Stanton invites participation to implement new strategies for growth and development

By Isolde Davidson

There were quite a few things on new Phoenix Mayor Greg Stanton’s mind when he spoke before some 65 MCBA members at the April 9 Membership Luncheon at the Hyatt Regency Phoenix.

“We’re beginning to crawl out from under the trough,” he said, referring to the economic slow-down. “Phoenix has been harder hit than most cities.” Nevertheless, he said he has a “relentless commitment” to increase city services, including fire, police and the arts.

Another priority for the mayor is education. “We have a narrow margin to fix this. We don’t have time for the divisive partisan politics that has set back the state, and it has set us back in Phoenix. The future of the city and education are the same.” Stanton grew up in west Phoenix and graduated from Cortez High School before attending Marquette University. As a former attorney at Jennings Strouss & Salmon he said he has a “relentless commitment” to increase city services, including fire, police and the arts.

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Tucson wins right to hold partisan elections despite legislature’s action


Unique among Arizona cities, Tucson uses a hybrid system to elect its council members. Candidates are selected by ward in the primaries, but the general election is citywide. The contests are also partisan.

With a 2009 amendment to A.R.S. § 9-821.01, the legislature barred municipalities from using ward-based primaries to select candidates for citywide general elections. It also banned partisan municipal elections.

Tucson reacted by suing the state, claiming that its status as a charter city shielded it from the statute. The superior court granted summary judgment to the state.

A divided court of appeals reversed. It held that the statute conflicted with the Tucson Charter. The latter prevailed because electing city council members is a matter of local concern.

The supreme court granted review and unanimously held that the legislature cannot control how Tucson elects its council. Justice W. Scott Bales’ opinion for the court could be used as an Arizona civics lesson.

Bales began by noting that the framers of Arizona’s Constitution rejected the view that cities and towns are entirely subordinate to, and dependent on, the legislature for its governmental authority. Several provisions showed the value it placed on local autonomy.

The constitution requires the legislature to enact general laws providing for the creation of cities and towns. And it precludes the legislature from enacting local or special laws regarding municipalities’ incorporation or amending their charters.

More to the point, it allows a city of 3,500 or more people to “frame a charter for its own government consistent with, and subject to, the Constitution and the laws of the state.” The charter becomes the city’s organic law—“effectively, a local constitution,” according to Bales.

As the supreme court noted in 1943, “[t]he purpose of the home rule charter provision … was to render [charter] cities … as nearly independent of state legislation as was possible.” And, as it added in 1945, a home-rule city “is independent of the state Legislature as to all subjects of strictly local municipal concern.”

Bales noted that Arizona has 19 charter cities, “ranging from Yuma in the southwest to Holbrook in the northeast, and including the former territorial capital Prescott, Flagstaff, and Prescott Valley.”
Law Week: From past to present

Jennifer A. Cranston

Then

One of my first volunteer experiences with the MCBA was serving as a reader/judge for the Law Week grade school essay contest. It sounded like a great opportunity to peer into the minds of our youth, to be inspired and informed by their views of the legal system. Well . . . be careful what you wish for. What I learned is that kids are tough, and sometimes merciless.

I don’t recall the specific essay topic, but the writers were asked to judge whether a specific action of a hypothetical student peer required punishment, and, if so, to define the punishment. What I do recall was being shocked at the harsh verdicts doled out by these grade-school judges. They were very clear: rules are rules and those who break the rules must be punished. No exceptions, no excuses.

After getting over my initial shock, my more deliberative reaction was a mixture of longing and gratitude. On the one hand, I missed the days when things seemed simpler. I’m certain that if I had written such an essay when I was in school, I too would have been a hanging judge. My analysts would not have been blunted by messy considerations of the purpose behind the rule or the perhaps justifiable explanation for the rule-breaker’s conduct.

On the other hand, I was thankful and appreciative for the fact that, with time, black and white issues become more gray. Viewing legal disputes with a broader context creates perspective and allows mercy to creep into deliberations. It may be harder to reach a decision, and even though my judgment may have been the same one I would have issued in my grade-school essay, I hope my adult verdict would have a better, more reasoned foundation.

Now

And so I find it fitting that this year’s Law Week highlights the crucial role that courts play in society. There’s no question that judges and juries decide matters that go to the very core of our daily lives. And yet, despite the fact that caseloads have exponentially increased over the years, state courts are forced to operate with less and less funding.

According to the National Center for State Courts (www.ncsc.org), state judiciaries handle approximately 95 percent of all cases filed in the United States, and 42 of those state judiciaries (including Arizona) suffered budget cuts last year. Courts clearly get the short end of the budget stick, reportedly receiving less than 1 percent of the average state’s entire budget.

For information about the impact that recent budget cuts have had on Arizona courts, I encourage you to attend the MCBA’s Law Week forum, which will be held at the MCBA offices on May 1 at 4 p.m. The forum panel will include retired Arizona Supreme Court Chief Justice Ruth McGregor, Maricopa County Superior Court Presiding Judge Norman Davis, and former Maricopa County Courts Administrator Gordon Griller.

For me, the 2012 Law Week theme captures the lessons that I learned from my essay-grading experience: rendering justice is not easy. It requires knowledge and perspective, and without adequate resources, our justice system cannot function properly. In short: No Courts, No Justice, No Freedom!

OPINION

Reduced budgets, higher workloads creating a crisis in America’s courts

By Wm. T. (Bill) Robinson III

We all experience delays that slow down and frustrate our daily lives, from traffic jams on a city street to long lines at a grocery store. But some delays are more than an inconvenience and are a threat to our constitutional democracy.

In fact, the American Bar Association has identified a troubling trend in our state courts declining budgets. State judiciaries handle approximately 95 percent of all cases filed in the United States, according to the National Center for State Courts. In 2008, the most recent year for which data is available, states reported 106 million new trial court cases—the most in 35 years. Anecdotally, we know that trend has continued as more people represent themselves and legislators add more laws to the books.

Despite these workload increases, NCSC says 42 states—including Arizona—reduced their court budgets in fiscal year 2011. In FY 2012, Arizona courts saw their court funding reduced 4.4 percent. To cope with the financial loss, the courts delayed filling vacant judicial positions and imposed salary freezes for staff.

Courts around the country, including Arizona, have made difficult decisions. After a $270 million cut to the New York state judiciary, New York City courts closed promptly at 4:30 in the afternoon to avoid overtime costs. Massachusetts has lost more than 1,100 trial court employees through attrition. The lines at Sacramento courts are so long that people bring lawn chairs to use while they wait.

People should never have to jump over budgetary hurdles to reach the courtroom. If our legal system is not accessible, it cannot be just and it will not be fair.

The constitutional argument for sustainable funding for our courts is simple: The judiciary is a co-equal branch of government responsible for protecting our rights. The practical argument is equally compelling. The courts decide matters that go to the very core of our daily lives; when a parent petitions for custody of a child or when a family fights foreclosures of its home.

The financial argument is stunning. Judiciaries typically receive less than 3 percent of a state’s entire budget—that’s often less than a state allocates for one, single executive branch agency.

Members of the legal community are beginning to understand this situation. Courts are doing their part to demonstrate efficiency and innovation, including those in Arizona. The judicial branch has established online filing systems statewide, electronic payments and document management.

The ABA is continuing the work of its Judicial Conference, which meets annually to discuss strategies to improve the state’s court systems.

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See Reduced budgets, higher workloads page 15
Douglas Sylvester named dean of ASU College of Law

Douglas Sylvester, professor of law and faculty fellow at the Center for Law, Science & Innovation at Arizona State University’s Sandra Day O’Connor College of Law, has been named the college’s dean, effective March 26.

Sylvester was named interim dean in May 2011 after serving as associate dean for Faculty Research and Development, a role in which he was responsible for building an environment that fosters faculty scholarship, organizing speaker series, mentoring junior faculty, and seeking innovative ways to increase the faculty’s visibility.

During his time as interim dean, the College of Law’s national academic rankings have improved significantly. According to U.S. News & World Report 2013 “Best Law Schools,” the quality of ASU’s College of Law improved across the board. The college is ranked 26th nationwide among public and private law schools, up from 40th in 2010.

“Following a national search by our search committee and the interviews of some outstanding external candidates, we determined the best candidate for dean was already on campus,” said ASU President Michael M. Crow. “As both interim dean and associate dean, Doug Sylvester has been responsible for major advances at the College of Law.”

“The College of Law has progressed at the most rapid rate in its history under Doug Sylvester’s leadership,” said Provost and Executive Vice President Elizabeth D. Capaldi. “In addition to the academic gains made during his tenure, he has also shown a real talent for fund raising, leading the College of Law to new levels of achievement in this area as well.”

Sylvester has published, taught and lectured on issues of intellectual property law and commercialization, international law, emerging technologies and privacy. In 2006, he taught Nanotechnology and the Law, the first time such a course was offered in the country by full-time law faculty.

In 2007, Sylvester was appointed special consultant to a National Academy of Sciences panel charged with reforming the U.S. Census. He was the founding faculty director of the innovative Technology Ventures Clinic, which introduces students to transactional legal practice in high-technology sectors. In recent years, Sylvester also has been an expert witness in cases involving licensing, intellectual property and technology, and has advised numerous entrepreneurs in building their businesses.

Prior to joining the college faculty, he was a Bigelow Fellow and lecturer-in-law at the University of Chicago, a lecturer-in-law at Northwestern University, and an attorney in the Global E-Commerce Practice Group at Baker & McKenzie in Chicago, and he clerked for U.S. District Judge Clyde Atkins in Florida.

To post or not to post?

Social media is everywhere these days, and it can be difficult to keep up with all the latest and greatest developments. This is no different in the litigation context. I doubt there are many attorneys out there who do not have at least one case where your client is or may be on Facebook, Myspace, Twitter, etc.

For example, doing family law, I can tell you how many clients come in and give me pages upon pages of the other party’s Facebook profile and posts to demonstrate they are somehow unfit to parent (pictures of parties and drinking on days when they had custody of the children) or posts that contradict certain statements, and, thus, the ex’s credibility.

I imagine it is no different in other areas of law too. Maybe you are pursuing a personal injury claim and you find out that your client is posting updates and pictures about their extensive physical activities that directly contradict their claims of injury and diminished lifestyle. Perhaps you have a defendant in a criminal proceeding and they post incriminating comments to their ‘friends’ on their social network.

So, should you, as their legal advocate, care about what your clients are doing on their own time and what they post on social media sites? My response is a resounding “YES!” The more important question is, what do you advise your clients?

You may want to think twice (or three or four times) before you tell your client anything, or you could end up in the same unfortunate position of a prominent Virginia attorney who was personally sanctioned for $542,000 for instructing his client to “clean up his Facebook.” In Lester v. Alliant Concrete Company 2011 Va. Cir. LEXIS 132, a case from Virginia, the court ordered sanctions in the amount of $72,220 total ($542,000 to the attorney and $180,000 for the plaintiff) in a wrongful death suit for a spoliation issue.

The plaintiff, who was suing for wrongful death of his wife, had apparently posted pictures of himself on Facebook wearing an “I (heart) hot moms” shirt and drinking beer. Not exactly the way you want to portray your grieving client. When his attorney caught wind of these posts, he instructed his paralegal to make sure the client “cleaned it up.”

The client, listening to his attorney’s advice, removed the photos or otherwise took down his Facebook page. The court sanctioned the attorney and plaintiff for their “extensive pattern of deceptive and obstructionist conduct.” They were sanctioned for spoliation of evidence.

Spoliation of evidence is the intentional or negligent withholding, hiding, altering, or destroying of evidence relevant to a legal proceeding. In Arizona, generally speaking, in order to preserve evidence does not warrant sanction or dismissal. Souza v. Fred Carriers Contracts, Inc., 191 Ariz. 247, 955 P.2d 3, 6 (Ariz. App. 1997).

However, litigants have a duty to preserve evidence which they know or reasonably should know it is relevant or reasonably calculated to lead to the discovery of admissible evidence and is reasonably likely to be requested during discovery or is subject of a pending discovery request. Id. Arizona courts, thus, treat issues regarding spoliation on a case-by-case basis—from monetary sanctions to dismissal of a case.

So, back to the question at hand: What do you advise your client regarding their social media posting?

You probably do not want to tell them to permanently remove posts, take down their pages or otherwise delete their account, as this could be akin to an instruction to destroy electronic evidence. I think everyone would agree that instructing a client to delete all emails or wipe their hard drive would be a big no-no.

Specifically, I checked Facebook’s FAQ and found the following information about deactivating your account:

■ If you deactivate your account from your Security Settings page, your profile (timeline) disappears from the Facebook service immediately. People on Facebook will not be able to search for you. Some information, like messages you sent, may still be visible to others.

■ If you want to come back to Facebook at some point, we save your profile (timeline) information (friends, photos, interests, etc.) so that the information on your profile (timeline) will be there when you come back. A lot of people deactivate their accounts for temporary reasons.

■ If you do not think you will use Facebook again and would like your account deleted, keep in mind that you will not be able to reactivate your account or retrieve any of the content or information you have added. If you would like your account permanently deleted with no option for recovery, log in to your account and then submit your request here.

Thus, the safest response is to tell your client to stop posting any future posts or pictures, to assume that everyone (including the judge and jury) will see what they post, make sure they have a strong password, and that they should adjust their privacy settings to allow only the people they know and have confirmed as ‘friends’ see what they post. ■
Construction around Records Center requires planning ahead

Quarles & Brady honored at Phoenix human rights campaign gala

Former county attorneys Thomas, Aubuchon ordered disbarred

The formal requirements for dates

Legal Writing

Lawyer Referral Service Needs You
Equal Justice Foundation, which provides funding for Community Legal Services. Many attorneys and firms have provided millions of dollars over the past few years to this outstanding program. If firms have contributed heavily to support this program, or other charitable programs developed within your own firms, we acknowledge your generous contributions and understand that there are many homes for every charitable dollar.

With this being said, we would like to lay out a simple, attainable plan. We suggest that payments to the Foundation can be made for the next 10 quarters, from April 2012 through July 2014. We ask that most firms give $500 per quarter starting in April 2012 and with the last payment in July 2014 for a total of $5,000. For smaller firms or individual lawyers we ask that you give what you can—$3,000 or $1,000—payable for the next 10 quarters. Please give us a check and a commitment now, and we will bill you quarterly for the rest!

So what we want you to do is help us raise $300,000 and make the Maricopa County Bar Foundation prosperous again. Can it be done? Do lawyers really care enough to help? We are sure that they do, and we appreciate your support to make this goal a success.

Ready to give? Contact Laurie Williams at lwilliams@maricopabar.org or (602) 682-8585. ■

Legal Briefs

By Stacy Nykorchuk

Maricopa County Superior Court Library has a new blog

Recently launched, the new blog looks to answer FAQs, review cases, advertise classes and workshops, and collect interesting, relevant information. It can be viewed at http://maricopacountysuperiorcourtlibrary.wordpress.com/

Superior Court on YouTube

Ranging in length from under two minutes to over eight minutes, the Maricopa County Superior Court is posting videos on YouTube on a variety of topics. Recent postings include a tour of the new South Court Tower, an introduction to Veterans Court, and guides on court forms. The court’s channel can be viewed at http://www.youtube.com/user/SuperiorCourtAZ.

Finding Apps that do what you want

As more legal professionals look for ways to incorporate technology into their work, finding the best app can be time consuming. The website www.quixey.com helps users by searching for apps that accomplish tasks (functional searching). Not limited to legal applications, results can be sorted by device availability and price.

Need a blog for attorneys who love Apple products?

Check out www.iphonejd.com, a site for lawyers using iPhones and iPads. The index to prior posts is an especially nice feature, with reviews of numerous apps. The site was awarded “Best Legal Technology Blog” in 2010 and 2011 by the ABA Journal.

ABA files amicus brief in State of Arizona et al. v. United States of America

The ABA is asking the Supreme Court to find that the four enjoined provisions of S.B. 1070 are “preempted because immigration law and policy are and must remain uniquely federal, with states having no role in immigration except pursuant to federal authorization and oversight.” The ABAs news updates and the amicus brief are available at http://www.abanow.org/?s=arizona. ■

The Perfect Gift for
Recent Grads, New Associates and Old Dogs (willing to learn new tricks)

Kenney Hegland and Paul Bennett
A Short and Happy Guide to Being a Lawyer

In 117 pages (and countless bad jokes), UA Profs Hegland and Bennett cover everything you might have missed in law school: problem solving, storytelling, psychological factors causing mistakes in memory and judgment, client interviewing and counseling, investigation, discovery, negotiation, oral argument, legal writing, and a plethora on trials, from case preparation and problem witnesses, to cross examination and closing argument.

IT’S FUNNY, READABLE, AND ONLY $15!
Available on Amazon and in all fine bookstores (eventually).
Hegland@law.arizona.edu • Bennett@email.arizona.edu

Ninth Circuit rules against Arizona’s voter registration provisions

In a decision of national significance, the U.S. Court of Appeals for the Ninth Circuit ruled on April 17 that voter registration provisions of Arizona’s Proposition 200 violate the National Voter Registration Act of 1993 (NVRA). The ruling blocks a requirement for voter registration that could prevent eligible citizens from exercising their right to vote.

The court ruled that the NVRA-mandated mail-in federal voter registration form must be accepted by Arizona election officials, even if the applicants do not provide the U.S. citizenship documents required by Proposition 200.


The rejected proof of citizenship provision was one component of Proposition 200, which passed in 2004. That provision required documentation of proof of citizenship for all new voter registrants in Arizona and has resulted in the rejection of tens of thousands of voter registration forms.

The NVRA requires that states “accept and use” a National Mail Voter Registration Form (“Federal Form”) prescribed and issued by the Election Assistance Commission (“EAC”), which includes an affirmation of citizenship by the applicant under penalty of perjury. The en banc court held today that “Arizona’s rejection of every Federal Form submitted without proof of citizenship does not constitute ‘accepting and using’ the Federal Form.”

The court’s decision in the Arizona case recognizes Congress’ broad powers to govern registration procedures for federal elections. It will enable disenfranchised voters to once again avail themselves of voter registration drives and the mail-in registration process without having to include copies of birth certificates or other documentary evidence of citizenship.

The case is Inter Tribal Council of Arizona v. State of Arizona, No. 08-17115 (9th Cir.) (en banc). The Court’s 9-2 decision can be found at http://www.ca9.uscourts.gov/datasources/opinions/2012/04/17/08-17094.pdf. ■

By Tim S. Huff – MCBF 2012 Chairman

The striking theme—LAWYERS REALLY DO CARE—was thoughtfully developed for the Maricopa County Bar Foundation Fundraising Drive by Ted Warner, one of the original organizers of the Foundation. Over the past several months we have covered the back of the Maricopa Lawyer with letters from key individuals who really care about our cause. We are especially grateful to the MCBA members from the 1980’s for supporting this fundraising drive and taking the time to be involved.

What exactly is it that the Maricopa County Bar Foundation wants lawyers to do? Simply put, we need to raise $300,000 by July of 2014 to make the Foundation financially healthy again.

Why should you care about this goal? A healthy charitable foundation is good for ALL lawyers in Maricopa County. The Foundation gives away money to help disadvantaged people, and as we do, we make lawyers look good. The bottom line is that the Foundation grants are the proof that “Lawyers Really Do Care”.

The Maricopa County Bar Foundation also wants to acknowledge that their charitable giving is not the only worthy cause that individual lawyers and law firms contribute to. Many lawyers willingly give of their time and resources to make a difference. One well-known program that continues to make a difference is the Arizona Equal Justice Foundation, which provides funding for Community Legal Services. Many attorneys and firms have provided millions of dollars over the past few years to this outstanding program. If firms have contributed heavily to support this program, or other charitable programs developed within your own firms, we acknowledge your generous contributions and understand that there are many homes for every charitable dollar.

With this being said, we would like to lay out a simple, attainable plan. We suggest that payments to the Foundation can be made for the next 10 quarters, from April 2012 through July 2014. We ask that most firms give $500 per quarter starting in April 2012 and with the last payment in July 2014 for a total of $5,000. For smaller firms or individual lawyers we ask that you give what you can—$3,000 or $1,000—payable for the next 10 quarters. Please give us a check and a commitment now, and we will bill you quarterly for the rest!

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I am sitting here, having writer’s block for this month’s article. I started to just play around on the Internet and came across so many paralegal blogs. These are another great resource for our profession. 

There are definitely some benefits to blogs. Blogging creates an entirely new way to network and socialize with fellow paralegals by serving as a platform for advice and insight. It can be used to obtain answers to questions or seek out moral support from people in the same field. You can find good ideas and some “ah-ha” moments while reading paralegal blogs, all while in the comfort of your own home.

The blogging universe

At 11 p.m., when your brain is racing with a thought or question on which you need feedback (you know we all have those moments), instead of making a panicked call that wakes up everyone in your colleague’s house, or not being able to sleep, you can throw your thought or question out into the blogging universe and wait for responses to start flooding in.

Blogs also provide a little anonymity and you are able to ask a question or advice from your peers in a way that is sometimes more open and honest than if you were to ask that same question in person.

It’s amazing the world we live in now, especially when it comes to technology and the number of resources at our fingertips. Most every profession now has numerous people creating blogs about their profession, and paralegals are no different. Blogs come in all varieties and styles, including support, insight and entertainment.

Support comes in all kinds of forms...including blogs

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@sackstierney.com. The board meetings are always open to any member of the division.

The Paralegal Society - they bill themselves as “a forum created to educate, motivate and inspire paralegals to engage in the pursuit of excellence for all paralegal kind.” This blog site has numerous bloggers and guest bloggers with a variety of topics.

Paralegal Mentor - which provides resources, organizational tips, and ethical issues to help paralegals reach their full potential.

Paralegal Illuminati - which is a blog regarding technology, marketing, and social media news for the legal profession.

Some of the top paralegal blogs when it comes to entertainment are:

Superlegal Fun - which indicates it’s “the daily annoying office experiences of one paralegal.”

Paralegal Hell - I have actually been following this one for about a year or so. Unfortunately the blogger has found a job she loves, but the archived posts are totally worth taking a look at.

A Paralegal’s Life - is a sarcastic blog (and hilarious in my humble opinion) of one paralegal who works for a mid-sized law firm.

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PARALEGAL HAPPY HOUR!

Join us on Thursday, May 24

Have fun and get to know your paralegal peers!

• Location TBD*

*Look for an email from the MCBA updating the location soon.
Farewell to Marcus Reinkensmeyer

By Norman J. Davis, presiding judge, Maricopa County Superior Court

Marcus will be greatly missed by the court. Before being appointed as a presiding judge, I had continually heard of what a great court administrator Marcus was, and this was born out when I was privileged to work with him on a limited basis during that time.

The last two years I have worked with him on a daily basis, and my respect and admiration for him, his abilities and his character have grown each day. Much of the national recognition we receive as a court can be traced to Marcus and his work with the National Center for State Courts, National Association for Court Management, the Urban Court Managers Network, and many others. They have given him their top awards and respect.

He is relentless in asking the entire administrative staff to strive for excellence, and suggesting many new and innovative projects for the bench. I know of no one better read on new court developments nationwide, and he is universally known and respected throughout the country as an innovator and extremely able court administrator.

As good as Marcus is in his job as our court administrator, he is an even finer person. Until I took this job I did not fully realize the scope of responsibilities that we ask Marcus to perform every day. Our business often sees conflict and disagreement, and Marcus is able to strike a balance in every instance that not only resolves issues in a proper manner, but leaves the participants with a feeling that they have been heard and with a continuing respect for Marcus.

He has served us so well over the years in budget negotiations with the county, in directing the hiring and discipline of several thousand employees of the court, in scheduling, staffing and operating so many court and administrative processes too numerous to mention, and in performing so many other tasks that ultimately find their way up the chain to him.

I believe one of the reasons Marcus is so universally admired by all those that come in contact with him is his complete honesty, his sterling character, and his unwavering integrity. He genuinely cares about people and treats everyone with dignity and respect. I have seen him continually take on many more tasks than his job description would require simply because he was concerned about the welfare of someone else.

He is one of a kind, and we will truly miss him. Before you ask, yes I have relentlessly lobbied Marcus to stay on even for just a bit longer, but he has certainly earned his retirement. Knowing Marcus as I do, this retirement won’t be in a rocking chair but simply an interlude to another career, with perhaps more time available for hiking and photography in the great outdoors.

Please wish him well when you see him.

Drug Court celebrates 20 years of helping rehabilitate people

Maricopa County Superior Court and Adult Probation celebrated its 20th anniversary of Drug Court. For 20 years, Maricopa County’s Drug Court has been helping probationers, who have been convicted of crimes involving substance abuse, get sober and stay out of prison.

The program uses a team approach to rehabilitate participants from a pattern of substance abuse. Judges, probation officers, counselors and attorneys work together to establish expectations and review the status of a participant’s progress through regularly scheduled court appearances and treatment.

“Most of these people have not had an experience with authority figures that’s been positive. For most of their lives they’ve had authority figures just telling them what to do,” said Judge Carey Hyatt, family court presiding judge. “So in the drug court model, because there is a team working for this person’s best interest, they think of and relate to authority figures in a whole different way because this is someone who is listening—not just speaking at them.”

To be successful in the program participants must maintain sobriety, attend counseling sessions, and pay all fines. If a participant falters, sanctions such as community service or jail time may be imposed to get them back on track toward graduation.

“When someone starts falling off the path, we are right there to say, ‘Nope, you’re going the wrong way, come back this way.’ Or when they are going straight on the path, we are rewarding them immediately, giving them positive reinforcement to keep going,” said Judge Hyatt.

Former Superior Court Judge Susan Bolton founded the Drug Court in 1992, making it the third one in the nation. Upon her appointment to the federal bench, Judge Bolton was succeeded by Judge Hyatt. Over the years, Judge Hyatt and several other judicial officers have made significant contributions and improvements to the program.

New bench appointments at Superior and appellate courts

Erin Otis was appointed as a Superior Court commissioner. She recently assumed Judge Pamela Svoboda’s criminal DUI calendar. Before her appointment she served as an assistant bureau chief with the sex crimes division of the Maricopa County Attorney’s Office.

Judge Bradley Astrowsky assumed Judge Raymond Lee’s juvenile calendar at the Southeast Regional Center. Previously, Judge Astrowsky served as an assistant bureau chief with the family violence division of the Maricopa County Attorney’s Office.

Pamela Svoboda, who has more than 20 years of legal experience, was appointed as a Superior Court judge. Judge Svoboda served as a court commissioner since 2005. Before joining the court, Judge Svoboda worked at the Arizona Attorney General’s Office. In 1998, she was named Prosecutor of the Year by the Attorney General’s Office.
and later Quarles & Brady after graduating from the University of Michigan (JD 1995), and as deputy attorney general from 2009-2012, Stanton said being a lawyer has been excellent preparation for being mayor. (He also served as a city councilman from 2000-2009.)

“The No. 1 thing as a lawyer—as in a campaign—is to remember that nothing is personal. That will serve you well,” he said. “No one can learn all the details of any one thing, and I’m confident in being a generalist.”

Stanton conceded that he sometimes finds it difficult as a lawyer to be a client to his city’s legal department. “I try to keep my mouth shut and be dispassionate.”

When Stanton began serving as mayor in January of 2012, he took the reins of a city of 1.4 million people and a budget of $3 billion plus. “You have to operate at a very high level, move quickly from one thing to another,” he said. “No one can learn all the details of any one thing, and I’m confident in being a generalist.”

One of his strategies for decreasing divisiveness is to increase the transparency and accessibility of city government, including streaming city government meetings live on television and the internet, scheduling public hearings on issues such as zoning and liquor licenses for evening hours when working people can have their voices heard, and making all city documents available online in a

Lewis and Roca Welcomes Melanie Pate and Alastair Gamble to the Firm

Melanie Pate has joined Lewis and Roca as a partner in its Labor and Employment practice group. Previously, Ms. Pate served as Chief Counsel of the Arizona Civil Rights Division (“ACRD”) at the Arizona Attorney General’s Office, where she worked for 15 years in litigation and management positions. She brings a true insider’s perspective into how state agencies function and make decisions. At Lewis and Roca, Ms. Pate helps clients resolve complex employment law matters and represents them before the Equal Employment Opportunity Commission and the Arizona Civil Rights Division.

Alastair Gamble has joined Lewis and Roca as an associate and focuses his practice on Labor and Employment at both the trial and appellate level. Representing a broad array of companies, Mr. Gamble counsels employers with both unionized and non-unionized work forces and has extensive experience defending against massive wage and hour class action cases. As an experienced advocate on legal and political issues, he has appeared on Wolf Blitzer Reports, Paula Zahn Now, The O’Reilly Factor, Countdown with Keith Olbermann and has written articles for legal journals, trade magazines and other publications.

MAY 2012 CALENDAR
All meetings at MCBA Office, unless otherwise specified.

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*Please watch your MCBA E-News for updated information about meetings and events.*
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Guide to Arizona Statutes of Limitation 2011 (2nd edition)
The one reference every lawyer really needs to meet critical deadlines and avoid malpractice
This 174-page book (softcover, spiral bound), newly updated through 2011, includes most, if not all, statutes where a time limitation is specified. Compiled, updated and edited by the MCBA Young Lawyers Division, the Guide is intended for use as an aid to Arizona attorneys in all areas of practice.

The Most Frequently Asked Questions in Environmental Law (2nd edition)
The environmental answer book for Arizona businesses and non-specialists
Completely up-to-date and comprehensive, this publication of 16 chapters covers every major area of environmental law of interest to persons and organizations in the Arizona business community. Each chapter has been drafted and updated by experienced local practitioners and provides fully referenced, Arizona-specific information. The content is presented in an informative, non-technical manner for use by non-environmental practitioners and non-lawyers. Also useful for legal professionals experienced in environmental law but needing a quick reference and research aid for questions in unfamiliar subject areas. Sixteen chapters, 200 double-spaced pages in a three-ring binder. Written and edited by the MCBA Environmental & Natural Resources Section. Downloadable online.

The essential criminal law practitioner’s reference
This book is a compilation of the most frequently referenced criminal statutes, rules, guidelines, timelines, and sentencing information, among other useful information. This second edition contains updates and additional sections to make it more practical and helpful for use as a portable criminal law desk reference. Use it as a quick reference during Arizona criminal proceedings. Spiral bound, 210 pages, the book lays flat and is convenient to take to court. Compiled by the MCBA Criminal Law Section. Downloadable online.

Order books online at www.maricopabar.org. You may purchase online with Visa, MasterCard or American Express, or download an order form and purchase by check. Save mailing charges ($5-$8) by purchasing books at the MCBA Office at 303 E. Palm Lane in Phoenix.

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BOOK REVIEW
When freedom of thought first walked ashore …

2012, Viking
www.penguin.com
480 pages, $35 (cloth)

By Hon. George Anagnost

In the year of its centennial celebration, the opening words of the Arizona Constitution’s Declaration of Rights are noteworthy and yet perhaps not that familiar: “A frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government.”

What are these “fundamental principles”? Where are they found? When the “people” amend their constitution to add other guarantees, are they reducing to written word a preexisting precept of natural law or somehow bringing into being a new “fundamental principle”?

Providing one approach that might help address such questions, John M. Barry’s Roger Williams and the Creation of the American Soul, centers on two legal relationships: the interplay of church and state and the rights of the individual versus the authority of the sovereign. At the center of these four quadrants is a deeper inquiry—the nature of a right to one’s own set of personal beliefs.

This individual freedom is the subject of Barry’s well-written biography and it is the story of one person’s struggle to bring to American political thought one of our most important civil liberties: the liberty of conscience.

While the average person nowadays might take for granted the “self-evident” truth that the law gives repose to individual thought and personal belief, the notion of “soul liberty” arose during a time of murderous violence and conflict in English and European history. The personal freedom of belief that all currently enjoy (and still debate) was obtained as a student at Cambridge University, his firmly held belief in religious toleration meant that he would decline an offer to minister at what he believed was their “unseparated church.”

Although he quickly impressed the Boston parish with biblical knowledge obtained as a student at Cambridge University, his firmly held belief in religious toleration meant that he would decline an offer to minister at what he believed was their “unseparated church.”

Troubled with his pronouncements that the “First Table” of the Ten Commandments (such as the sacred prohibitions against idolatry and blasphemy) should not be enforced by state magistrates and that the colonists had usurped Native American lands and rendered their charters invalid, the Massachusetts General Court ordered his banishment for heresy and sedition.

To avoid a ship waiting to take him back to England, in the dark of a cold winter in 1636, Williams escaped by walking over 100 hundred miles to obtain refuge with Massasoit, the Wampanoag sachem [high chief]. Even then, Williams’ life was one of constant struggle and uncertainty.

When Massachusetts, Plymouth, New Haven, and Connecticut joined as the United Colonies and claimed title to parts of Rhode Island as their own, Williams returned to England during the period of the Civil War and Restoration to obtain a new charter to reaffirm the independence of his Providence plantations.

It was during this time that he wrote two volumes that defined his character and mission: A Key into the Language of America, which told of the linguistics and culture of the Native Americans; and The Bloody Tenent, a polemic on freedom of religion and separation of church and state. (Thomas Jefferson’s well-known metaphor of a wall of separation between church and state, his letter to the Danbury Baptist Church, was actually taken from Williams’ writings.)

For Roger Williams, the imperative of a clear divide between church and state, between what he called the “Garden” and the “Wilderness,” was needed primarily to maintain purity of faith, not to establish religious neutrality in government.

As Barry notes in the closing pages of his book, Williams’ contribution to religious freedom has received mixed reviews. For some, he was an outsider who fomented discord; to others he represents a source of political individualism. There is no academic consensus as to the significance of his work.

As a matter of historical reference, when King Charles II also issued charters for New Jersey and Carolina, he invoked similar language to that of the 1663 Rhode Island grant, declaring that no one was to be “molestedit, punished, or disquieted” for their religion. Massachusetts formally rescinded his banishment by legislative action in 1936. Perhaps the longer reach of his importance can be found in Switzerland, where Roger Williams is one of only 10 individuals commemorated at Geneva’s Reformation Wall. Whatever Williams’ true legacy symbolizes, John Barry has provided an important book about an important figure in American history.

Judge Anagnost is the presiding judge of the Maricopa County Municipal Court. He attended Cornell University and Tulane Law School.

SAV E THE DATE!
WEDNESDAY JUNE 6 • 9 A.M. – 1 P.M. (Lunch included)
The Interaction of Sustainability and the Law
FEATURED SPEAKER S INCLUDE:
Ph i l M c N e ey , Manager, Office of Environmental Programs, City of Phoenix
B r i a n S n o w , Lovitt & Touche, Inc.
E d F o x , Vice President and Chief Sustainability Officer, Arizona Public Service

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At this conference you will learn the best practices for identifying key eDiscovery technological and legal issues related to critical areas of litigation preparation, including:

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- Testing and validating search terms in a workshop environment that will teach you how to develop a search protocol using an iterative methodology, the limitations of keyword searching, and the strengths and weaknesses of predictive coding.
- Discovering how best to engage opposing counsel and gain consensus related to the benefits of reasonably accessible sources of information as well as the costs and burdens associated with inaccessible sources.
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- Examining a case study and providing several hands-on application exercises.
- Encouraging you to work on team exercises that provide an opportunity for you to share ideas and immediately apply them to your practice.
- Inviting you to participate in networking events where you can share ideas and experiences.

P R I C I N G

One day - $349
Two days - $649
Three days - $899

L O C A T I O N

ASU Sandra Day O’Connor College of Law
Tempe, AZ 85281

R E G I S T R A T I O N

To register and for additional information regarding this upcoming opportunity, please visit http://ediscovery.lawclecenter.com/

W E D N E S D A Y  ■ J U N E 6
9:00 AM - 1:00 PM (Lunch included)

The Interaction of Sustainability and the Law

SPONSORED BY: the MCBA Environmental & Natural Resources Law Section

This program activity may qualify for up to 3.5 hours toward your annual CLE requirement for the State Bar of Arizona.

Learn about the impact of sustainability from a variety of perspectives, including large scale utilities, municipal governments, and insurance risk management, as well as its influence on the law and even your office.

PANEL OF PRESENTERS:
Phil McNeeley, Manager, Office of Environmental Programs, City of Phoenix
Brian Snow, Lovitt & Touche, Inc.
Jennifer Mott, Chair, State Bar of Arizona Task Force on Sustainability
Ed Fox, Vice President and Chief Sustainability Officer, APS

COST: Environmental & Natural Resources Law Section members: $115
Paralegal & Public Lawyer Division members: $80
MCBA members: $132.50
Non-members: $202.50
Law Student members: $10

H U R S D A Y  ■ M A Y 5
7:30 - 9:00 AM (Breakfast included)

Ethical Considerations for Volunteer Attorneys

May qualify for up to 1.5 hours toward your annual CLE requirement, including 1 hour of ethics, for the State Bar of Arizona.

Please join us for this FREE seminar (registration required) regarding ethical considerations for volunteer attorneys and learn how you can get involved with various pro bono organizations in Maricopa County.

After an introduction by Commissioner Richard Notthwehr, Pat Gerrich, Director of the Volunteer Lawyers Program at Community Legal Services, will present a program covering ethical rules 6.1, 6.5 and more.

The seminar will conclude with brief presentations by representatives of Modest Means, the Probate Lawyers Assistance Project (PLAP), Wills for Heroes and the Volunteer Lawyers Program at Community Legal Services (VLP).

Attendees will learn how these groups can be involved with these organizations to assist low income individuals with informal/formal probate, guardianships, and other Probate Court matters, and how they can assist with the preparation of estate planning documents for first responders.

P R E S E N T E R S:
Hon. Richard Notthwehr, Maricopa County Superior Court Probate Commissioner
Pat Gerrich, Director of the Volunteer Lawyers Program at Community Legal Services
Kim Bernhart, Modest Means
Kelly Kral, Probate Lawyers Assistance Project (PLAP)
Andrew Westle, Wills for Heroes

C O S T: No charge, but registration is required.

T H U R S D A Y  ■ M A Y 1 7
DOON - 1:00 PM (Lunch included)

Worker’s Compensation 101

1 standard CLE credit hour may be available.

This program will give practitioners in other areas of law a basic understanding of how the worker’s compensation system works in Arizona. Sample topics to be covered are wage replacement benefits, medical benefits, and permanent disability benefits available under the Arizona Worker’s Compensation act.

P R E S E N T E R:
Matt C. Fendon, shareholder, Fendon Law Firm, Phoenix.

C O S T: $185
Paralegal & Public Lawyer Division members: $157
MCBA members: $195
Non-members: $315
Student members: $40

S E S S I O N 1 ■ F R I D A Y ■ J U N E 1
11:30 AM - 1 PM (1.5 HOURS)

Overview of Bankruptcy Law

This portion of the series will provide an overview of bankruptcy law including a discussion of chapters 7, 13 and 11; intake considerations; analysis and strategy for selection of non-bankruptcy and bankruptcy remedies; consumer versus non-consumer matters; tax considerations; and being a counselor to the client.

P R E S E N T E R S:
Ben Reeves, Snell & Wilmer
Andy Harnisch, Ballard Spahr LLP

C O S T: $899
Two days - $649
Three days - $349

S E S S I O N 2 ■ F R I D A Y ■ J U N E 8
11:30 AM - 1 PM (1.5 HOURS)

Exemptions

This seminar will address developing case law and provide guidance to all lawyers involved in consumer bankruptcy work as to recent trends in the Exemption area and also show the practitioner how to avoid potential pitfalls.

P R E S E N T E R:
Phil McNeeley, Manager, Office of Environmental Programs, City of Phoenix

C O S T: Environmental & Natural Resources Law Section members: $115
Paralegal & Public Lawyer Division members: $80
MCBA members: $132.50
Non-members: $202.50
Law Student members: $10

S E S S I O N 3 ■ F R I D A Y ■ J U N E 1 5
11:30 AM - 1 PM (1.5 HOURS)

Pursuing and Defending Bankruptcy Avoidance Actions

If you think that “strong-arm power” is only found at the gym, this presentation is for you! The presenters will explore the science, mystery, and dark arts of Chapter 5 of the Bankruptcy Code. The program is geared towards new bankruptcy practitioners and litigators who only occasionally practice in bankruptcy court. Topics covered will include prosecution and defense of preference and fraudulent transfer actions. The program will also address transferee liability, subordination, recoupment, and the strong-arm power along with other bankruptcy litigation issues.

P R E S E N T E R S:
Ben Reeves, Snell & Wilmer
Andy Harnisch, Ballard Spahr LLP

C O S T: Environmental & Natural Resources Law Section members: $115
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Non-members: $202.50
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eDiscovery and Digital Evidence Symposium

Special Discount for MCBA members at the ASU CLE opportunity

P R O G R A M

Register for one, two or three days

May 23 - Technological Issues in eDiscovery
May 24 - ESI Discovery—Principles, Strategies and Tactics
May 25 - Symposium: The Cutting-Edge Practical Realities of eDiscovery—Keynote speaker, Judge John Facciosa.

Register at www.maricopabar.org or call Bree at (602) 682-8588

W E D N E S D A Y , J U N E 6
9:00 AM - 1:00 PM (Lunch included)

The Interaction of Sustainability and the Law

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Learn about the impact of sustainability from a variety of perspectives, including large scale utilities, municipal governments, and insurance risk management, as well as its influence on the law and even your office.

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Law Student members: $10

J U N E 2 0 1 2

B A N K R U T C Y L A W F U N D A M E N T A L S S E R I E S

Fridays June 1, 8, 15 and 29 (no session on June 22)
Lunch included

May qualify for 6 standard CLE credit hours (1.5 each)


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One day - $349
Two days - $649
Three days - $899

L O C A T I O N

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R E G I S T R A T I O N

To register and for additional information regarding this upcoming opportunity, please visit http://ediscovery.lawclecenter.com/
extrapolation
New Hires

Renee Gerstman recently joined the firm of Jabour & Wilk, PC. Gerstman’s primary practice areas are commercial litigation, corporate restructuring, bankruptcy, real estate, and business transactions. Shareholder and collections. She earned her B.A. at Barnard College of Columbia University and her J.D. at Northeastern University School of Law.

Ridenour, Hinton, Lewis, and Brown, PLLC announces that Robert Erven Brown recently joined the firm to serve as coordinator of their new Nonprofit Practice Group. This group supports the legal needs of nonprofit organizations, including denominations, churches, parochial ministries, synagogues and numerous secular charities. A certified specialist in real estate law, Brown has been in practice for 37 years and has advised over 100 nonprofit entities on governance, fundraising, strategic planning and campus security issues.

Quales & Brady, LLP announces that Rebecca In-Young Chung has joined the firm’s Phoenix office as an associate in the Corporate Services Group. Chung’s practice focuses on general corporate transactions with emphasis on mergers & acquisitions, securities, corporate finance and business transactions in industries including health care, financial services, life sciences and renewable energy. While in law school she served as a law clerk in Korea where she performed legal research on U.S. law and translated and reviewed Korean and English language summaries and legal documents. She earned her law degree from Cornell University Law School and her undergraduate degree from Columbia University.

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FAST GROWING LAW FIRM IN MESA SEeks an experienced Chapter 7/13 Bankruptcy Attorney with 2-10 years of experience for Full-Time position. Please include your resume, references, a writing sample and salary requirements. All responses will be kept confidential. Please contact webaccount@pwplaw.com or 480-264-0164 for more details.

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the border cities Nogales and Douglas, and several cities in the greater Phoenix metropolitan area. “Each city,” he wrote, “has a distinctive charter establishing the structure of its government and identifying its various city officials and their manner of selection.”

In territorial days, Arizona cities generally selected their council members by district elections. But the Reform movement—which influenced the framing of our constitution—advocated citywide, nonpartisan elections. Its adherents “contend[ed] that ward-based election systems resulted in city governments susceptible to control by ‘political bosses,’ corruption, and parochial neighborhood interests.” Many cities adopted at-large elections systems, and a dozen still use them.

But the political winds later changed, bringing “renewed support for district-based council elections.” Proponents of this system, Bales noted, “contend that at-large elections may be used to deny representation to particular groups, such as concentrated populations of minority or low-income residents, or may result in the neglect of neighborhood interests.” Phoenix, which had adopted at-large elections in 1948, amended its charter in 1982 to revert back to district-based elections.

The constitution and statutes, Bales wrote, “do not express a preference between at-large or district-based council elections.” “This flexibility,” he noted, “recognizes that each form of election has possible advantages and disadvantages.” On the one hand, “although at-large members are responsible to electors in the entire city, this may diminish attention to the interests of particular neighborhoods or groups.” On the other hand, “district-based elections . . . assure representation from different geographic areas but may elevate particular interests over city-wide ones.”

Tucson’s hybrid system is unlike any other in Arizona. Its voters have rejected separate elections in 1948, amended its charter in 1982 to use at-large elections. The same rationale applied the district-based primary elections leading to city-wide general elections. “The court there could ‘conceive of no essentials more inherently of local interest or concern to the electorate of a city than who shall be its governing officers and how they shall be selected.’ If our constitution’s home-rule provisions are to be effective, Bales wrote, ‘they must at least afford charter city autonomy in choosing how to elect their governing officers.”

The state argued that the court should disallow a difference to the legislative finding that “the conduct of elections described in this section is a matter of statewide concern.” Despite the respect that the court gives legislative findings, Bales wrote, “whether state law prevails over conflicting charter provisions under [the Constitution] is a question of constitutional interpretation,” a judicial matter.

“The issue,” Bales continued, “is not whether the legislature acted constitutionally in enacting § 9-821.01.” Rather, it was “whether, notwithstanding this statute, the constitution affords charter cities autonomy in structuring the elections of their governing councils.”

Bales was unpersuaded by the state’s argument that the statute furthered the state’s concern in dealing with the federal Voting Rights Act. The state asserted that Tucson’s election system hindered the state’s efforts to escape federal scrutiny and oversight under the VRA. According to Bales, the VRA did not change the calculus. Although Tucson has to comply with applicable federal law, he wrote, “at-large elections do not necessarily violate either the federal constitution or the VRA.”

Furthermore, the VRA could not change Strode’s interpretation of Arizona’s Constitution. “Although congressional enactments can pre-empt state law,” he wrote, “there is no contention that Congress has preempted the home rule provisions in Arizona’s Constitution, and we do not believe the VRA impliedly amended them.”

“If Arizona’s Constitution has become outdated in its respect for local autonomy,” Bales concluded, “it is up to Arizona’s voters to approve any amendment.” Joining him were Chief Justice Rebecca White Berch, Vice Chief Justice Andrew D. Hurwitz, and Justices J. Pelander and Robert M. Brundell.

Editor's note: Assistant Attorney General Daniel P. Schaack was part of the team that argued for the State of Arizona in City of Tucson v. State in the Arizona Supreme Court.

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Reduced budgets, higher workloads

Opinion: continued from page 2

Task Force on Preservation of the Justice System, bringing together those affected by this crisis to discuss strategies to help our judiciary. The task force has created a venue to share court funding stories and creative ideas on its website at americanbar.org. The ABA is also working with state and local bar associations to rethink how to sensibly spend taxpayer dollars to ensure public safety. In 1974, about 175,000 people were incarcerated in state prisons in the United States. By 2010, that number had risen to 1.4 million, an increase of 705 percent. We cannot sustain the costs of a system where states spend, on average, $23,000 per inmate per year.

Then there’s the issue of the punishment fitting the crime. In some states, fish and game violations, drug leash violations and feeding the homeless are offenses punishable by time in jail. We need to decriminalize minor offenses, utilize pretrial release and implement effective re-entry programs, among other reforms.

Finally, we must articulate what courts do and why they are so essential by more effectively educating legislators and the general public—especially young people—because that civic knowledge will drive a renewed dedication to the preservation of our justice system.

Courts must be open, available and adequately staffed. No one would accept closing the local emergency room, or the local fire house or the local police station for one day a week. Our justice system is no different. Let us join together to fight for this access, other wise…No courts. No justice. No freedom.

Win. T. (Bill) Robinson III is president of the American Bar Association and member-in-charge of the Northern Kentucky offices of Frost Brown Todd, LLC.
[A letter to all Maricopa County Lawyers]

THE MARICOPA COUNTY BAR FOUNDATION...

[Scene] LAWYERS CARE; THEY REALLY DO CARE!

In 1983, the Maricopa County Bar Association established the Maricopa County Bar Foundation to serve as its charitable arm. Each year, the MCBF awards grants to organizations and projects that enhance the rule of law and the system of justice in Arizona, with a focus on programs that relate to the administration of justice, ethics in the legal profession, legal assistance for the needy, and the education of the public. Since its inception, the MCBF has provided over $800,000 to a variety of programs that help provide legal assistance in specific areas of need, such as tenants’ rights, HIV/AIDS, children’s rights and disability.

Through the Arizona Equal Justice Foundation, a cause with which I have personally been involved since its founding in 2001, law firms and individual attorneys have supplemented the limited resources of the state’s three major civil legal aid programs: Community Legal Services, DNA-People’s Legal Services, and Southern Arizona Legal Aid. These programs have provided legal services to more than 10,000 clients who would not have been served without the necessary funds. The work of Community Legal Services is also supported by grants from the MCBF.

The work of the MCBF is a tribute to the concern, commitment and generosity of Maricopa County’s lawyers. Please consider investing in our community by offering financial support to the MCBF to ensure that the programs it supports continue to provide valuable services to those in need and to demonstrate that lawyers really do care.

Sincerely,

John J. Bouma

[Signature]

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