunteer at the conference. Are you a member who wants to participate? If so, please contact Linda Hasseler at lhasseler@fclaw.com. You may also contact me at paralegal@maricopabar.org.

This month I have asked the division secretary, Susan Balentine, to share a little about her and her job duties and will now turn this month’s article over to Susan.

Calendar of Events

August
8 Monday Board Meeting
11 Thursday Conference Committee Meeting
18 Thursday Conference Committee Meeting
25 Monday Conference Committee Meeting
30 Friday Paralegal Conference

September
1 Thursday Conference Committee Meeting
8 Thursday Conference Committee Meeting
15 Thursday Conference Committee Meeting
22 Thursday Conference Committee Meeting
30 Friday Paralegal Conference

October
17 Monday Board Meeting/Conference Wrap-up Meeting
7 Monday Board Meeting
15 Thursday Board Meeting
5 Monday Board Meeting
15 Thursday End-of-Year Celebration

Please check the website for more networking opportunities in August.
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.
BOOK REVIEW
The Zen of Passing the Bar Exam
Chad Noreuil, Clinical professor of law, (Carolina Academic Press 2011), 122 pages

Reviewed by Suzanne M. Dohrer

July and February bring a rite of passage for those in the legal culture: the bar exams. Most graduates with newly acquired juris doctor degrees join the legions of bar review preparation courses. These prospective lawyers were good enough to get into law school. They were good enough to graduate. But now the true test has arrived. They pour over subject outlines, practice questions, and battle internal demons of procrastination and overkill, over confidence and self doubt.

Enter on this scene a new book, The Zen of Passing the Bar Exam by Chad Noreuil, that is part self-help book and part coach for the marathon that culminates in the bar exam. “Coach” Noreuil, also is known as professor of clinical law at Sandra Day O’Connor College of Law at Arizona State University. Professor Noreuil shares insights from his experience as a bar review lecturer and tutor.

The book guides first-time exam takers and one appendix helps repeat takers to know themselves. Two threads weave throughout in this slim, readable guidebook. On the one hand, the book encourages Zen principles of self awareness while living and taking the journey that is the bar exam. On the other hand, the book offers concrete suggestions and examples for how to effectively study and answer the essay and multiple choice exam questions. Much of the wisdom is familiar and brings a nod of the head, but a reader in the midst of bar preparation will benefit from Noreuil’s self-help reminders. The “Top Ten” tips are set forth. Bar takers are encouraged to develop focus, routine practice and an attitude of living in the present to build confidence. When the practice reveals wrong answers or negative doubts, the prospective lawyers need to re-focus on positive thoughts, feelings of gratitude, and routine study activities to dissolve the fears. A good measure of thoughtful quotes is sprinkled in the text, from Zen, Buddhist and other philosophers. According to Noreuil, meditation, in a variety of forms, can help to balance life and maximize the likelihood of passing the bar exam.

The prospective lawyer who reads The Zen of Passing the Bar Exam will find practical tips, commonsense study routine suggestions, and a can-do approach to achieve the professional goal of passing the bar exam. Noreuil’s closing quote from the Buddha applies to those soon-to-become lawyers, as well as to those of us who have found happiness in the profession:

Your work is to discover your world And then, with all your heart Give yourself to it.

Suzanne M. Dohrer is a founding member of Dohrer & Watts, PLC, and has been an adjunct professor at Phoenix School of Law.

For Attorneys: The Art of Engagement for Facebook

By Samantha Collier

Facebook engagement for lawyers is one of my favorite conversations. I love taking on the naysayers and proving it can be useful. Most professionals “get it” now. Facebook works. It’s how you do it that counts. Don’t expect new clients to come pouring in just because you created a Facebook page and updated your status a couple times a day. You need to master the art of engagement. This requires work, research and time.

This can be especially difficult when it comes to law. Most firms are viewed as trusted advisors in a serious subject matter. We can’t offer contests or giveaways the same way Starbucks can. The trick is to provide useful content relating to your practice area so when the need arises your name pops up automatically. Educate rather than market.

Six Tips on How to Engage via the Facebook Wall

Help your fans give back. I just read about this on Mashable (inspiration for this post thank you!). Last Christmas a local law firm donated $5 to the food bank for every new fan they received. Make sure you have a well designed landing page should you decide to do this.

Listen to your fans. Respond to every comment in a timely manner. Most law firm Facebook pages don’t get that many comments, so cherish those! I’d respond to “likes” too.

“Like” other pages and comment too. Does your firm attend large annual conferences? If so, look for the organization’s Facebook page and post away! Our firm attends the Bio International Convention and their FB page already has 813 likes. Most organizations you deal with will have a page. Look for ways to interact with them. If you comment on their pages they are more likely to reciprocate too.

Be CNN. Think of yourself as CNN for your practice area. I’ve done this with social media and it works. Post the news first and people will follow you to keep up to date. This requires a little work but it pays off in the end.

Publicly thank your loyal fans. They’ll appreciate the recognition.

Ask questions and take polls. This can be an incredibly useful tool as fans can forward the questions to users that don’t like your page (yet). Use the results in a blog post and thank the people who answered.

Make sure you track your successes. Keep up with it. Remember, out of sight is out of mind.

Samantha Collier is the Business Development Coordinator for the Vancouver branch of MBM Intellectual Property, LLP. One of her passions is incorporating social media into law firm marketing strategies. She became heavily involved in MBM’s social media strategy earlier this year and has helped create the firm’s online presence.

Humor Competition to Honor Life of Justice O’Connor’s Husband, John O’Connor III

Celebrate the humor and life of John O’Connor III, the beloved husband of retired U.S. Supreme Court Justice Sandra Day O’Connor. John O’Connor, a well known and respected attorney, passed away on Sept. 20 at Phoenix Country Club.

Awards and scholarships will be as follows:

Fourth Place - $1,000
Third Place - $1,000
Second Place - $2,000
First Place - $5,000

For entry applications and competition rules and information, please contact Phoenix Rotary 100: 5659, chris@epmprosllc.com.

If your client suspects fraud in their business, we can help you get to the bottom of it.

According to the Association of Certified Fraud Examiners (ACFE), 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!
Get in the Race Judicata, Oct. 2

Ah, October. Crisp, cool early mornings. A golden sun rising in the east. Leaves falling delicately to the ground (yes, they do require picking up). Nevertheless, the cooler weather is undoubtedly the highlight of that tenth calendar month.

October is also the perfect time of year to support two very worthy causes by slipping on your athletic shoes and joining dozens of others in the Young Lawyers Division-sponsored Race Judicata.

This year the Race Judicata 5K/1 Mile marks its seventh year of raising funds and awareness for survivors of domestic violence. Participants will run, walk or stroll their way to the much-anticipated finish line.

The race will be held at Kiwanis Park in Tempe on Oct. 2. Proceeds will benefit the Legal Assistance to Women in Shelters (Laws) Program and the YLD’s annual needs to drive supporting various domestic violence shelters all over the valley.

A 5K and Kids Dash are the primary races and draw a number of participants, including attorneys, judges and justices. There will also be a bounce house for the little ones, music and refreshments.

Last year’s event drew more than 300 registrants, thanks to the MCBA’s generous sponsors and participants.

Check-in and registration for the race begins at 6 a.m. The 5K race begins at 7 a.m. followed immediately by the Kids’ Dash. Entry fees are $20 for MCBA members and immediate family members and $25 for non-members. Teams of 10 or more are $20 per participant (team registration closes September 25). Sleep-In (Donation Only): $20; Kids (under 15): $10 (after September 25): $15; 150: Late registration (after September 25): $30.

Every paid entrant receives a goodie bag, a Race Judicata t-shirt, and free food and drink after the race. Please also bring a new toothbrush or tube of toothpaste for donation to local Domestic Violence Shelters.

The Kiwanis Community Park is located at 5500 S. Mill Ave. in Tempe, 85283. Follow the signs to parking at the All American Way Bridge. The race begins and ends at the Sister Cities Garden Area of the park.

Runners get ready to race at last year’s Race Judicata held at Kiwanis Park in Tempe.

Fall to Kick Off with Spectacular CLE

The CLE department is busy at work planning some unforgettable, exciting and — of course — educational programs for the remainder of the 2011 year through 2012.

Starting on Sept. 8, the Estate Planning, Probate & Trust Section is sponsoring the one-hour CLE program, “Wealth Transfer Opportunities Under the Tax Relief Act of 2010.” Presenters Bob Phelps, managing director of JP Morgan Chase Bank, and Kathy L. Knapp, attorney at Quarles & Brady LLP, will present an analysis of issues related to the estates of decedents who passed away in 2010, including necessary filing requirements and elections and IRS guidance on making such elections.

On Sept. 9, the Hot Topics in Environmental Law Luncheon Series kicks off. The series, to be held each Friday through Sept. 30, will feature four sessions on various permitting topics, including Hazardous Waste Permitting (Session 1); Air Quality Permitting (Session 2); and Surface Water Permitting (Session 3).

Presenters include Robin Thomas, from the Arizona Department of Environmental Quality; Lori A. Zito, from the URS Corporation; and Angela Balliet, from Brown and Caldwell.

Rounding out the September CLE’s will be a lunch meeting with Arizona Supreme Court Chief Justice Rebecca White Berch on Wednesday, Sept. 21. The chief justice’s lunch kicks off a CLE series hosted by the Public Lawyers Division that will run through October and November. The series will give attorneys the opportunity to gain useful insight from judges and commissioners concerning their likes and dislikes in the courtroom and will assist attorneys in their courtroom preparation and presentations.

In October and November, the Estate Planning and Environmental Law sections will hold a number of CLEs, including several touching on current legislative issues and bills. Laurie Williams, CLE director, said the legislative updates have been done in previous CLEs and are being brought back because of the state’s strong political climate.

On Nov. 2 and 3, new lawyers will have an excellent chance to network with other practicing professionals through a seminar titled “Your Life in the Law.” For two days, attendees will be able to engage in panel discussions with other attorneys and judges, learn valuable tools for avoiding ethical problems, discover best practices for managing staff, and gather other helpful tips, such as finding a good work/life balance. There will also be a new admittee reception that will give new attorneys a chance to put their new-found (or re-discovered) networking skills into practice as well as enjoy a relaxing time with their peers.

A group listens and takes notes during one of last year’s CLE programs offered by the MCBA.

Illinois Judiciary No Longer Printing Official Versions of Court Decisions

By Sean Cahill

On Tuesday, May 24, The Illinois Supreme Court announced a new way of officially citing its cases as well as the decisions issued by the Illinois Court of Appeals. Illinois Supreme Court and Appellate Court opinions have been available on the Illinois judiciary’s website since 1996, but Illinois court rules have required that the citation be made to official printed reporters, thus preventing the direct citation of these “digitally born” electronic opinions.

This will all change with the new “public domain” citation method adopted by the Illinois Supreme Court. With the use of this new method for citing Illinois court decisions, the Illinois Supreme Court believes that there will no longer be a need to contractually publish and purchase the official opinions in bound volumes. Citing the hundreds of volumes that will no longer need to be purchased for Illinois judges and court libraries, the court says the move will result in a savings to Illinois taxpayers of hundreds of thousands of dollars each year.

About a dozen states have adopted this public domain citation system since it was first recommended by the American Association of Law Librarians in 1994 and endorsed by the American Bar Association in 1995. Yet despite its endorsement for the public domain citation style of online legal materials, law librarians remain concerned that the online versions of primary legal materials are not properly authenticated by the issuing governmental branch, and that protocols have not been established to ensure that digitally born primary legal materials are adequately preserved in a stable electronic environment.

“The changes are reflective of the way we all live and the way the practice of law is changing,” said Illinois Supreme Court Chief Justice Thomas L. Kilbride. “So much legal research is now done online through references and sources available on the Internet and even on smartphones that it makes the publication and purchase of official, printed volumes unnecessary and a waste of money and resources.”

The citation method change will be over-seen by Illinois Supreme Court Reporter of Decisions, Brian Ervin. While the public domain citation method went into effect on July 1, the current contract for printing the decisions and elections and IRS guidance on the estates of decedents who passed away in 2010, including necessary filing requirements and elections and IRS guidance on making such elections.

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A group listens and takes notes during one of last year’s CLE programs offered by the MCBA.

The Illinois judiciary has already been one of the first Illinois governmental entities to use Twitter to publicize announcements and was also among the first state courts to make available video and audio recordings of its oral arguments on the same day they occur before the court. This new citation method is just another way in which the Illinois court is moving to join the digital age.

Sean Cahill will graduate from the University of Arizona in December 2011 and hopes to attend law school in the fall of 2012. She is currently completing a summer internship in the law library at the Arizona Attorney General’s Office.
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Big Thanks to AZAFLA for sponsoring the 2011 Family Law Trial Advocacy CLE!

Arizona Association of Family Law Attorneys

Arizona

SEPTEMBER 2011
HOT TOPICS IN ENVIRONMENTAL LAW SERIES

Fridays • Sept. 9, 16, 23, 30 • Lunch included
11:30 a.m. - 1 p.m. • 6 standard CLE credit hours (1.5 each)

YOU SAVE $55 BY REGISTERING FOR ALL FOUR SEPTEMBER PROGRAMS.

SESSION I • FRIDAY • SEPT. 9
Hot Topics in Hazardous Waste Permitting
Your client needs a permit but doesn’t know it! Be the one to tell him, saving him from substantial non-compliance penalties. Come learn from those in the know.
The Arizona Department of Environmental Quality’s Waste Program permitting manager, Robin Thomas, will discuss the types of facilities that require a permit, i.e., hazardous waste treatment, storage and disposal facilities, landfills, bio-hazardous medical waste transporters and treatment facilities, and those types that don’t, as well as changes in permitting regulations and the increased permitting fee schedule. Practicing consultants Lori Zito will provide sound pointers on how to work with ADEQ on permitting issues; how to prepare an application; and local permitting considerations that impact ADEQ’s permitting evaluations.

PRESENTERS:
Robin Thomas, P.E. Manager, Permits Section, Waste Programs Division, Arizona Department of Environmental Quality
Lori Zito, CHMM, Senior Project Scientist and Senior Project Manager, URS

SESSION II • FRIDAY • SEPT. 16
Hot Topics in Aquifer Protection Program Permitting
How will the new APP permit fees affect your clients? They all need an Arizona Pollutant Discharge Elimination System (AZPDES) permit. Learn how to save your clients time and money by utilizing general permits whenever possible, especially important with the new higher permitting fees. The Arizona Department of Environmental Quality permits supervisor, Marnie Greenbie, will bring you up to date on the latest in water quality permitting issues of particular concern to the ADEQ, and what you can expect in permitting fees. Practicing consultant Angela Balliet will discuss how to work with ADEQ on permitting issues; how to prepare an application; and local permitting considerations that impact ADEQ’s permitting evaluations.

PRESENTERS:
Angela Balliet, P.E. Director, Air Quality Division, Arizona Department of Environmental Quality
Marnie Greenbie, Hydrologist/Environmental Permitting Specialist, Enzol L. Montgomery & Associates, Inc.

SESSION III • FRIDAY • SEPT. 23
Hot Topics in Air Quality Permitting
Do you represent cement plants, construction companies, companies manufacturing operations, dry cleaners, just to name a few? If so, does your client need a permit? Does he or she know it? What are the air quality challenges that we in the desert face? Remember the July 9th haboob! Our panel of experts will bring you up to date in the latest in air quality permitting issues. The Arizona Department of Environmental Quality’s Air Quality director, Eric Massey, will discuss the difficult air quality issues facing our state, permitting issues of particular concern to the ADEQ, and what you can expect in permitting fees. Practicing consultant Angela Balliet will discuss how to work with ADEQ on permitting issues; how to prepare an application; and local permitting considerations that impact ADEQ’s permitting evaluations.

PRESENTERS:
Eric Massey, Director, Air Quality Division, Arizona Department of Environmental Quality
Angela Balliet, P.E. Senior Engineer, Brown and Caldwell

SESSION IV • FRIDAY • SEPT. 30
Hot Topics in Surface Water Permitting
What do industrial facilities, municipalities, construction companies, and cattle feedlots all have in common? They all need an Arizona Pollutant Discharge Elimination System (AZPDES) permit. Learn how to save your clients time and money by utilizing general permits whenever possible, especially important with the new higher permitting fees. The Arizona Department of Environmental Quality permits supervisor, Marnie Greenbie, will discuss the new general permits that ADEQ is planning to roll out to help streamline the permitting process for some users. Practicing consultant Lisa Spahr will discuss how to work with ADEQ on AZPDES issues; completing and filing NOIs; negotiating individual permits; and surviving an EPA storm water audit.

PRESENTERS:
Marnie Greenbie, Supervisor, ADEQ Permits
Lisa Spahr, Senior Project Manager, Engineering & Environmental Consultants, Inc.
AUGUST 2011 CALENDAR

1  Maricopa Lawyer Editorial Board meeting  
   5:15 p.m.

3  Young Lawyers Division Board meeting  
   Noon

4  Construction Law Section Board meeting  
   Noon

5  Estate Planning, Probate & Trust Section Board meeting  
   7:30 a.m.

8  Paralegal Division Board meeting  
   5:30 p.m.

9  Family Law Section Board meeting  
   Noon

11 Executive Committee meeting  
   7:30 a.m.
   Paralegal Conference Committee meeting  
   5:30 p.m.

16 Public Lawyers Division Board meeting  
   Noon

17 Employment Law Section Board meeting  
   Noon
   LRS Committee meeting  
   Noon

18 MCBA Board of Directors meeting  
   4:30 p.m.
   Paralegal Conference Committee meeting  
   5:30 p.m.

24 Maricopa County Bar Foundation Board meeting  
   7:30 a.m.

25 MCBA Bankruptcy Section Board meeting  
   5 p.m.

26 Diversity Committee meeting  
   Noon

*Please watch your MCBA E-News for updated information about meetings and events.

Volunteer Lawyers Program Thanks Attorneys

The Volunteer Lawyers Program thanks the following attorneys and firms for agreeing to accept 40 referrals from VLP to help low-income families. VLP supports pro bono service of attorneys by screening for financial need and legal merit and provides primary malpractice coverage, donated services from support professionals, training, materials, mentors, and consultants. Each attorney receives a certificate from MCBA for a CLE discount. For information about cases and other ways to help, please contact Pat Gerrich at VLP at 602-254-4714 or pgerrich@chaz.org.

ADOPTION

Amie S. Clarke  
Burguan Clarke Law Office

William A. Hicks III  
Ballard Spahr

APPEALS

David L. Abney  
2 cases  
Sole Practitioner

John Friedman  
Sole Practitioner

David M. LaSpaluto  
Perkins Coie

BANKRUPTCY

Thomas H. Allen  
Allen Sala & Bayne

Allen D. Butler  
Sole Practitioner

Jeannette Bickner Cross  
Sole Practitioner

Burgan & Associates

PRO BONO SPOTLIGHT ON GREATEST CURRENT NEED

Appellate attorneys are needed to assist low-income litigants with civil and family law appeals in the Arizona Court of Appeals, Division One. Volunteer attorneys in this pilot program will have an opportunity for oral argument if requested. To participate, please call Pat Gerrich or Danae Brownell at VLP at 602-254-4714.

Candidates for MCBA Board

continued from page 1

photograph (see details in sidebar) must be sent as an attachment—not embedded in the email.

For complete election information, go to www.maricopabar.org.

ELECTION MATERIAL DETAIL

A. General policies

1. Required election material must be submitted electronically, as detailed in Section B (with the exception of the formal letter of candidacy, which may be mailed), and all materials must be received by Sept. 15.

2. Submitted biographies that exceed the 200 word limit may be edited by staff.

3. Position statements and any other campaign or election materials may not refer to other candidates nor include defamatory or inappropriate language, as determined by an ad hoc Election Review Committee appointed by the President of the Association.

B. Candidate Election Materials

The following materials are required from candidates no later than Sept. 15:

1. A signed letter formally declaring candidacy for the Board of Directors, with the candidate's signature and addressed to the Executive Director. This document may be submitted electronically as a pdf document, but a mailed paper version is also acceptable.

2. A 200-word biographical statement. This bio may include an optional "position statement" of the candidate's vision and priorities for the MCBA. This information must be submitted electronically as an attachment to an e-mail, preferably in MS Word. Regardless of what is included in the biography, the word limit total is 200 words as counted electronically in MS Word. MCBA staff may edit bios exceeding the limit. Please note that a standard-form resume or curriculum vitae are not acceptable.

3. A color photograph in JPG format, sent as an attachment to an e-mail. The photo format must be JPG, no other types of files or format can be accepted. Please note that photos taken directly off a website are of very poor quality and normally unusable.

YLD President-Elect Leslie Satterlee

continued from page 1

Satterlee said that while the committee had previously been providing community service assistance to the women, such as through the annual Domestic Violence Necessities Drive, there was no legal aspect to their volunteering. "I thought that we should really use our legal knowledge to assist victims of domestic violence," Satterlee said.

Upon contacting shelter coordinators, Satterlee said the committee worked to find the right kind of legal assistance the women needed. "The need was not as you would think," Satterlee said. "There was indeed a greater need for legal assistance. Satterlee said that the goal of the program is not to represent the women as clients, but rather to provide them with the tools they will need to represent themselves in court or in other legal-related situations."

"This program helps give (the women) the confidence they need and some background in law and court procedures," she said.

The program is structured to provide various seminars focused on meeting women's specific legal needs. For example, one seminar provides an introduction to the courts, including how to address the judge and what to wear; another discusses how to obtain orders of protection, information on bankruptcy and foreclosure procedures, and dealing with family law and probate issues. The shelters determine whether the seminars are attended voluntarily or as part of mandatory classes or programs. Each round of seminars includes three different sessions and the shelter chooses which ones they want presented.
Inside the Courts

Court Counsel Retires After Distinguished Career

Funkhouser helped in AzScam prosecution, was state election director and worked on new criminal court tower

Jessica Gifford Funkhouser is retiring after more than 30 years as a public lawyer. “Jessica is a truly gifted and highly committed attorney who has dedicated her entire career to public service. Her exemplary work here at the Superior Court is clearly evident in the innovative programming for the criminal court tower and our highly respected public information office. Jessica will be missed, and we wish her all the best in her well-deserved retirement,” said Court Administrator Marcus Reinkensmeyer.

During her memorable career, Funkhouser was directly involved in some of the biggest news stories in Arizona. She participated in the prosecution of AzScam, and, as the State Election Director, she was instrumental in its development and planning. Before joining the court, Funkhouser served in the Arizona Attorney General’s Office, the Maricopa County Attorney’s Office and the Secretary of State’s Office. She received her Bachelor’s degree from the University of Colorado and her juris doctorate from the University of Arizona College of Law. In 2009, she was the recipient of the president’s award from the State Bar of Arizona.

“You have not only been great at your job here but, you were a great boss at the AG’s office,” Judge Susanna Pineda said. Judge Daniel Riley, who also worked for Funkhouser at the Attorney General’s Office, said, “You were a great boss and mentor at the AG’s office, and you’ve been a wonderful friend to me in the years since. While I’m sad to see you go, I’m happy that you will be able to enjoy a well-deserved retirement after your many years of dedicated service to the people of Arizona.”

New Administrator Takes the Reins

Jamie Harding has been appointed to the position of Judicial Branch Employee Relations Administrator. Prior to her appointment she served as an assistant attorney general. She also practiced employment law with the law offices of

Gust Rosenfeld, P.C. and Littleton Mendelson, P.C. Harding received her undergraduate degree from Arizona State University and her law degree from the University of Michigan. Harding started her new position on July 18.

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John Rachlin
Attorney At Law

Kevin Singer
Real Estate & Business Expert

Rodrick Joseph Coffey has been appointed as the newest superior court commissioner.

Comr. Coffey, a former attorney with Stinson Morrison Hecker LLP, has 12 years of litigation experience including commercial, real estate, products liability and personal injury cases. He has the distinction of achieving the top score on the July 1999 Arizona Bar exam.

He earned his juris doctorate from Brigham Young University, magna cum laude, in 1999 and his Bachelor of Arts in economics, cum laude, from Vanderbilt University in 1996.

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40 N. Central Ave., Suite 1400
Phoenix, AZ 85004
Tel: (602) 343-1889

Nevada Office
2525 W. Lake Mead Blvd., Suite 300
Las Vegas, NV 89128
Tel: (702) 562-4230

Southern California Office
11490 W. Olympic Blvd., Suite 200
Los Angeles, CA 90064
Tel: (310) 552-9064

Northern California Office
795 Folsom Street, 1st Floor
San Francisco, CA 94107
Tel: (415) 848-2984

www.ReceivershipSpecialists.com
Hatch's work through VLP has also addressed another area of great need: counseling low-income people regarding debt issues and the advisability of filing bankruptcy. Following his graduation from Oklahoma City University School of Law, Hatch joined the law firm of Collins & Collins, LLP. There, his practice involved a variety of matters, including criminal, tort, probate, family, and bankruptcy law. He credits the firm for supporting pro bono work and one of the partners for setting the example by his own volunteer endeavors at F.L.A.P. Hatch comments, "It was a great opportunity for me to learn to interact with clients and help people at the same time."

The moral support and inspiration for his community service also come from Hatch's home life. "I have other volunteer commitments, such as Cub Scouts, and my wife and I teach a Sunday school class," he said. Their daughters—aged two and four—and a son whose birth is eagerly anticipated in November, are no doubt an inspiration to Hatch in his commitment to family law. He notes, "Since opening my own law office in March 2011, a large portion of my caseload is in the family law arena."

Born and raised in Phoenix, Hatch recalls the emphasis his parents placed on education. "They are proud of everything I do as an attorney," he said. Hatch feels fortunate to have received higher education and believes all lawyers should be engaged in pro bono work. "I can honestly say I have received far more from my experiences through the VLP than I have given."
The Maricopa Lawyer invites members to send news of moves, promotions, honors and special events to post in this space. Photos welcome. Send your news via e-mail to maricopalawyer@maricopabar.org.

**Elections**

Steven Biddle, a shareholder of Littler Mendelson, P.C. (Littler), the nation’s largest employment and labor law firm representing management, has been elected as a fellow of the College of Labor & Employment Lawyers in the class of 2011. Biddle joins 23 other Littler attorneys who have previously been named to this elite group. He will be inducted as a fellow at the college’s 16th annual induction dinner in Seattle on Nov. 5.

**Appointments**

Kolby W. Granville of Mariscal, Weeks, Mchtyre & Friedlander, P.A., has been selected to serve on the board of trustees for the award-winning Phoenix Boys Choir.

**Supporting Caregivers in the Workplace**

continued from page 5

great idea since the last thing most caregivers want to do when they get home from work is prepare a meal.

The more flexible a workplace becomes about elder care issues, the more likely a manager is to get the best productivity from caregivers. Improving caregiver sensitivity at the office truly is a win-win for everyone.

Jennifer FazPatrick, MSW, LCSW-C, is an author, speaker and educator. Founder of Generations Health Education, Inc., she has more than 20 years’ experience in healthcare. For more information visit www.generationhealth.com. [Added comments from attorney Mark Winton by Laura Swendsen.]

**Discord Between Ninth Circuit**

COURTWATCH, continued from page 13

court had substantively ruled on a time-extending motion but had not yet formalized its order when the appeal was filed. The supreme court held that dismissal was unecessary: the order’s later formalization had cured the minor problems caused by the premature notice. Nevertheless, the court stated, appellate courts lack jurisdiction when “a litigant attempts to appeal where a [time-extending] motion is still pending in the trial court.”

Hurwitz concluded that Performance Funding made little sense. Bannin, he wrote, “carved out a limited exception to the final judgment rule,” applicable only when all that is left to do is to formalize the order. “In all other cases,” he wrote, “a notice of appeal filed in the absence of a final judgment, or while any party’s time-extending motion is pending before the trial court, is ‘ineffective’ and a nullity.”

**Attorney Wanted**

MIDSIZED CENTRAL PHOENIX law firm seeks attorney with a minimum of 1 year experience in real estate law. Applicants must show in resume previous professional experience in the real estate industry, e.g., broker, title officer or real estate development. Excellent academic credentials required. Competitive salary and benefits. Send resume to: C. Kevin Dykstra, Bonnett, Fallback, Friedman & Balint, P.C. E-mail: kydyloty@fthb.com.

**Office Space**

OFFICE AVAILABLE - Main office with shared secretarial station at 315 E. Palm Lane. Use of conference and reception areas, copier, break room, and covered parking. Perfect for self-sufficient sole practitioner. Please call Betty at (602) 257-8900 or email at betty@bwyllawyers.com.

**MODERN TEMPE OFFICE SPACE** – One floor is available. Rent includes secretarial area(s), kitchen, conference room, and high speed internet access. Close to 60, 10, 101 and 202. Call Dawn or Mike: 480-345-2012.

**The Heat Is On!** Only a few offices left! Approximately 150-180 sq. ft. each. 5th Ave. and Osborn. Flexible terms, great amenities. Come tour our office anytime: (602) 710-2200 or info@5thAveProfessional.com.

**Free Rent First Month** - Shared suite on 11th floor of Bank of America Financial Plaza building in Mesa.
Hall of Fame Nominations Sought for 2011

The Maricopa County Bar Hall of Fame Selection Committee is now seeking nominations for 2011. So far 73 lawyers have been honored (see list at right). The committee expects to select a dozen or so from the broad diversity of lawyers in the county this year.

The deadline for submissions is August 10, 2011.

Hall of Fame Criteria

The Maricopa County Bar Hall of Fame will recognize Maricopa County attorneys who have practiced for at least 10 years and who have:

- 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.

Please note that nominees from previous years will not automatically be re-considered for 2011. You are, however, invited to re-submit a previous nominee with complete information as noted below.

Submission Requirements

- Full name of nominee, including date of birth (and death, if applicable);
- A brief statement or summary of nominee’s significant qualifications and achievements (about 100 words or less);
- A detailed biographical description of nominee. The committee relies on the information supplied by the nominator(s), so comprehensive information is important. Supporting letters from others are also welcome.
- A photograph, preferably in color, submitted in electronic jpg format as an attachment to email.

Where to Submit Nominations

Nominations will be accepted by mail, email or through the MCBA website. For mail or email, please use the form on this page, or you may download the form from the website or use the website’s electronic form: www.maricopabar.org

Forms should be mailed or emailed to: Laurie Williams, Hall of Fame, Maricopa County Bar Association, 303 E. Palm Lane, Phoenix, AZ 85004-1532. Phone: (602) 257-4200. Email: lwilliams@maricopabar.org.

HALL OF FAME INDUCTEES 2008-2010

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<th>PIONEERS (all deceased)</th>
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<td>Dr. John Alap</td>
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<td>A.C. Baker</td>
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<td>Alice Birdsell</td>
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<td>Hon. Walter E. Craig</td>
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<td>Amelia Dietrich-Lewis</td>
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<td>Rafael (Ralph) Carlos Estrada</td>
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<td>Herbert B. Finn</td>
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<td>Hon. Rebecca Albrecht</td>
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<td>Jerry L. Angle</td>
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<td>Bruce Babitt</td>
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<td>Roxana C. Bacon</td>
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<td>Peter D. Baird*</td>
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<td>Hon. Charles C. Bernstein*</td>
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<td>John J. Bouma</td>
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<td>Robert W. Browder</td>
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<td>Jose A. Cardenas</td>
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<td>Hon. Valdemar A. Cordova*</td>
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<td>Daniel F. Cricchiolo</td>
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<td>Harry J. Cavanagh, St.*</td>
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<td>Hon. Hayden B. Daniels*</td>
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<td>Paul E. Eckstein</td>
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<td>John P. Frank*</td>
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<td>Hon. William P. French</td>
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<td>Michael L. Gallagher</td>
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<td>Samuel P. Goddard, Jr.*</td>
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*Deceased

HALL OF FAME InducteeS 2000-2010

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<td>Hon. William Hancock</td>
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<td>Hon. Joseph Kibbee</td>
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<td>Hon. A.D. Lemon</td>
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<td>Anita Lewis</td>
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** Hall of Fame Inductees 2008-2010

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<td>Hon. Frank H. Lyman</td>
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<td>Charles E. Stevens*</td>
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<td>Gary L. Snatt</td>
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<td>Hon. James A. Teilborg</td>
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<td>Hon. Jean Williams</td>
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MCBA MARICOPA COUNTY BAR HALL OF FAME

2011 NOMINATION FORM

NAME OF NOMINEE

(include birth date and date of death, if applicable):

1. Please attach a detailed biographical description of nominee.
2. Please write a brief statement or summary of nominee’s significant qualifications and achievements (100 words or less) here, or attach it to this form as a separate document:

Th er selection committee relies upon the biographical information to make a decision. Letters of support from others are also welcome. Also separately, please send a photograph (preferably in color) in jpg format, as an attachment to email.

Firm/Employer: Name:

Address: City: State: Zip:

Telephone: E-mail:

DEADLINE FOR SUBMISSION IS AUGUST 10, 2011

Submit to: Laurie Williams, Hall of Fame, Maricopa County Bar Association, 303 E. Palm Lane, Phoenix, AZ 85004-1532. Email: lwilliams@maricopabar.org. Phone: (602) 257-4200. Website: www.maricopabar.org.
$311K GOAL FOR CHARITY DRIVE 2011

“LAWYERS REALLY DO CARE.”

As a non-lawyer and the 1992, 1993, and 2011 chairman of the Maricopa County Bar Foundation, I heartily agree that the legal community is filled with caring individuals who make many sacrifices for the benefit of those less fortunate here in Arizona.

Each year as the Foundation’s Board of Directors meets to award grants to worthy organizations a number of stories touch our hearts. One of my all-time favorites came this year from a small organization dedicated to helping people get the legal documentation they need in order to work and live in our society. In this case, a lady from another country who was living here legally, had been forced to move away from the person she was living with, and he had kept her legal documentation -- documentation that she needed to get a job -- so she could legally work, so she could live. Doesn’t seem like a big issue, right? Just go down and get a job in the new place.

I was told that we need to get to the building to get to the window to talk to the person who can help you fill out the form you need to get the card. I was told to go to the second floor of the building to get to the window to talk to the person who can help you fill out the form you need to get the card. I was told to fill out the form, and the person who can help you fill out the form you need to get the card.

The story about this organization helped the legal lady get through the process. And as part of their grant renewal program they showed a picture of her, as her new job, holding up her card -- with a smile.

Lawyers Who Care.

This year we started a drive to raise $311,000 so we can continue to help those who really need help. Our mission statement talks about a long list of legal-related causes that we can help by giving them grants -- but the bottom line is that we help people, real people who need help.

So, we may be contacting you about making a donation as a law firm, or as an individual lawyer, or we may be asking you to support our golf tournament. If you call and ask for a few minutes of your time, please be sure to tell them about this great fundraising drive will be a success.

Tim S. Huff
President
Case, Huff & Associates, Inc.

CALL or EMAIL TO GIVE YOUR SUPPORT
602-257-4200 | twilliams@maricopabar.org

www.maricopabar.org