By Laura Kimball

Since Ilona DeRemer became assistant dean at the Sandra Day O’Connor College of Law at ASU, she has worked hard to create an environment geared towards helping students move from the classroom to the workplace. Part of her efforts included developing a relationship with the Maricopa County Bar Association’s Young Lawyers Division that would help students broaden their network of employment opportunities.

On Feb. 8th and 9th, about 70 first-year students met with attorneys for 30-minute “mock interviews” organized by the YLD and ASU. Following their interviews, students received feedback from the attorneys, which included discussion of how they did in the interview as well as ways to improve upon their resumes.

Hayleigh Crawford, a first-year law student, said she was glad to be able to participate in the mock interview. “It went really well. She (the attorney) did a good job of trying to simulate how a real interview would go,” she said.

Crawford interviewed with Amanda Sheridan, an attorney at Snell & Wilmer and chair of this year’s Mock Interview committee. She said Sheridan gave her very constructive feedback. “She did a good job of helping me explain gaps in my resume and gave me advice on how to connect my non-legal employment to a future legal career,” she said.

Crawford said that she learned that an interview’s success is not always about what the person interviewed says but also by how their personality matches with the interviewer.

Crawford interviewed with a judge for a summer internship that didn’t pan out. “A lot comes down to how you interact with a variety of personality types,” she said.

Crawford, who previously worked as a horse trainer and graduated from the University of Texas, said she is interested in practicing in estate planning but is open to other practice areas. She said she would recommend that other law students take part in the interviews to be better prepared for real world interviews.
Things that make you go hmmmm...

In February, I traveled to New Orleans to attend a meeting of the National Conference of Bar Presidents. In addition to eating wonderful food, listening to great jazz, and enjoying a libation (or two), I learned about the issues facing bar associations across the country.

There were some common themes regarding access to justice, legislative interference with the judiciary, court funding, and the influx of law school graduates without jobs. I also learned about a handful of unique programs that I considered worthy to share with the MCBA membership.

Disaster Planning
The very first program of the conference asked participants to analyze whether they are prepared to deal with a natural disaster. As a resident of Maricopa County, I was inclined to categorize this session as applicable to “others” (people who live in tornado alley or the southeast). However, when the executive director of the Vermont Bar Association spoke about his experience when a hurricane struck his state last year, I realized that everyone should have a disaster plan.

Thankfully, the American Bar Association has taken the lead in preparing instructive materials to help lawyers and firms be better prepared. See www.americanbar.org/disaster.

Mentoring Programs
A number of bar associations focus on mentoring as a way to help new attorneys. For example, the Oregon State Bar recently adopted a mandatory mentoring program for its new lawyers. See www.osbar.org/programs/mentoring.

Instead of one-on-one mentoring, the Massachusetts Bar created a program that gathers 2-3 senior level attorneys, a retired judge or attorney, and 5-8 lawyers with 10 years of experience or less into a “mentoring circle.” Each group meets four times a year to share experiences, offer advice, and discuss whatever topic the participants deem appropriate. See www.masbar.org/for-attorneys/mentor-circles.

Finally, the Minnesota State Bar is just getting ready to launch its Committee 36 project, which assists law school graduates in the first 36 months of their careers. Rather than being limited to a particular mentor, each program participant will be assigned to a point person who will identify the kinds of services that his or her group of new attorneys needs and then will work within the system to make the appropriate resources available.

For example, the program includes volunteer attorneys, judges, career coaches, recruiters, malpractice carriers, bankers, and mental health and substance abuse counselors. The volunteers are available to meet with groups of participants and in one-on-one sessions to address the individual needs of the new attorneys.

Senior Lawyers Assistance
On the last day of the conference, regional bar representatives reported on miscellaneous items of interest. One touching presentation told the story of an attorney who had a long history of providing much-needed legal services—a man who was well respected in his community, but who couldn’t retire due to the economy and was “slipping” due to his age.

In response to concerns about this demographic of aging attorneys, the North Carolina Bar Association formed a Senior Lawyers Division. See seniorlawyers.ncbar.org. Obviously, just because an attorney would qualify as a “senior” does not mean that attorney is any less competent. However, I was struck by the association’s foresight in creating a division to assist senior lawyers and address any issues that are unique to their status.

All in all, the experience of gathering together with bar leaders from across the country was informative and thought-provoking. And it didn’t hurt that the conference was held just a few blocks away from Bourbon Street!
‘No Courts, No Justice, No Freedom’

Law Week 2012

Before I started my first day of law school, I aspired to become a lawyer who would “change the world” and spread justice to under-served populations. Perhaps you had the same lofty goals. Maybe you thought the practice of law was exciting or even sexy.

If you are a newly minted lawyer, your pre-conceived notions about practicing law may be fading fast. I know mine did.

As soon as my bar results came in, I thought it was time to start the wonderful, ‘change-the-world,’ sexy practice of law, right? Not so fast. Don’t get me wrong. I was excited to start practicing and loved my job; it just was not what I expected.

I recall spending many hours trying to figure out court procedures, how to file pleadings, and work the copy machine and phones. I did a lot of “behind-the-scenes work” such as drafting pleadings and motions and research. The work was fine and dandy; but I didn’t feel like I was really contributing to justice or helping the world.

I remember being humiliated one day before court when an opposing counsel mockingly (and in front of my client) stated that he “didn’t know bar numbers went that high, hehe.” Nice. But I endured and I worked hard to convince my clients and colleagues that, despite my age, I was competent and capable.

Soon things changed. I got my own cases, my own clients and got to know my colleagues, judges, and the law. I remember the fear of preparing for my first solo trial and the pure exhilaration I felt as I finished my closing argument. I also remember the first time a judge invited opposing counsel and I to his back chambers. I felt official and important (of course I pretended it wasn’t anything out of the ordinary). I remember getting my first genuine referral from a prior client—that was the best compliment I could have received.

I started to appreciate all the earlier trials and tribulations I went through. I was becoming excited again about the practice of law. I was not changing the world in a large-scale, world-peace type of way; but I was helping clients get through very difficult times. I was playing my part to ensure that the courts and justice system work.

Now, however, I realize there are real dangers to our ability to practice law because our justice system is being strained. All over the country there are massive budget cuts and constraints on the courts. Courts are forced to cut back on services and personnel. This, along with increased caseloads, has compromised the ability of people to get court services and fair and speedy trials.

In my own cases, I have noticed trials getting set further out and for shorter durations simply because there are too many cases and too few judicial resources. If this trend continues, the justice system we aspire to serve and protect will be jeopardized.

That is why this year the ABA has chosen the theme of “No Courts, No Justice, No Freedom” for Law Day (which is officially on May 1). The MCBA YLD understands this concern, too, and has elected the “No Courts, No Justice, No Freedom” theme for our Law Week.

Over the next month, be on the lookout for information on our Law Week events, including an Ask-A-Lawyer event. The CLE and essay contest will focus on the important concept of ensuring our society has access to courts and, thus, justice and freedom.

In short, every lawyer, whatever their aspiration into a separate sentence.

Wrong: Registration, the entering and processing of ownership and other property rights, is handled by this office.

Correct: Registration, the entering and processing of ownership and other property rights, is handled by this office.

Thus, with some planning and careful editing, an appositive can be a helpful tool for providing an unobtrusive description or definition.

A clarity tool: the appositive

It should come as no surprise that when legal writers are intensely focused on clarity that they will add helpful descriptions and definitions to a document. A common device for adding description is an appositive.

An appositive is a noun (or noun phrase with modifiers) that immediately follows a noun and is intended to describe that first noun. Grammatically speaking, there is nothing wrong with using appositives. However, there are two pitfalls that legal writers need to be aware of when using appositives.

1. Too many appositives are disruptive.

The proper way to punctuate a non-restrictive appositive is to set it off on both ends by a comma, as in the following example:

2. Appositives may cause a subject-verb disagreement in a sentence. Because an appositive naturally falls between the subject and the verb in a sentence, it separates the subject from the verb. This separation can lead to confusion because a writer’s tendency is to make the verb agree in number with the closest noun and this noun will likely not be the subject of the sentence.

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Shuffling of Clerk’s services downtown

South Court Tower Opening
The new South Court Tower in downtown Phoenix was dedicated on the state’s Centennial with a ribbon cutting and comments by retired Supreme Court Justice Sandra Day O’Connor and Maricopa County dignitaries. The new tower is now open for business, including several functions of the Clerk’s Office.

The first move, involving the RCC/EDC, Criminal Exhibits, and Grand Jury Services took place during President’s Day weekend in February. These operations are now located on the 4th floor of the tower. Criminal exhibits filed at the regional court centers will be available at those locations until the case concludes, at which time they will be transferred to the South Court Tower. Civil exhibits will continue to be stored at the Customer Service Center in downtown Phoenix.

The second move, consisting of the criminal file counters and courtroom clerks assigned to criminal case types, took place the following weekend in February. The criminal file counters are now located on the 12th floor of the tower. Courtroom and hearing assignments have begun in the new tower. Check your minute entries for case-specific details and look for more information directly from Superior Court regarding new facilities, offices, and services available at the new tower. The address of the South Court Tower is 175 W. Madison in Phoenix. Thank you for your patience during this transition as well as your continued support.

Remodeling the Central and West Court Buildings
The Clerk’s Office is preparing for a project to remodel the first floor of the Central Court Building and West Court Building in downtown Phoenix. The Central Court Building housed the criminal and family court filing counters at windows 1 through 10. The West Court Building housed the civil filing counters in what many called the hallway between the Central and West Court Buildings.

Effective March 5, the civil file counters and filing drop boxes were relocated to the family file counter area in the Central Court Building, located behind the bank of elevators at the main entrance. This move includes the internal document depository boxes and the distribution external pick-up boxes.

The criminal file counters moved to the 12th floor of the new South Court Tower in February. The internal file counter moves for civil cases did not change the location of the after-hours external depository box located on the west side of the County Administration building, facing 4th Avenue.

Legal Briefs

Pretrial Services Act turns 30 this year
According to www.uscourts.gov, the Pretrial Services Act, authorized by the Speedy Trial Act of 1974 and enacted by Congress in 1982, turns 30 this year. Since the act was passed, more than 1.6 million cases have been handled by pretrial service officers, with 2.33 percent of those defendants released failing to appear for trial or being re-arrested in the interim. In Fiscal Year 2011, the percentage was 1.3.

Exhibits going electronic for jurors
Several courts in the Ninth Circuit are providing juries with computers and large video monitors to examine digital copies of evidence. Proprietary software is used to make the documents searchable, facilitating easy searching in cases with thousands of pages in exhibits. The courts have also found that this capability can be set up and maintained for very little cost.

Law students can’t share Westlaw accounts
The Utah State Bar Ethics Advisory Opinion Committee recently issued Opinion No. 11-03, clarifying that attorneys who ask law students to use the legal database accounts they receive for free as students are committing an act of ethical dishonesty at minimum, and possibly a felony. The issue arose from hiring practices wherein attorneys hired law students not for their abilities but as a cost-savings measure thanks to their free student access to Westlaw or LexisNexis. Read the full opinion at http://webster.utahbar.org/committees/eac/201112/opinion_n_0_1100.html

Did Westlaw and Lexis violate copyright?
Attorneys Edward L. Wright of Oklahoma and Kenneth Elan of New York have filed a class-action complaint in the Southern District of New York Court alleging that the database providers published attorneys’ copyrighted works without their permission under 17 U.S.C. §§ 101 et seq., systematically selling the work of countless attorneys for profit. The plaintiffs are seeking an injunction “prohibiting them from continuing to unlawfully copy, distribute, and resell” the work product of other attorneys.

Two sub-classes of plaintiff are included: those that did register their work with the U.S. Copyright Office and those that did not. A financial demand is listed as “To Be Determined” in the filing, and a jury trial is demanded. View the complaint and additional media coverage at: http://blog.law.stanford.edu/ under the February 23, 2012 post.

Law Day 2012
Law Day, organized by the American Bar Association, is May 1. Touted as “a vital part of American life for generations,” it was established by President Eisenhower in 1958. This year’s theme is “No Courts, No Justice, No Freedom.” Find more information on this public education initiative at http://www.americanbar.org/groups/public_education/initiatives_awards/law_day_2012.html.

Major law reviews fall below 2,000 paying subscribers each
In 2011, no major law review (defined as a U.S. News Top 15 school) exceeded 2,000 paying subscribers—a first since the United States Postal Service began requiring publications to track and report their circulation. Ross E. Davies of George Mason University School of Law published the report that demonstrates between 20 percent and 80 percent of the subscriber base for each publication has been lost since 1980. View the full report at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2005243.

Stacy Nykorchuk earned her Master’s Degree in Criminal Justice at Arizona State University in 2008. She is presently earning a Master’s Degree in Information and Library Sciences with the University of Arizona, as well as volunteering with the Arizona Attorney General’s Office Law Library.

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A brief history of the Arizona Bar from its 1895 beginnings

Lawless years

Lawyers and courts were not much encouraged in pre-territorial years in what would later become Arizona; Hernan Cortez prohibited lawyers whose “evil practices would disturb the peace of the community” from setting foot in Mexico, and when Mexico gained its independence in 1821, courts were viewed as “a prolific horde of special pleading, chicanery and delay.” In northern Mexico, there were no practicing attorneys and the only courts were presided over by local alcalde, or mayors.

When the New Mexico territory was established in 1850 after the Mexican War and territory south of the Gila was added by the Gadsen Purchase in 1854, the situation didn’t change much – the U.S. District judges appointed for New Mexico refused to come to the future Arizona because of concern for their safety.

Citizens of the territory were not much encouraged by the government’s failure to address lawlessness, and President Buchanan acknowledged the situation in his 1859 State of the Union address. He called the place “practically destitute of government of laws or of any regular administration of justice… crimes are committed with impunity.”

First lawyers

Fed up with the lack of federal efforts to establish order in the western part of New Mexico territory, in 1861 the citizens established a provisional government for the, as yet non-existent territory of Arizona, including a judicial branch. The first supreme court was headed by Granville Oury and five lawyers were admitted to the new, but short-lived court.

After collapse of the provisional government, the Confederate Territory of Arizona was established in 1861 and a new court system imposed. A handful of attorneys was admitted to practice. In 1862, confederate forces abandoned Arizona and Union troops established martial law and swept away the confederate court system.

President Lincoln established Arizona as a territory of the U.S. in March 1863, and a system of justice, probate, district courts, and a supreme court were created. At this time, 26 men in Arizona claimed to be lawyers, including the three judges appointed by Lincoln as the territory’s new supreme court.

Territorial bar

Arizona’s original law, the Howell Code of 1864, written by Justice William Howell, limited the practice of law to white males over 21 years of age. There were no educational requirements, but testimonial regarding the candidate’s good moral character were expected, along with a $200 fee. There is no evidence that anyone who applied under this system was ever denied the right to practice.

Among the first lawyers admitted was Coles Bashford. Bashford was the former governor of Wisconsin. He had left Wisconsin under a cloud of scandal, accused of taking a $50K bribe from the railroads. Despite the apparent “good moral character” issues, Bashford became the first territorial attorney general. For less than $1,000 a year, he traveled the territory alone on horseback, riding at night to avoid Indian attacks, swimming flooded rivers, and finding paths through unexplored canyons to get to the courts where he practiced.

Admission, examination and discipline

In 1871, the Supreme Court created additional admission requirements in its first effort to exercise control over attorneys. Applicants were required to be examined in open court on the first day of the term, to be vouched for by two admitted attorneys, and to state what studies had been completed. Examination was waived for those admitted in other jurisdictions. This early endorsement of reciprocity was intended to raise the general level of practice in the territory.

In 1887, requirements were stiffened to require written applications and a certificate from the county board of supervisors that the applicant had been a resident for six months, was over 21, and had a good reputation for moral character and honorable behavior. Applicants were examined by three members of the bar and approved by majority vote.

Finally, in 1901, the legislature established a set of substantive standards for admission. Applicants were required to have “good knowledge” of legal principles, rules of pleading and practice, rules of evidence and ethics of the profession. Three members of the bar were appointed to examine the applicant in open court, but the judge and any other bar members could also question the aspiring attorney. Applicants were required to have “at least a common school education,” and lawyers in good standing in other jurisdictions were still exempt from the examination requirement.

From the early days, discipline was linked to the conviction of a felony or misdemeanor involving moral turpitude or to disobedience of a court order involving the practice. Punishment included suspension or disbarment. Later, penalties were added to attempt to recover funds that had been purloined.

Although generally underfunded and inactive, the Arizona Bar Association was eventually incorporated in 1906. After incorporation, the ABA began giving an examination represented to be “as severe as other states,” made up of 100 questions, and taking two days to answer. Critics argued that the exam could be passed by any applicant, with little or no legal education.

Statehood and beyond

Requirements for admission to the bar changed little with statehood. At its meeting in 1924, the Arizona Bar Association considered pushing for a requirement that applicants must be high school graduates and have at least one year of law school training or two years in an attorney’s office. This proposal was rejected by the bar membership as too radical for Arizona.

The continuing viability of the ABA, limited though it was, can be credited in part to Arizona’s more than 15 years of prohibition. Frequently, bar association meetings between 1915 and 1933 were held, and popularly attended, in Arizona’s border communities where there was ready access to liquid refreshment.

See A brief history of the Arizona Bar page 15

Lawyers having fewer business lunches, recent survey says

The “power lunch” could be losing some of its luster within the legal profession, according to a new Robert Half Legal survey. More than 50 percent of lawyers interviewed recently said these lunches are less common than they were three years ago. But breaking bread over business, while less common, still happens somewhat regularly. Respondents reported meeting clients or colleagues for a business lunch twice a month, on average.

The survey was conducted by an independent research firm and includes responses from 200 lawyers at the largest law firms and corporations in the United States.

Twenty-nine percent of lawyers who were asked if power lunches are more or less common than they were three years ago responded they were “much less common.” To the question, “How often, if at all, do you meet clients or colleagues for a ‘power lunch’ in a typical month?” the median response was two times.

“In today’s fast-paced work environment, lawyers may find making time for a tradition- al business lunch more challenging and less practical,” said Charles Volkert, executive director of Robert Half Legal. “With busier schedules, many legal professionals are limit- ing networking efforts to email and social media, rather than in-person meetings.”

Volkert added that in the tightly knit legal community, maintaining and nurturing profes- sional relationships is important for business development and career growth.

“Whether it’s over lunch, coffee or another setting, face-to-face meetings offer valuable opportunities to make more meaningful connections and establish rapport.”

Past Presidents’ Breakfast

MCBA President Jennifer Cramston speaks at MCBA past president Hon. Robert Myers. In the back- ground are past presidents Chan Wirken and Chris Comb.
INSIDE THE PARALEGAL DIVISION

PARALEGAL DIVISION
PRESIDENT
Cami E. Barnella, CP

10 things paralegals have learned over the years that can help you

By Cami Barnella, with assistance from Sarah Fluke (Paralegal Division president-elect) and Jennifer Caccavale (Paralegal Division board director)

Own your mistakes. Most mistakes can be fixed. By just being honest and owning your mistakes, you learn and grow the most. People appreciate honesty. You might, on occasion, have to suck in your pride and go to the attorney you work for with an “I messed up,” but ALSO be ready to have the remedy for how to fix the mistake when at all possible. I also like to think that being known for owning your mistakes helps if you run into one that is not your fault.

Double checking your work is ALWAYS worth the extra time. This is a big one that I have learned over the years and that continues to be my weakness, if I am not careful. Sometimes when your to-do list is a mile long, you may be inclined to rush. However, that is the time that you tend to make the most errors, and a lot of times they are silly mistakes. No matter what, it is always faster to double check your work before submitting it to the attorney, than getting it back and having to fix the errors.

It also helps prevent the attorney you work for from getting frustrated when having to correct things that they should not have to worry about. I know that, as a profession, we tend to “kill a lot of trees,” and I try to eliminate that as much as possible (I think that’s why I “go green” in my personal life), but I still need to print out a hard copy of my work to review before submitting it for review/signature of the attorney.

Don’t be afraid to ask for help if you need it. Yes, it is always being said that one should be a self-starter, and it’s good to try to figure things out on your own. Search your firm’s documents to see if there is a case in which your firm had to perform a task you have been asked to do in the past.

Others around you are working just as hard as you are, but if you are not sure about the task you have been assigned, sometimes it is just better to ask either another paralegal or even the attorney to clarify the task or to point you in the right direction.

Keep a To-Do list and share it with the attorney you work for: This will also help make sure you and the attorney are on the same page as far as deadlines. After reviewing your list, the attorney might want to rearrange the priority of your assigned tasks. This can also eliminate the need for the attorney to ask you for status updates.

I know that the attorney I work for appreciates my to-do-list emails. It lets her know what is on my plate on any given day/week, and she is able to adjust the priority if she feels it is appropriate.

Don’t be afraid to tell the attorney that you can’t get a task done by the deadline they set for you. I am not talking about telling them five minutes before the end of the day it’s due, but at least that morning or earlier if possible. Yes, there are going to be tasks the attorney wants you to do ASAP. This goes back to the to-do list. Ask them this: “I was going to start on ABC, do you want me to finish that before starting on this new project you gave me?”

If you know that you are not going to get to a task that the attorney put a deadline on, e-mail or talk to them. Most of the time, the deadline can be moved and the attorney appreciates the communication. If the deadline cannot be moved, then you know to make that task a priority that day.

Clients pay your salary. Yes, we all have clients that we absolutely love and others not so much. No matter how much some may drive you crazy…THEY (not the attorney or firm) pay your salary, so be courteous and respectful at all times. I know it is cliché, but answer the phone with a smile; it does help.

Learn how to multi-task: It is said that paralegals need to be great multi-taskers. There are numerous occasions where you will be elbows-deep in a task and get interrupted with questions or phone calls and you will have to be able to jump right back on track or continue to do what you are doing to get the job done. Keeping a detailed to-do list makes sure that if you are pulled away from your task at hand that it is not forgotten.

Never stop learning and continue increasing your skills. You never know when the information you learned in that random seminar will come in handy. In the area of law I practice in, most paralegal seminars and general CLE seminars do not apply to my job, but I usually come out of the seminar with at least one “ah ha” or “that’s a great idea” moment. Plus, it opens up opportunities to branch out and try new things.

Take the time to mentor others. When you get in a bind and need help, they will usually be the ones willing and able to help you.

Build and maintain contacts. It’s really nice to have someone to call when you’re stumped. You never know when you will come across an issue in a case you are working on that has little to do with what you usually do, and it’s great to have someone you can call to ask.

This goes along with network, network, network. Just as with attorneys, networking can be very beneficial to paralegals.

Remember that paralegals also have a skillset in an area of law, and sometimes, more importantly, in procedural issues that are valuable to other paralegals.

Happy Hour, May 24

Which is a great transition to . . . Happy Hour! Our next happy hour is a Hosted Happy Hour sponsored by Nationwide Legal Services, LLC, on May 24 starting at 5:15 p.m. More details to come once they are finalized.

I know that it has been said time and time again, but we can always use help, fresh faces, and fresh ideas in the division. If you are interested in getting more involved with your division and helping out in any of the various committees, please contact me at barnella@tack-stievery.com. The board meetings are always open to any member of the division.

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If you’re a solo practitioner or in a small to mid-sized (up to 25-member) firm, this agency has insurance to suit. Their goal is to be a single source for Maricopa County attorneys to obtain high quality multipractice insurance coverage with prices that are reasonable and sustainable.

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Calendar of Events

<table>
<thead>
<tr>
<th>April</th>
<th>May</th>
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<tbody>
<tr>
<td>9 Monday</td>
<td>6 Tuesday</td>
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<tr>
<td>Board Meeting</td>
<td>Conference Committee Meeting</td>
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<td>5:30 p.m.</td>
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<td>10 Tuesday</td>
<td>12 Saturday</td>
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<tr>
<td>Conference Committee Meeting</td>
<td>Paralegal Career Day</td>
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<td>5:30 p.m.</td>
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<td>Board Meeting</td>
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All Board of Director and Conference Committee Meetings are held on the second Monday of each month 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.
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Melinda Sloma of the Doyle Law Group, YLD treasurer, and Stuart Warren, Lewis and Roca. Bill Kastin of Snell & Wilmer, MCBA treasurer, with his wife Berta Arias-Kastin. Kelly Flood, Polsinelli Shughart, is with Chas Wirken of Gust Rosenfeld, MCBA ABA delegate and also a former MCBA president. Jennifer Cranston, 2012 MCBA president, with her husband Jake.

Duncan Horton and his wife Yvonne Hunter of Fennemore Craig, former MCBA president. The view from the Sheraton’s patio. ASU PhD student Megan Hayes and attorney Ben Eid of Burrell & Soletos.

Barristers Ball Corporate Sponsor chair Brent Kleinman of the Kleinman Law Firm congratulates Chris Rike of Kielshy Rike, MCBA Board of Directors member, for winning an iPad in the raffle. Dancing the night away in the Sheraton’s Ballroom are (center) Barristers Ball Chair Flynn Carey, Gallagher & Kennedy, and his wife Erin.
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Mock interviews prepare students for real world
continued from page 1

Sheridan said she was impressed by the students who interviewed. “All the students seemed to take it very seriously. Most of the students I saw had very exemplary resumes and had taken the time to prepare for the interview and had good responses,” she said.

She said she was amazed by the outpouring of volunteers this year with more attorneys signing up to volunteer than students who participated in the mock interviews. “It is usually the reverse. We’re usually pulling teeth to get people to volunteer,” she said, laughing.

—

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

Among the areas needing coverage are:
• administrative law
• SSI-SSD/Medicare
• workers’ compensation
• immigration.

Spanish-speaking and West Valley attorneys are also needed.

It’s easy to join! Call Jennifer Deckert at (602) 257-4200, ext. 117.
The Museum is a work-in-progress. A more formal opening to recognize museum leaders and donors who were the first to browse the exhibits. Housed on the 6th floor of the historic Old Courthouse, Arizona Supreme Court Chief Justice Rebecca White Berch cuts the ribbon. Assisting with the honors is Ford."}

The Maricopa County Justice Museum & Learning Center received a “soft” opening Feb. 29 as Arizona Supreme Court Chief Justice Rebecca White Berch cuts the ribbon. Assisting with the honors is Ford.

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The Maricopa County Justice Museum & Learning Center received a “soft” opening Feb. 29 as Arizona Supreme Court Chief Justice Rebecca White Berch cuts the ribbon. Assisting with the honors is Ford.
THURSDAY • APRIL 5

NOON - 1 PM (Lunch included)

Prop. 203: Implications for Employers and Schools

SPONSORED BY: Employment Law Section
May qualify for 1.0 standard CLE credit

Proposition 203 creates issues for various entities that are “innocent bystanders” to the medical marijuana system. These include Arizona’s employers and schools, who will inevitably face numerous issues as the number of qualified marijuana cardholders increases. What is legal, what is illegal, and what areas are gray?

PRESENTER: Rick Mahle, Gammage & Burnham

COST: ■ Employment Section members: $40 ■ Paralegal & Public Lawyer Division members: $30 ■ MCBA members: $45 ■ Non-members: $65 ■ Student members: $10

WEDNESDAY • APRIL 18

NOON - 1 PM (Lunch included)

Current IRS Disclosure Programs: Voluntary Worker Classification & Disclosing Foreign Accounts

SPONSORED BY: Corporate Counsel Division & Employment Law Section
May qualify for up to 1.0 standard CLE credit hours

This CLE event will focus on two current IRS programs:

1. The first program is the Voluntary Classification Settlement Program. If eligible, the program permits an employer to prospectively reclassify workers as employees with limited federal employment tax liability and without an IRS audit or correction procedure. In addition to the potential benefit to an employer, because certain individuals with the ability to direct the employer's finances may have exposure to personal liability if workers are misclassified as independent contractors, this program is extremely valuable to employers and members of their management team.

2. The second program is the IRS 2012 Offshore Voluntary Disclosure Program, which is intended to assist taxpayers in complying with their offshore reporting requirements. Although this program is similar to prior IRS offshore voluntary disclosure programs (available during 2009 and 2011), there are some differences. U.S. persons who have an interest in or signature authority over one or more offshore financial accounts, or who have failed to report their ownership in foreign corporations or trusts, should learn about their disclosure responsibilities and how the 2012 disclosure program may help mitigate certain penalties for failing to timely report such foreign accounts or foreign assets in prior years.

PRESENTERS: Geoffrey Guinnerson, Snell & Wilmer
Carlene Lowry, Snell & Wilmer

COST: ■ Corporate Counsel Division & Employment Law Section members: $40 ■ MCBA members: $45 ■ Non-members: $65 ■ Paralegal & Public Lawyer Division members: $30 ■ Student members: $10

FRIDAY • APRIL 20

8:30 AM - 4 PM (Lunch included)

Bankruptcy Ambushes
Lurking in the Legal Jungle

LOCATION: Chaparral Suites
SPONSORED BY: the Bankruptcy Law Section and the Scottsdale Bar Association
May qualify for up to 6.0 standard CLE credit hours

PROGRAM
Registration: 8:30 - 9:00 a.m.
Morning Session: 9:00 a.m. - 1:00 p.m. ■ Divorce and Bankruptcy Related Issues ■ Automatic Stay ■ Top Ten Mistakes of Creditors(’)/Debtor(s) Counsel
Lunch: 12:00 - 1:00 p.m.
Afternoon Session: 1:00 - 4:00 p.m. ■ Discharge / Non-Dischargeable Claim ■ Ethical Considerations in Bankruptcy Practice

PRESENTERS:
Randy Nassbaum, Nassbaum Gillis and Dinner, PC
Dean Dinner, Nassbaum Gillis and Dinner, PC
James Kahn, James F. Kahn, PC
Hon. James M. Marlar, U.S. Bankruptcy Court
Susan Freeman, Lewis & Roca
Joel Newell, Lane & Nash, PC
Edward Bernatavicius, Office of U.S. Trustee
Hon. Eileen W. Hollowell, U.S. Bankruptcy Court

FULL DAY PRICING
■ Bankruptcy Law Section members: $205 ■ MCBA members: $235 ■ Non-members: $355 ■ Paralegal & Public Lawyers Division members: $145 ■ Student members: $25

HALF DAY PRICING
■ Bankruptcy Law Section member: $115 ■ MCBA member: $130 ■ Non-member: $190 ■ Paralegal & Public Lawyers Division members: $85 ■ Student members: $25
Volunteer lawyers program thanks attorneys

The Volunteer Lawyers Program thanks the following attorneys and firms for agreeing to accept 31 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 professionals, training, materials, mentors, and consultants. Each attorney receives a certificate for MCBA for a CLE discount. For information about ways to help, please contact Pat Gerrich at VLP at 602-254-4714 or pgerrich@clazor.org.

ADoptions
Blair Hartwell Moses
Polisnelli Shughart
William A. Hicks, III
Ballard Spahr
Janet S. Story
Sole Practitioner

APPEALS
Anne Brady
Rooney Law Firm

BANKRUPTCY
Nathan J. Bedford
Pickens & Bedford
Diane L. Drain
Law Office of D L Drain
Pauline S. Fleming
Law Office of Pauline Sherry Fleming
Kirk A. Guinn
Guinn Law Group
Anca D. Iacob
Law Office of Anca D. Iacob
Fiorin V. Ivan
Law Office of Fiorin V. Ivan
Sandra G. Oswalt
Oswalt Law Group
F Javier Sobampo
The Sobampo Law Firm
Shawn L. Stone
Sole Practitioner

CONSUMER ISSUES
Aharon D. Cohen
Snell & Wilmer
Laura M. Pasqualone
Lewis and Roca
George L. Paul
Lewis and Roca
Irina Tanarcov
Snell & Wilmer

DOMESTIC VIOLENCE/ FAMILY LAW
Melissa G. Iyer
Burch & Cracchiolo

COURT ADVISORS/ GALS FOR CHILDREN
Harold M. Gilbert, Jr.
Sole Practitioner
Victoria F. Longfellow
Longfellow Law Group

GUARDIANSHIP OF INCAPACITATED ADULTS
Jonathan G. Brinson
Polisnelli Shughart

**PRO BONO SPOTLIGHT ON CURRENT NEED**
Attorneys who speak Spanish are needed to assist people with low incomes who have civil legal needs.

VLP ATTORNEY OF THE MONTH

Pro bono work gives attorney lasting joy

By Peggi Cornelius, VLP Programs Coordinator

Of his experience as a volunteer lawyer, William Hicks, III, says, “It’s painless and fun, and the good feeling it gives me never seems to go away.” Perhaps, it’s because he’s having fun that Hicks doesn’t consider his commitment to pro bono work exceptional, nor himself deserving of recognition. Nonetheless, his service to low-income families has distinguished him as the Volunteer Lawyers Program “Attorney of the Month.”

Hicks’ own family life began in Canada, where he was born to loving parents and shared his childhood years with two sisters, a brother, and the family dog. As the oldest of the four siblings, Hicks developed confidence and leadership attributes early in life.

“I probably watched early television shows about lawyers, but I had a long-range plan as a fifth grader. I recall telling friends I planned to go to Princeton, fly jets, and then practice law!” he said.

In fact, with the help of summer employment making ice cream at Howard Johnson’s, Hicks completed undergraduate studies at Princeton and attended law school at Cornell. The Air Force also became a part of his life story when he interrupted the start of his law career in New York City to serve as a JAG officer in California and Massachusetts. He quips that his later decision to reside in Arizona was a consequence of Massachusetts’ winters, saying, “snow is much easier to shovel in Arizona.”

During a time when his wife, Superior Court Judge Beth Hicks, was presiding in family court, Hicks says she “twisted my arm” to enlist in pro bono work through the VLP Children’s Law Center (CLC). More than a decade later, Hicks is still providing pro bono representation to clients referred by the CLC.

The CLC coordinator, attorney Roni Tropper, describes Hicks as outstanding in his consistent willingness to accept a new pro bono case as each one concludes, agreeing without hesitation to tackle whatever legal issues may be involved. “Although his private practice expertise involves public finance and municipal bonds, he attended a continuing education seminar on adoption, and has since been very successfully representing pro bono clients in adoption proceedings,” she said.

Among the families Hicks has helped are elderly parents raising several children who are unrelated to them. There are children who have been separated from their siblings, harmed by a natural parent, or abandoned by natural parents unable to care for them. The circumstances are compelling, emotions run high, and the process of legally severing one parent’s rights in order for another to adopt is not undertaken lightly, but Hicks finds it simultaneously “simple and challenging.” He explained, “What stands out in my mind is the gratitude these special people show for what is very easy work on my part.”

As a partner in the national law firm Ballard Spahr LLP, a husband, and a father of four adult children, Hicks makes time for pro bono cases and other volunteer endeavors, too. In addition to his participation in the VLP, Hicks is serving as the chairman of the Arizona Council on Economic Education, and is the president of the Princeton Alumni Association of Arizona.

Hicks believes lawyers are service providers who have an obligation to give to their community. To colleagues contemplating pro bono work, Hicks encourages, “Take the leap!”

William Hicks, III
New Hires

Thompson Law Firm announces the addition of Carissa K. Seidl who will practice in the areas of family law, juvenile law and criminal law. Seidl has litigated cases before the United States Bankruptcy Court for the District of Arizona in Maricopa County and Pinal County, the Arizona Court of Appeals – Division Two, Justice and Municipal Courts throughout Maricopa and Pinal counties, and the Arizona Superior Court in Maricopa, Pinal, Yuma, Mohave and Gila Counties. Seidl graduated summa cum laude from Arizona State University in 2002, earning her B.S. in justice studies with a minor in psychology. She earned her J.D. from Hamline University of Law in 2005.

Bryan Cave LLP announced that former Arizona Court of Appeals Judge Daniel A. Barker has joined the firm’s Phoenix office as a partner. He will practice within the firm’s Commercial Litigation Practice Group. Before joining Bryan Cave, Judge Barker served on the Arizona Court of Appeals from 2001 to 2011 and as a superior court judge for the State of Arizona, Maricopa County from 1992 to 2001. While a trial judge, he presided over approximately 250 jury trials and hundreds of other proceedings. Before his appointment to the bench, his private practice was focused on complex civil litigation. Judge Barker earned his B.A. in economics from Stanford University in 1977 and his J.D. from Brigham Young University in 1981.

Recognitions

Quarles & Brady LLP announces that David E. Funkhouser III, an associate in the firm’s Phoenix office, has joined the Leadership Council of the Special Olympics Arizona Resource Program as a founding member. Funkhouser handles complex commercial litigation matters. He is currently president-elect of the MCBA, co-chair the Maricopa County Bench/Bar Committee, serves on the board of directors of the Arizona Advocacy Network, and is a former state representative. Funkhouser earned both his law degree and undergraduate degree from the University of Iowa.

Jennings, Haug & Cunningham announces that Travis Pacheco, an attorney with the firm’s business litigation and personal injury law practice, was elected to serve on the board of Los Abogados Hispanic Bar Association for a one-year term. Pacheco, who joined the firm in 2009, practices in business litigation and personal injury law. He graduated from ASU with a Bachelors in Spanish and Communication in 2003 and earned his law degree from the University of Arizona in 2008. During law school, Pacheco served as an extern for Judge Frank R. Zara, United States District Court of Arizona in Tucson.

Azarlaw announces that Maribeth Klein, attorney with Polsinelli Shughart, was recently elected to serve as a three-year term with the Arizona State Parks Foundation (ASP). The ASP stands as the partner to assist Arizona State Parks in fulfilling its mission through education, community participation and financial support.

Elections

KJZZ Friends of Public Radio Arizona has announced the election of its 2012 slate of officers: chairman of the board Mark Dioguardi, partner in the local business boutique law firm of Dioguardi Flynn LLP; vice chair, Michael Moskowitz, managing director of Ensemble DevMan of Arizona; treasurer, Steve Carley, senior vice president of Alliance Bank of Arizona; and secretary, Laura Martin, director of Science Interpretation Arizona Science Center.

Approximations

Phoenix attorney William J. Maledon has been appointed to the Ninth Circuit Advisory Board, a group of prominent attorneys that advises on the effective administration of the federal courts in the western states. Maledon, 64, is a member of Osborn Maledon, PA, and leads the firm’s litigation practice. He is considered one of the leading commercial litigation and trial attorneys in Arizona. Maledon earned his B.S. in 1969 from Loyola University of Chicago, and his J.D. in 1972 from the University of Notre Dame. He clerked for the late Supreme Court Justice William Brennan, Jr., from 1972 to 1973.

Quarles & Brady LLP announces that Marian M. Zapata-Rossa, an associate in the firm’s Phoenix office, has been appointed by Arizona Supreme Court Chief Justice Rebecca White Berch to serve on the Commission on Minorities in the Judiciary as part of the Arizona Judicial Council. Zapata-Rossa practices in the area of labor and employment law. She earned her J.D. cum laude from Howard University School of Law and her Bachelor's cum laude from the Ohio State University.

Classifieds

ATTORNEY WANTED

LITIGATION ASSOCIATE ATTORNEY—Mann, Berens & Wisner, LLP, a small/mid-size AV rated firm, seeks to hire an associate attorney with minimum 3 years commercial litigation experience, with excellent academic and professional credentials. The firm offers competitive salary, litigation experience, with excellent academic and professional credentials. The firm offers competitive salary, objective bonus program, benefits, and a professional growth environment. Interested candidates should contact David E. Mann, Jr. at (480) 257-4200.

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bulletin board policy

If you are an MCBA member and you’ve moved, been promoted, hired an associate, taken on a partner, or received a promotion or award, we’d like to hear from you. Talks, speeches (unless they are of national stature), CLE presentations and political announcements are not accepted. In addition, the Maricopa Lawyer will not print notices of honors determined by other publications (e.g., Super Lawyers, Best Lawyers, etc.). Notices are printed at no cost, must be submitted in writing, and are subject to editing. Items are printed as space is available. News releases regarding lawyers who are not MCBA members in good standing will not be printed.
A brief history of the Arizona Bar
continued from page 5

An Integrated Bar

With the coming of the Depression era, the public image of the profession was not good. Hard times led to complaints both about unethical behavior by lawyers and by others, including realtors and insurance men that were acting as lawyers. The Supreme Court had established its common law right to control and discipline attorneys shortly after statehood, but it lacked the resources to adequately investigate complaints and generally refused to take disciplinary measures.

Beginning in 1930, leaders of the Arizona Bar Association, including Maricopa County lawyer James R. Moore, backed legislation based on similar laws in Alabama and California to create a bar empowered to work with the Supreme Court to establish professional qualifications for admission, to discipline unethical behavior, and to generally regulate the practice of its members to ensure the protection of the public. Membership would be mandatory for any attorney licensed to practice in the state.

Opposition was strong, with some lawyers arguing that such an organization would interfere with the individual attorney’s right to practice as he or she deemed appropriate, and would give the big city lawyers in Phoenix and Tucson too much control over their more rural counterparts.

Some legislators opposed the bill simply because they distrusted the motives of attorneys in general—if lawyers wanted it, there was reason to be suspicious. After several failed attempts, in 1933 on St. Patrick’s Day, the legislature finally approved the legislation and the State Bar of Arizona was incorporated.

The 175 members of the old Arizona Bar Association automatically became members of the new state bar, along with 22 Superior Court judges who were made honorary members. The balance of the 654 attorneys then practicing in the state had to be contacted and their $10 admission fee collected. A Board of Governors was elected and committees appointed.

Admission requirements approved by the Board of Governors included a six-month residency prior to application and high-school education plus at least three years in a law office or three continuous years in law school; graduation was not required. The newly appointed Examinations Committee was instructed to “be hard-boiled—very hard-boiled.” Disciplinary procedures were established and the Canons of the American Bar Association were adopted as the standards for practice.

Although members of the bar may still disturb the peace of the community on occasion, at least they now do it with professionalism.

Revitalized Bankruptcy Section re-launches

The newly revitalized MCBA Bankruptcy Law Section held a CLE on disclosure requirements under Bankruptcy Rules 2012 and 2016 on Feb. 29 in conjunction with its first annual meeting. Presenting to a full house was Larry Watson (not shown), a trial attorney in the U.S. Trustee’s Office. Afterwards, attendees met with section board members and helped make plans for rest of the year.

Panel encourages ASU students towards public law careers

By Anni Foster, Public Lawyers Division president

Part of the mission of the Public Lawyers Division (PLD) is to encourage law students to consider careers as public lawyers and to assist law students in preparing for and establishing themselves in the practice of law as public lawyers. The PLD each year takes the opportunity to fulfill this mission by hosting panels at Sandra Day O’Connor College of Law and Phoenix School of Law.

On Feb. 14, the PLD traveled to the Sandra Day O’Connor College of Law at ASU to host a panel of public lawyers for students at the law school. The panelists included Lark Saad, Phoenix Division Counsel for the Drug Enforcement Agency; Ted Campagnolo, from the Criminal Division of the Arizona Attorney General’s Office; Melissa Zarbo, attorney at the Office of the Legal Advocate; Judge Lori Metcalf of the Phoenix Municipal Court; and Nina Targovnik, senior staff attorney at Community Legal Services. The panelists discussed their backgrounds and reasons for working in the public sector. Students were given tips on pursuing careers as public lawyers as well as the benefits and experience provided by public sector jobs.

The PLD wants to express its gratitude to each of the panelists as well as Michelle Roddy from the Sandra Day O’Connor College of Law and Laurie Williams from the MCBA for making the event a success. A similar event is planned for the Phoenix School of Law later in the year.

Not too early to think of Hall of Fame nominations

Do you know a deserving attorney or judge for the Maricopa County Hall of Fame?

The Hall of Fame Committee is counting on members of the legal community to bring the best and brightest to their attention. Nominees should have practiced for at least 10 years and made significant or unique contributions to the profession, the law, and/or the community.

You can read about 2011 inductees and find a list of all inductees to date at www.maricopabar.org. Watch the MCBA website and May Maricopa Lawyer for details and the 2012 nomination form. The deadline for nominations is Aug. 3.

We are pleased to announce that Sara R. Witthoft is now a Shareholder of the Firm.

Sara counsels clients in a wide range of litigation matters. She has represented clients in state and federal courts in commercial, employment, and construction-related disputes. Sara’s practice also includes appellate advocacy.

Prior to joining Zwil linger Greek Zwil linger & Knecht, she served as a law clerk to the Honorable James B. Sult of the Arizona Court of Appeals.
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