Maricopa County Bar Hall of Fame

As the Hall of Fame begins its sixth year, its Selection Committee again seeks candidates for induction into the 2013 Hall of Fame. To date, 92 exceptional lawyers and judges have been inducted (see list on page 7).

“We know there are many more worthy individuals who should be recognized,” said Hon. Glenn Davis, chair of the committee, “and we invite the legal community to bring them to our attention. In fact, we rely on firms and attorneys to nominate individuals who should be considered. Until someone nominates them, for the most part, we don’t know who they are.”

Hall of Fame candidates must have been in practice for at least 10 years, played prominent and important roles that have had an impact on the history and development of our local bar and the legal profession; made significant or unique contributions to the law or the administration of justice; and/or demonstrated significant leadership, advocacy and accomplishments in service to the community or the profession.

A full-page form for nominations can be found on page 7, though nominations may also be made online at www.maricopabar.org, and includes additional information required for each candidate. The committee members do not do their own research, so candidates are judged on the information submitted by their nominators.

MCBA Member of the Year

The Robert R. Mills Member of the Year Award was reinstituted last year with the selection of Hon. Glenn Davis as its 2012 recipient. “In 2013, we would once again like to thank and honor a special MCBA member in a public way,” said Jennifer Cranston, chair of the selection committee. “We have many members who do so much for the association, whether it’s through their sections or divisions, governing or organizing, or community service.”

Any MCBA member is invited to make a nomination. The criteria are:

(1) significantly contributes to the programs and activities of the MCBA;
(2) dedicates himself or herself to furthering the goals of the legal profession and promoting the ideal of professionalism; and/or
(3) shows an outstanding commitment to public service, including charitable, cultural, humanitarian and/or educational service, to the community at large.

To recommend a worthy recipient, please send a letter of nomination to Allen W. Kimbrough, JD, Executive Director, MEMBER OF THE YEAR, Maricopa County Bar Association, 303 E. Palm Lane, Phoenix, AZ 85004.

The deadline for both nominations is July 15, 2013. The Member of the Year and the inductees to the Hall of Fame will be recognized at the MCBA Annual Meeting/Maricopa County Bar Hall of Fame Induction on Oct. 30, 2013.

For more information, contact Laurie Williams at (602) 682-8585 or lwilliams@maricopabar.org. Information on both awards may also be found at www.maricopabar.org.

Hall of Fame seeks extraordinary candidates and MCBA invites Member of the Year nominations

Three voices, three movements still working toward equality

By Isolde Davidson

Representatives of three movements that have for decades sought to remedy injustice came together on Law Day, May 1 to give an overview of what was, is and what they think the future will bring. Their presentation was part of a CLE that commemorated the Law Day theme of “Realizing the Dream: Equality for All,” sponsored by the MCBA Young Lawyers Division.

Speakers were George B. Brooks, Jr., PhD, Publisher, NxT Horizon, who talked about African-American civil rights issues; Daniel Ortega of the Ortega Law Firm and an activist and leader in the Latino community; and William M. Hardin, a partner at Osborn Maledon, who addressed LGBT rights.

The moderator of the CLE, titled “…Equality for All? Civil Rights in Phoenix Yesterday, Today, and Tomorrow,” was Professor Lawrence Robinson (standing) of the Phoenix School of Law moderates a panel comprising (from left) Daniel Ortega, George Brooks, and William Hardin. The three panelists gave an overview of civil rights from Latino, African-American, and LGBT perspectives, respectively, on May 1 at the “…Equality for All? Civil Rights in Phoenix Yesterday, Today, and Tomorrow” CLE.
Now it’s Dad’s turn!

As many of you avid readers know, last month I paid homage to the two special ladies in my life—my mother and my wife. Well, it’s my father’s turn now, and for good reason.

I would not be a lawyer today if not for my own father—David Edward Funkhouser (have I mentioned before that we lack some originality in my family?). My father worked his way through law school, got good grades and secured a prized clerkship with the Iowa Supreme Court.

The justice he worked for lived in Mason City, Iowa, and so my father cooled his heels there for a year. Upon conclusion of the clerkship, he joined a small firm and, smartly, married my mother—a Mason City native—a few years later. This author was but a twinkle in their eyes at the time.

My father was a fantastic trial lawyer (he recently retired), stalwart of the bar, and won-derful father. His reputation always preceded him, and I admired the way his friends and peers respected him during my upbringing. That was the primary reason why I chose to pursue a legal career myself.

And while my father could have worked thousands of hours a year, could have become a judge or justice, or something much bigger, he focused on bettering the legal profession, and of course, focused on our family.

My father first served his county bar association and then made his way “through the chairs” of the Iowa State Bar Association, eventually serving as president in 1989. After that, he worked tirelessly on behalf of small and firm practitioners within the American Bar Association.

He eventually, and not surprisingly, became the state delegate within the ABA for the State of Iowa. And he did all this while still being home at 5:06 p.m. every evening (his office was a mere six-minute drive from our house).

When the time came for me to “figure out what I wanted to do with my life,” I naturally did, however, write a recommendation letter on my behalf, still keep a copy of that letter today in my “Dad” file.

As is sometimes the case between fathers and sons, we often fail to express how we feel about each other—either in writing or in person. However, whenever I get frustrated or down about my job, our profession or life in general, I pull the letter out and give it a read.

There is one passage I never get tired of: “His decision to seek admission to law school is entirely of his own choosing. Now that he has made that decision he has my full support and encouragement. I have tried to help him understand my belief that eroding standards of professionalism and civility among lawyers is a significant contributing cause. I have tried to help him understand my belief that lawyers occupy a special role in our society, have a responsibility to live by a higher standard of conduct than their personal and professional life, and that it is essential that lawyers achieve and maintain a good reputation among their peers, judges and the public they serve. His decision to seek admission to law school is entirely of his own choosing.”

My father and my mother did instill in me and my sisters that we must give back, not just of money, but of our time. That lesson has been with me forever, and will be with me always. And my father’s perception of our profession almost 13 years ago is eerily familiar to the current state of our legal profession.

Maricopa Lawyer
New Glendale AZ Justice Center meets multiple social service-related needs

By Gwen Kemnitz

Several West Valley men and women met late in 2012 to give birth to the idea of a social service center assisting those in need. The center is called the AZ Justice Center and is located in downtown Glendale. It is truly a social service center to help those who are voiceless and vulnerable.

This has been a dream of Steven Keist, an attorney who has practiced in the West Valley for over 25 years. In 1986, Steve, his wife Joann, and their two adopted sons moved to Glendale from Nebraska because of health issues affecting Joann. When they first came to Arizona, Joann was not expected to live longer than six to eight years. While living in Glendale, Joann has received a new heart and kidney. Steve and Joann recently celebrated their 36th wedding anniversary.

Steve has felt the call to help the needy. He has been responsible for an inner city legal program for the past ten years. This program has served those in the inner city at an affordable cost. By June 10 to Bree Boehlke at (602) 682-8588 or bboehlke@maricopabar.org

Steve realized that because of the increasing specialization of the law and the time demands of everyone’s practice, that the traditional model of providing volunteer legal services to the poor was not working.

So in October 2012, Steve met with recently-retired Phoenix police officer John Humphrey and paralegal Gwen Kemnitz to help formulate and create the AZ Justice Center. The concept is to provide legal, family, and addiction counseling for those within a geographic area.

The grand opening was held February 14, 2013. The mayor of Glendale along with three Glendale city council members attended. The mayor asked what the center was doing for veterans and thus was birthed an additional focus of providing services to veterans and military families.

The AZ Justice Center is a 501(c)(3) faith-based social service center. Robert Robinson has practiced law in the West Valley for 40 years. As Robinson considers retirement, he has taken on the directorship of legal services.

Rob, as he is known to his friends, has been meeting folks at the Justice Center since its opening. Because of the extensive nature of Rob’s practice, he is able to handle a multitude of legal issues, including criminal law matters, domestic violence issues, family law matters, juvenile law issues, and bankruptcy.

The concept of the Justice Center is for the legal director to limit their responsibility to providing legal counsel and, where appropriate, immediate legal response to issues, but more importantly, to refer an individual to a bank of attorneys equipped to take on the particular legal issue presented.

This same model is to be adapted to concerns regarding marital and addiction counseling. The AZ Justice Center will be equipping lay counselors to assist individuals with their issues. Until a sufficient number of lay counselors are trained, John Carter, a licensed addiction specialist will be meeting with individuals to give counsel and direction.

Besides Rob Robinson and John Carter, the Justice Center has approximately 20 other volunteers who are laying the foundation for servicing the needy in the West Valley. Terri Gaitan and Diana Ament are the administrative assistants helping to coordinate the scheduling of appointments. Kevin Atchison is serving as the director for veterans services. He also serves on the City of Glendale’s Mayor’s Commission.

The first day that the Justice Center’s doors were opened, two unique situations made clear how the center can assist people with no other alternatives.

A homeless veteran was the first person to enter the center that morning. Before noon, contact was made through Veterans Affairs in Washington DC in order to provide permanent housing for the veteran.

Additionally, a disabled woman, who claimed that it was a hardship to move her medical equipment from her apartment, shared the fact that the landlord had obtained a writ and the constable was to return later that day to remove her from her apartment.

In the interview she said she had an attorney for her Social Security disability who advised her that she had obtained an award and that she would be receiving Social Security disability benefits. When she asked him to help concerning her landlord/tenant problem, he indicated he did not engage in that type of practice of law. The Justice Center was able to contact the landlord’s attorney and make appropriate arrangements so the woman could stay in the apartment pending receipt of her Social Security award.

Information concerning the AZ Justice Center may be found on the Internet and on YouTube. Attorneys or paralegals who would like more information may contact Gwen Kemnitz at gkemnitz@joecharles.com.

Gwen Kemnitz is treasurer of AZ Justice Center and a paralegal at the Joseph Charles Law Office in Glendale.

City of Glendale Mayor Jerry Weiers laughs heartily during the ribbon-cutting of the AZ Justice Center in Glendale. The center has been the dream of Steven Keist, an attorney who has practiced in the West Valley for over 25 years.

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“Ommmm. . .”

The demands
The “Omm” mantra is said to have greatly restorative effects if uttered while in a meditative state. I have never been able to quiet my mind sufficiently to meditate for any length of time.

Instead, the times I have tried to meditate, it usually has the opposite effect—I get irritated that this task is keeping me from checking off the items (demands) on my to-do list. This type of behavior is beneficial to my career, but not so much to my ability to balance a demanding work schedule with relaxation.

Despite the general awareness and discussion on the subject, work/life balance is a constant struggle for most people, particularly professionals. I acknowledge that all sorts of jobs have extreme demands that can be all-consuming. I am simply writing from my own experience.

I think most of us professionals are continually faced with balancing their work demands with personal demands due to an “other-driven (work) life.”

For example, such outside forces may include: Waiting for a client to respond, waiting for opposing counsel to respond, waiting for an opposing party to respond, waiting for a judge to rule, or waiting for a partner to approve, just to name a few.

The balance
I am starting to examine the issue of balance because I have realized that for the indefinite future, the pace will not slow down. I do not complain about this because it’s indicative of productivity. However, to restore balance and my ability to manage the attendant stress of being an attorney, I have found a few tips useful.

The first is managing my expectations. I have learned that most tasks seem to take twice as long as I expect. This includes anything from cleaning the house to writing a motion.

Aside from the obvious of prioritization, what has assisted me in managing these expectations is to literally be present in the moment as I address the task at hand, and to be realistic about the timeframe. That way I still accomplish the task in a timely and proper manner, but without the unnecessary stress of failing to meet those unrealistic expectations.

The second helpful tip I have implemented is managing my attitude and perspective.

For example, I now ask myself whether it’s truly necessary to work any given evening/weekend. Or is it just a habit of mind and the task can actually wait?

Something I try to consider: Might it be more beneficial to get some rest and be refreshed for the following day or work week? It always startled me to discover just how rejuvenated I am after some serious down time and how quickly and efficiently I can then complete a task.

My third tip is to schedule a couple of activities per week that have absolutely nothing to do with work and have one main ingredient—fun. For me, it’s Pilates, dinner with family or friends, seeing a show, or attending a sporting event. Sure, I prefer to be spontaneous, but most weeks that’s simply not possible.

I have found that such leisure activities, though not of the “Omm” variety, are still incredibly good for the psyche, critical to maintaining relationships, and most of all, relaxing.

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Sarah Fluke

Reach out and sue someone

If you are reading this, you are probably in the legal business and thus you most likely work in a law firm. If you are currently working for a law firm, you have most likely helped a client sue someone in hopes of recovering damages to make them whole. For those of you who practice defense work, then you have most likely helped a client defend themselves against a lawsuit.

What about personally? Have you sued anyone personally or been sued personally lately? No? Well, did you burn your tongue drinking your morning coffee today? Or perhaps you stepped on a Lego last night causing brief but excruciating pain? Well, there’s a perfect opportunity for you to reach out and sue someone.

I understand our jobs as lawyers and paralegals are to either make our clients whole because someone has damaged them or to defend our clients against baseless claims. But do you ever have the urge to tell a litigant that what they want from their lawsuit is completely ridiculous and no one deserves $67 million from their dry cleaner for a lost pair of pants?

Although it is understandable why some litigants file egregious claims. Take a look at our society. Our culture is made up of instant gratification and entitled people (generally speaking) who are looking for the easy button around every corner. It is hard for me to listen to a news story without immediately thinking of three or four people the victim can sue as a result of the incident.

But that’s the standard. If you get in a car accident because you’re speeding, sue the car manufacturer for allowing the car to drive that fast. If you’re underage child uses a fake ID to purchase alcohol and dies from alcohol poisoning, sue the establishment for not knowing it was a fake ID.

I’m sure some of you are screaming at me in your office. I understand this is your livelihood. How dare I suggest someone shouldn’t be made whole after a horrific incident that alters their lives forever? For the record, I am perfectly fine with a defendant paying for the damage they have caused to a plaintiff.

What I’m not okay with is that we as a society seem to have forgotten our responsibility to exercise common sense in our daily lives. I’m also not okay with consumers as a whole forgetting about reasonable consumer risk that is assumed with certain products or activities. I am certainly not okay with people suing for absolutely no good reason at all.

So what does this mean for lawyers and paralegals? Obviously it is a lawyer’s job to validate a claim prior to filing a lawsuit. It is also a lawyer’s job to make the best case possible for his or her client once they have accepted a claim. But shouldn’t it also be the lawyer’s responsibility to advise a client when the claim is baseless and frivolous?

You may argue, What about the pro pers? To that I respond that our court system should have the ability to deny these claims in the initial phase of filing. Why should we continue to allow these lawsuits to clog our justice system when most of them get dismissed several months after the initial filing? They are a roadblock to those litigants who are owed a day in court and a chance to plead their case.

We will always have vexatious litigants who file frivolous lawsuits. It’s what keeps us in business. However, at some point, we as a legal community must come together and agree something should be done to limit these lawsuits. We need to work together as a legal community to educate consumers on the cost of these lawsuits and that, simply put, they do not have a snowball’s chance in Hades.

And if you don’t like that suggestion, you can always crumple this article up and use it to make your three-point shot from your desk to your trash can. Just remember, if you get a paper cut while doing it, the MCBA and I are not liable for your injuries. I already consulted my attorney.

Lessons in drafting deadlines

Legal Writing

Tamara Herrera

As a professor who regularly teaches legal writing and property law, I draft deadlines in all that I do, from paper due dates to oral arguments. I have also heard just about every excuse for a student’s failure to meet some deadline, including the ambiguity of the deadline’s language. I have learned two major lessons on how to draft a clear deadline, and they are applicable to all types of legal writing.

Lesson 1: If the deadline has a set date and time, use a two-part formula when writing it out. First, use a specific preposition that sets parameters to the deadline. Second, use the specific date and time, if time is important. The most popular prepositions include the following:

- On
- On or before (after)
- No later (earlier) than

Other prepositions, such as until or by, are ambiguous because a reader would not be sure if the deadline includes the deadline date (ex. until July 1, 2013). Thus, a non-ambiguous deadline would read as follows:

- A member must pay dues on or before July 1, 2013 at 5:00 p.m. EST.

Lesson 2: If the deadline has some event that starts the running of the compliance period, make sure this event is specifically mentioned in the deadline sentence.

Ambiguous: The member has 30 days to pay dues. The member must pay dues no later than 30 days after the notice date.

In the first example, neither a specific date nor a triggering event is included. In the second example, the term “notice date” could refer to several dates, such as the date the notice was mailed or the date the member received the notice. To fix this problem, define the event specifically in the sentence.

The member must pay dues no later than 30 days after the notice date appearing on the dues statement.

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Hall of Fame Nominations Sought for 2013

The Maricopa County Bar Hall of Fame Selection Committee is now seeking nominations for 2013. The committee expects to select inductees from the broad diversity of lawyers in the county.

The deadline for submissions is July 15, 2013.

Hall of Fame Criteria

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

- Played prominent and important roles that have had an impact on the history and development of our local bar and the legal profession;
- Made significant or unique contributions to the law or the administration of justice; and/or
- Demonstrated significant leadership, advocacy and accomplishments in service to the community or the profession.

Please note that nominees from previous years will not automatically be re-considered for 2013. You are, however, invited to re-submit a previous nominee with complete information as noted below.

Submission Requirements

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

Where to Submit Nominations

Nominations will be accepted by mail, email or through the MCBA website. Forms should be mailed or emailed to: Laurie Williams, Hall of Fame, Maricopa County Bar Association, 303 E. Palm Lane, Phoenix, AZ 85004-1532. Phone: (602) 257-4200. Email: lwilliams@maricopabar.org

 Hall of Fame Inductees 2008-2012

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<td>Hon. Joseph Kibbey</td>
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<td>Anita Lewis</td>
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Hall of Fame Nominations Sought for 2013

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<td>Jack E. Brown*</td>
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<td>Hon. Hayzel B. Daniels*</td>
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<td>Paul F. Eckstein</td>
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* Deceased

MCBA 2013 NOMINATION FORM

Use this form or go to www.maricopabar.org

NAME OF NOMINEE

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

   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
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*The selection committee relies upon the detailed bio to make a decision. Also separately, please send a photograph (optional) in jpg format, as an attachment to email.

Firm/Employer:__________________________________________
Name: ________________________________________________
Address: _____________________________________________
City: _________________________________________________
State: ___________________ Zip: ________________________
Telephone: ________________________ E-mail: ______________

DEADLINE FOR SUBMISSION IS JULY 15, 2013

Submit to: Laurie Williams, Hall of Fame, Maricopa County Bar Association, 303 E. Palm Lane, Phoenix, AZ 85004-1532.
Email: lwilliams@maricopabar.org Phone: (602) 257-4200 Website: www.maricopabar.org
New judges in Pima County

Three new judges were appointed to the Superior Court by Gov. Jan Brewer last month. They are Sean Brearcliffe, Michael Butler and Brenden Griffin.

The appointments were made to fill vacancies created by two retirements and the appointment of Judge Michael Miller to the Arizona Court of Appeals. Brearcliffe is an Air Force veteran and a partner and owner of the law firm Rusing, Lopez and Lizardi. His focus has been commercial litigation, including construction, insurance and personal injury cases.

Licensed to practice law in Arizona since 1993, Butler is a senior partner at Butler, Oden and Jackson. Griffin is a partner with the law firm of Gabroy, Rollman and Bosse. He was previously a judge pro tempore in superior court and worked as a clerk for the Illinois Appellate Court.

KEEP UP WITH FACEBOOK AND TWITTER

Find out about the “goings on” at the MCBA. Watch videos, peruse event photos, and stay up to speed with upcoming CLE and programs. Plus, find promos that can help you save on CLE!
YLD Law Day Events 2013

Three major events marked Law Day 2013, the commemoration of which is one of the MCBA Young Lawyers Division hallmark activities. With the theme of Realizing the Dream: Equality for All, the YLD sponsored a CLE on May 1, “Equality for All Civil Rights in Phoenix Yesterday, Today, and Tomorrow,” an essay contest for 6th, 7th and 8th graders with an awards ceremony at the Supreme Court for the winners, and two Ask-a-Lawyer events, one at the Scottsdale Farmers Market May 11 and another at the Ahwatukee Farmers Market on May 19. We’re sharing a summary of the CLE beginning on page 1 and photos of the other events here.

Ahwatukee Ask-a-Lawyer

Hon. Lawrence Winthrop introduced the essay contest winners, all from the Roosevelt School District, to the workings of the Arizona Supreme Court.

Racial discrimination, lack of equal opportunity occurs, in my opinion, because someone believes that if I get a piece of the pie, your part of the pie must shrink. Which is a fallacy. Through sustainability, we can make the pie bigger, within reasonable limits.

One young lawyer who came to the MCBA Young Lawyers Division hallmark events here.

But Brooks says the battle is not over and it’s a more complex one today. Now it’s not just about being Black, Latino, gay or female, though all the access issues are real. But in the future, the issue will be about sustainability, he said.

Three voices, three movements still working towards equality continued from page 1

fessor Lawrence A. Robinson of the Phoenix School of Law.

George B. Brooks, Jr, PhD

Brooks related that he came from a highly-educated family raised in South Mountain Village—a place where African-Americans were once forced to live and today value as their own community. His father, George B. Brooks, Sr., set the example. A Presbyterian minister, he earned two bachelor’s, two master’s and two PhDs and was a leader in the civil rights struggles of the 1950s and 60s.

“My father wrote and lobbied in Washington for the nucleus of the program that became Head Start. My mother was a scientist and the first to figure out how to grow the Valley Fever fungus so it could be studied. She had a master’s from ASU,” Brooks said.

But, he called Phoenix a pocket of “traditional thinking” that was very difficult to overcome. As a teenager, Brooks was thrown out of Woolworth’s when he tried to eat at the counter. That galvanized his father, he said. “And it was a fight.”

He recalls one young lawyer who came to a protest for African-Americans’ right to sit at a counter. It was future Supreme Court Chief Justice William A. Rehnquist. He insisted blacks did not need public accommodation. In fact, Brooks recalls, “he became so annoying that he had to be removed by the police.”

But Brooks says the battle is not over and it’s a more complex one today. Now it’s not just about being Black, Latino, gay or female, though all the access issues are real. But in the future, the issue will be about sustainability, he said.

Ahwatukee Ask-a-Lawyer

Khurram Karim of Karim Law and Ben Eid of Farley Seletos & Choate discuss a collection matter with a woman.

Jen Rebozol of Farley Seletos & Choate listens as a woman relates her legal situation.

Kira Simonow of Hardis, Bragg, Appel & Rossi answers a question.

Three voices, three movements still working towards equality

Continued from page 1

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**MARIPOPA LAWYER**

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CONTINUING LEGAL EDUCATION FROM THE MARICOPA COUNTY BAR ASSOCIATION

WHERE THE LEGAL COMMUNITY CONNECTS

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### STARTING YOUR OWN FIRM?
**PREPARE FOR SUCCESS!**

**TUESDAYS**

**JUNE 4 • JUNE 11 • JUNE 18 • JUNE 25**

8:00 - 9:30 a.m. • Breakfast is included.

Sponsored by the MCBA Young Lawyers Division. Each session: 1.5 hours

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### SESSION III • TUESDAY • JUNE 4
**Law Firm Ethics**

- Ethics Tips for Establishing a New Practice—the Basics of Dealing with Client Money
  - Setting up a trust account
  - Fee agreements
  - Regular billing statements
  - Collecting from clients
  - Accepting credit card payments
  - State Bar resources

**PRESENTERS:**
- Karen Clark, Adams & Clark
- Ralph Adams, Adams & Clark
- Joseph Lunskey

### SESSION V • TUESDAY • JUNE 18
**How Do I Get Clients: Marketing and Beyond**

1. This session will give you tips on every thing you need to know about networking, advertising, and marketing your law firm.

   - Effective Networking: Using non-attorney referrals to your benefit
   - Tips for Rainmaking: Steps for turning contacts into business—in a cost-effi cient manner
   - Your Marketing Plan: Creating and executing your marketing plan, including use of traditional advertising and social media
   - Question and Answer segment

**PRESENTERS:**
- Matt Fendon, Fendon Law Firm
- Brent Kleinman, The Kleinman Law Firm PLLC
- Races Mohamed, Wong Fuji Carter PC
- Allen Kimbrough, Maricopa County Bar Association

### SESSION IV • TUESDAY • JUNE 11
**Office Technology & Law Firm Accounting**

- Fax machines vs. eFax services
- Virtual receptionist/conference room services
- File management software (do you need expensive software?)
- Website creation
- SEO (Search Engine Optimization)
- Three-way reconciliation
- Collecting from clients
- No charge time (or Courtesy Reductions): deleting time from bills
- Three-way reconciliation
- Sample Quickbooks

**PRESENTERS:**
- Judd Nemiro, Law Offices of Judd S Nemiro PLLC
- Krystal Ahart, James F. Kahn, PC

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### SERIES/INDIVIDUAL SESSION PRICING

- MCBA YLD Division members: $250 / $60
- MCBA members: $295 / $67
- MCBA Paralegal & Public Lawyers Division members: $160 / $45
- Non-members: $615 / $90
- MCBA student members: $100 / $25

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### JUNE 2013

**BANKRUPTCY LAW FUNDAMENTALS SERIES**

**JUNE 7, 14, 19, 28**

11:30 a.m. - 1 p.m. • Lunch included

*(Each session 1.5 hours)*

Register for all four sessions and save!

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**PROGRAM LOCATION**

Unless otherwise specified, all programs are held at the Maricopa County Bar Association office at 303 E. Palm Lane, Phoenix 85004.

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**THREE WAYS TO REGISTER**

**ONLINE**

Register online at: www.maricopabar.org. Click on “Calendar of CLE & Events” or on the CLE program listing on the right side.

**DOWNLOAD PRINTED FORM**

Follow directions for online registration. Then, from the program’s online registration page, download a print registration form to mail or fax.

**PHONE**

Call Bree at (602) 682-8588

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**APPROVE ACTIVITIES FOR CONTINUING LEGAL EDUCATION (CLE)**

- The State Bar of Arizona does not approve or accredit CLE activities for the Mandatory Continuing Legal Education requirement. The activities offered by the MCBA may qualify for the indicated number of hours toward your annual CLE requirement for the State Bar of Arizona, including the indicated hours of professional responsibility (ethics), if applicable.

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**LATE REGISTRATION**

Full payment must be received in advance of the program before you are considered registered.

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**SESSION I • FRIDAY • JUNE 7**
**Overview of Bankruptcy**

**SPEAKERS:**
- Geoffrey M. Khotim, Nussbaum, Gillis & Dinner, PC
- Kyle Hirsch, Bryann Cave, LLP

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**SESSION II • FRIDAY • JUNE 14**
**Exemptions**

**SPEAKERS:**
- Randy Nussbaum, Nussbaum, Gillis & Dinner, PC
- Brad Pack, Engelman Berger, PC

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**SESSION III • WEDNESDAY • JUNE 19**
**Pursuing and Defending Bankruptcy Avoidance Actions**

**SPEAKERS:**
- Ben Reeves, Snell & Wilmer
- Andy Harnisch, Ballard Spahr, LLP

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**SESSION IV • FRIDAY • JUNE 28**
**The Means Test**

**SPEAKER:**
- Cindy Greene, Carmichael & Powell

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Most CLEs are available for simultaneous webcast or later viewing through West LegalEd at http://tiny.cc/kg4cjw (**webcast** icon indicates confirmed webcast)
**CLE COMMUNIQUE**
CONTINUING LEGAL EDUCATION FROM THE MARICOPA COUNTY BAR ASSOCIATION

WHERE THE LEGAL COMMUNITY CONNECTS

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**WEDNESDAY • JUNE 5**
**11:30 AM - 1 PM (Lunch included)**
**Getting to Know the New South Court Tower Courtrooms**

**SPONSORED BY:**
MCBA Paralegal Division

**1 hour CLE credit available**

The New South Court Tower is open! Join us for this CLE program that features all that this new and tech-savvy building has to offer. Covered in the session:

• What kinds of cases are heard in these courtrooms?
• What kind of audio/video digital recordings systems are in the courtrooms?
• What technology is in the courtrooms?
• What ancillary locations display courtroom technology?
• How do I get training to use the courtroom technology?
• How do I get copies of the digital recordings made of proceedings?
• How do I get a transcript of a proceeding?
• How do I get information about technology in other Superior Court locations?

This seminar is one hour of CLE and thirty minutes of networking following the presentation.

**PRESENTER:**
Bert Bender, Director of Courtroom Technology, CTS – Superior Court of Maricopa County

**COST:**
MCBA Paralegal Division members: $15
MCBA Student members: $10
MCBA Non-Paralegal members: $20
Paralegal Non-members: $30

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**THURSDAY • JUNE 6**
**1 - 4 PM**
**Applied Ethics: The Intersection of Discipline and Malpractice**

**3 hours of professional responsibility available**

• Tips from the front lines (ethics attorney and insurance brokerage-in-house lawyer) on best practices for avoiding Bar complaints and malpractice allegations.
• Review of recent “hot cases” and what you can learn from them. What are the implications of ethics cases for malpractice, and vice versa.
• Insurance 101: Avoiding traps for the unwary.

**PRESENTERS:**
Rian Jorgensen, J.D., Senior Vice President, Ahern Insurance Brokerage
Denise M. Quinterri, Law Office of Denise M. Quinterri, PLLC

**COST:**
MCBA members: $115
MCBA Paralegal & Public Lawyers Division members: $70
MCBA Student members: $10
Non-members: $190
Law Firm Staff member: $25

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**FRIDAY • JUNE 7**
**1 - 5 PM**
**Family Law Trial Advocacy**

**SPONSORED BY:**
MCBA Paralegal Division

**4 hours CLE credit available**

This popular CLE is in the format of a mock trial at the Phoenix School of Law. Attorneys acting as the parties and an expert provide testimony while multiple well-known family law attorneys present either direct examinations or cross-examinations to a panel of Superior Court Judges. At the conclusion of the “trial,” the judges provide feedback and enter a ruling. Attendees at this CLE will learn pointers on how best to present their family law case, as well as receive important feedback from family court judges. This CLE is not to be missed and fills up fast. Reserve early!

**TRIAL PARTICIPANTS:**
Hon. Sam Myers
Hon. Douglas Gerlach
Hon. Christopher Whitten
Annette Burns, Law Offices of Annette T Burns
Merynn Braude, Jaburg Wilk, PC
Helen Davis, The Cavanagh Law Firm, PA
Angela Hallier, Hallier & Lawrence, PLC
Jeffrey Pollitt, The Law Office of Jeffrey G. Pollitt, PC
Jennifer McKusick, The Law Office of Jeffrey G. Pollitt, PC
Steven Serrano, Burch & Cacchiolo, PA
Nicole Siqueiros, Stouffer, Hallier & Lawrence, PLC
Diana Radler, Radler Lucero, PLLC

**COST:**
MCBA members: $120
MCBA Paralegal & Public Lawyers Division members: $80
MCBA Family Law Section members: $120
MCBA Student members: $10
Non-members: $230

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**TUESDAY • JUNE 11**
**12 - 1 PM (Lunch included)**
**Photo Enforcement Basics—The Law and Procedure**

**1 hour CLE credit available**

What to expect:
• The applicable statutes
• The applicable procedures
• The usual path leading to the issuance of the notice of violation and/or the complaint
• Service of process
• Options for defendants
• Traffic court procedures
• MVD consequences

**PRESENTER:**
Michael Kielsky, Kielisky Rike, PLLC

**COST:**
MCBA members: $45
MCBA Paralegal & Public Lawyers Division members: $30
MCBA Student members: $10
Non-members: $75

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**WEDNESDAY • JUNE 12**
**11:30 AM - 1 PM (Lunch included)**
**Ethical Issues in Construction Litigation**

**SPONSORED BY:**
MCBA Construction Law Section

**1.5 hours of professional responsibility available**

The seminar will address various ethical issues that frequently arise in construction litigation from the perspective of owners, general contractors and subcontractors. Topical include client solicitation, multiple-client representation, fee agreements, preservation of records, party communications, conflicting scopes of work, and insurance coverage issues.

**PRESENTERS:**
Darren Shuquem, Dicks, Coglanian & Shuquem
Jason Kelly, Schneider & Ondrof
Greg Cahill, Dickinson Wright Mariiscal Weeks

**COST:**
Construction Law Section members: $55
Paralegal & Public Lawyers Division members: $60
MCBA members: $62.50
Non-members: $92.50
Law student members: $10

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**THURSDAY • JUNE 13**
**7:30 - 10:30 AM (Breakfast included)**
**Ethical Issues for Estate Planning, Probate, and Trust Lawyers**

**SPONSORED BY:**
The Estate Planning, Probate, and Trust Section.

**3 hours of professional responsibility credit available**

Estate planning and probate presents a minefield of ethical issues. Join legal ethics attorney Karen Clark for a practical discussion of ways to detect and defuse these dangers. You’ll find out the current trends in ethics violations reported and resolved by the state bar, as well as how the state bar processes ethics and client complaints. You’ll also learn how to identify and tactfully handle those sticky situations that arise in daily practice.

**PRESENTER:**
Karen Clark, Adams & Clark, PC

**COST:**
MCBA Estate Planning, Probate, and Trust Section members: $110
MCBA members: $115
MCBA Paralegal & Public Lawyers Division members: $70
MCBA Student members: $10
Non-members: $150
Law Firm Staff members: $25

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**THURSDAY • JUNE 13**
**11:30 AM - 1 PM (Lunch included)**
**Criminal Law Fundamentals**

**SPONSORED BY:**
Criminal Law Section

**1.5 hours CLE credit available**

**Successful Outcomes:**
Guiding Your Client Through Sentencing and Beyond

**PRESENTERS:**
Janet Blake, Maricopa County Adult Probation
Jerald Schreck, Trial Group Supervisor, Maricopa County Public Defender Office

**COST:**
MCBA Member: $62.50
MCBA Criminal Law Section Member: $35
MCBA Public Lawyers Division members/Paralegal Division members: $45
MCBA Student Member: $10
Non-Member: $102.50

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**FRIDAY • JUNE 14**
**8:30 AM - 2 PM (Lunch included)**
**State Bar Required Course on Professionalism**

Newly admitted members and registrants are required to attend, pursuant to Supreme Court Rule, the State Bar’s professionalism course within the first year of admission or registration, unless exempt.

4.25 hours of professional responsibility available

In a profession that was designed to be adversarial in nature, it’s only natural that conflicts with our colleagues, the judiciary and our clients may arise. How we resolve these conflicts reflects upon the profession as a whole.

This course is designed to help restore civility and elevate the standards by which we treat all those with whom we come in contact.

This course explores professionalism principles and analyzes a series of professionalism hypotheticals pertinent to lawyer’s relationship with clients, judges and other attorneys. The bulk of the seminar is presented in interactive breakout groups.

**SPEAKERS:**
Lynda Shefy, The Shefy Law Firm
Keith Swisher, Phoenix School of Law
Hon. Peter Swan, Arizona Court of Appeals - Division One
Christina Urias, Christina Urias, Director, Christina Urias Consulting LLC, Insurance Law and Regulation

**COST:**
MCBA members participating less than 3 years: $95
MCBA members participating more than 3 years: $125
Non-members: $150

See CLE Communique page 12
AZ Environmental Quality Depart. focuses on efficiency, value

By Margaret Olek Esler

Margaret Olek Esler

The MCBA recently hosted a CLE titled “ADEQ Goes Lean,” an evaluation of the operations of the Arizona Department of Environmental Quality (ADEQ) and the Department’s Strategic Plan through the year 2018.

Speakers were Laura Malone, director of the Waste Programs Division, and Eric Massey, director of the Air Quality Division.

ADEQ’s Strategic Plan for 2014-2018, available on ADEQ’s website at http://adeq.gov/function/forms/download/strategic-plan-2012.pdf, was created to support environmentally responsible economic growth in Arizona, enhance Arizona’s unique environment, and accelerate cleanup actions. ADEQ leadership has worked with its staff to determine how best to accomplish those goals.

The department has developed specific plans to achieve its goals. It aims to reduce the time it currently takes to process pollution permits by 50% over five years, with several intermediate decreases, and to assist facilities in remaining compliant with permit requirements over time. This will help protect the environment by avoiding the time and cost associated with illegal releases of air and water contaminants.

Other initiatives include a reduction of 10% over five years of waste per capita sent to landfills, and an increase in the number of vehicles in compliance at the time of emissions inspection by 50% over five years.

ADEQ also intends to establish more frequent and consistent monitoring to detect potential problems early, and the department hopes to achieve an improvement in air and water quality in at least 50% of the State’s air and waters over five years.

Malone and Massey made clear that ADEQ does not expect success in meeting the department’s goals to be a function of a single, static plan. ADEQ anticipates that its needs, and the needs of those served by the department, will fluctuate and change over time.

ADEQ aims to ensure success through thoughtful planning and disciplined execution of resulting plans, with data collected frequently throughout the process to check that the current plan is working and, if not, take prompt action based on a more appropriate reevaluation.

ADEQ also hopes to reduce turnover within the department to promote consistency and efficiency, and plans to hire additional staff to meet the goals outlined in its Strategic Plan. Additional staff will be crucial to implement a number of planned actions, including an increase in technical assistance available to facilities, improved electronic resources on ADEQ’s website, outreach and educational programs, and partnerships with universities and facilities for internship opportunities for students of environmental protection and sustainability.

The lean process implemented by ADEQ, with a focus on efficiency and value, is used by businesses to serve their customers. Who are ADEQ’s customers? According to the department, its customers are the public—taxpaying residents of Arizona who have an interest in the state’s environment.

Thus far, the changes made within the department have been shown to work. For various types of facilities seeking air quality permits, including mines, wastewater treatment plants, and construction companies, the permitting time has been reduced by as much as 75% in some cases.

Malone and Massey are of the belief that ADEQ is on the correct path, and anticipate that the results of the processes implemented to accomplish the goals of the Strategic Plan will provide measurable benefits to Arizona residents.

Margaret Olek Esler is an associate at Fennemore Craig and a member of the Maricopa Lawyer Editorial Board. She practices in real estate law and has an extensive background with environmental issues.
VLP ATTORNEY OF THE MONTH
Career change and sacrifice brings fulfillment to this lawyer

By Peggi Cornelius, VLP Programs Coordinator

Joshua De La Ossa describes himself as a fourth generation Arizonan of Hispanic descent. When he speaks of the southern Arizona ranch along the U.S.-Mexico border where he was raised, he also mentions that it’s a homestead his great-grandfather established after migrating from California in the mid-1800s.

He notes with pride that his father is raising cattle on the same land today. With his appreciation of history and personal heritage, it’s easy to imagine how De La Ossa developed a strong commitment to community service and how he’s come to be honored as “Attorney of the Month” by the Maricopa County Volunteer Lawyers Program (VLP).

Although De La Ossa recalls a boyhood desire to become a lawyer, it was a dream that would not come to fruition until he’d had an impressive career in secondary education.

A recent graduate of the Phoenix School of Law, he reflects, “After earning my Master’s Degree in Educational Leadership, I felt I’d retire as a teacher. I miss the unique and special synergy on a high school campus, but I use many of my teaching skills to break down legal issues for my clients.”

Following the example of his grandmother, Vella, who was a human rights activist in her community, De La Ossa began his pro bono endeavors while still a law student. His introduction to the VLP began with his interest in fair housing practices. Serving as a volunteer, he worked under the supervision of Stanley Friedman, a retired attorney who initiated and coordinates VLP’s “Good Landlord-Good Tenant Project” in a Chandler justice court.

Since opening a law office focusing on immigration and criminal defense matters, De La Ossa has pursued pro bono opportunities available through VLP’s Children’s Law Office Program (CLOC). Being the father of a seven-year-old son and two-year-old daughter, he’s naturally attuned to responsibilities that accompany child rearing, and equally aware that improving the family life of children is one way to affect the well being of a society.

“I will always remember sitting down with my first pro bono client,” he said. “She was sobbing, as she told me her story; and it brought the importance of this work to life for me.” In less than a year, De La Ossa has agreed to represent CLOC clients in guardianship, adoption, and court appointed advisor cases.

De La Ossa’s bi-lingual abilities in English and Spanish bring added value to his pro bono efforts. He also engages in volunteer work through his membership in the American Immigration Lawyers Association, and enjoys assisting the Hispanic community to navigate the justice system.

As he observes, “The justice system is complex and expensive. No one should be denied access because they don’t understand the system or cannot afford quality legal help.”

His decision to attend law school and open a solo law practice has meant sacrifice and commitment for those closest to De La Ossa. To accomplish it, he and his wife sold their home, moved from a small community to a large urban environment, and relied on encouragement and support from extended family members. De La Ossa expresses gratitude that his wife “keeps everything together” for the family and often works in his office, too.

Gratitude is returned to him and his family by the pro bono clients he serves. De La Ossa says, “The clients are very humble, and there is nothing more fulfilling than helping people who would be shut out of the courtroom if VLP lawyers were not willing to share their time and talent.”

Volunteer Lawyers Program Thanks Attorneys

The Volunteer Lawyers Program thanks the following attorneys and firms for agreeing to assist on 26 cases referred by VLP to help low-income families. VLP supports pro bono service of attorneys by screening for financial need and legal merit and provides pro bono malpractice coverage, donated services from professionals, training, materials, mentors, and consultants. Each attorney receives a certificate from MCBA for aCLE discount. For information about ways to help, please contact Pat Gerrich at VLP at 620-254-4714 or pgerrich@clsaz.org.

**PRO BONO SPOTLIGHT ON CURRENT NEED**

Lawyers and paralegals who speak Spanish are needed to assist low-income families.

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Achievements

Andrea Marconi, a shareholder at Fennemore Craig, has been elected to Arizona Humane Society’s Board of Directors. She practices in the areas of commercial litigation and business and personal injury torts. She has extensive experience in litigating complex commercial disputes for a diverse group of national and international business clients in a wide variety of industries.

Jennings, HAag & Cunningham, LLP announced that Karen Gaylord was elected to the Valley Forward Regional Council and Ronnie Hawks was appointed to the Southern Arizona Regional Council for Arizona Forward. Their role on each council allows them to assist the organizations with its statewide initiative directed towards environmental quality.

Gaylord is a partner whose legal practice is focused on environmental and natural resource matters. She advises clients on environmental regulatory matters and assists in developing business strategies that capitalize on environmental opportunities or address regulatory challenges. Hawks’ practice is focused predominantly on environmental and governing matters, including state, federal, and tribal entities. She has extensive experience in Native American law, assisting to recognize water rights issues and environmental conformity on tribal lands.

Promotions

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Honors & Awards

The Arizona Foundation for Legal Services & Education will honor VIP volunteer lawyer Stan Friedman with its annual pro bono award, the Wm. E. Morris Pro Bono Service Award. Friedman, a retired attorney from New Jersey, will be recognized at the Foundation’s luncheon on June 20 at the Arizona Biltmore during the State Bar Convention.

New Hires

Pulcinelli Shughart welcomed corporate attorney Jamie Cole to its Phoenix office. Cole joins a national team of corporate lawyers who practice collaboratively across the country on complex merger and acquisitions in a variety of industries. She advises private and public-held companies on domestic and cross-border general corporate and transactional matters.

Gaylord and Hawks moved from the Arizona State University, Cleveland-Marshall College of Law where she was a member of the Moot Court team and a research editor for the Journal of Law and Health. Cole is a member of the Arizona and Ohio bars.

If you are an MCBA member and you’ve 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), or comments and political pronouncements 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.

Three voices, three movements still working towards equality

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place. But also, amazingly, I think there is a surprising amount of libertarian and live-and-let-live attitude that one doesn’t see in other hostile places, such as the South, where I’m from.

Born in the 1950s, Hardin projected copies of newspaper headlines from the New York Times and the Chicago Tribune on a screen that reflected the public language about LGBT people at the time. They used such words as “perverts” and “immoral” and worse. There were witch hunts in the federal government by McCarthyist types. Yet in a 50-year span—a remarkably short period compared to the civil rights battle of women, African-Americans, Latinos, and others—there was an about-face, legally and socially. Why? Hardin said he thinks it was because criminal laws were applied to gay people. “The extent to which people de jure, not just de facto, were subjected to them was intrusive to the extreme.”

The first case is from 1986, when the U.S. Supreme Court upheld Bowers v. Hardwick. In this case police entered a house looking for evidence on another crime and saw two men having sex in the bedroom. In court, the defendants challenged the Georgia sodomy law on equal protection grounds.

At this time, Hardin was a year away from making partner and not out of the closet.

His mentor was a former law clerk to Justice Byron White, who in Bowers framed the issue as to whether or not the Constitution conferred a fundamental right to engage in homosexual acts. Even a liberal such as Justice Lewis F. Powell concurred, mustering the response that since Georgia’s punishment of 20 years of hard labor for sodomy—if enforced—might have serious Eighth Amendment issues and was unlikely to be carried out.

“Justice Harry L. Blackmun, citing the prior case of Stanley v. Ohio, made a mistake in 1986. How did we get from the Supreme Court regarding marriage to the place we are today? We moved to get from court over the right to marry, they did it anyway, and the results were overwhelmingly effective.”

Hardin noted that the LGBT movement is an extreme example of the grassroots taking over the movement from the planners and intellectuals. At a time when the movement was discouraging people to go to court over the right to marry, they did it anyway, and the results were overwhelmingly effective.

In Phoenix, Hardin says, early organizing was around the HIV crisis and an attempt to pass an anti-discrimination ordinance by the City of Phoenix in 1992, which failed, but energized the LGBT community to organize. With a limited agenda, Hardin said, the next move was to elect out-of-the-closet individuals to public office. “When people know you, attitudes change.”

And like the Latino community, they succeeded beyond their hopes. As a result, Arizona legislatively repealed discrimination laws against gay people—though it was the last state in the union to do so—when in 2001 a Republican-dominated legislature passed a stand-alone anti-discrimination law and Republican Governor Jane Hull signed it.

“With discrimination? We had elected a gay Republican that the legislature had to interact with daily. I think it was Tip O’Neill who said ‘All politics is local.’ I think politics are also personal.”

In 2006 in Arizona, a proposed anti-marriage constitutional amendment was rejected at the ballot by a margin of 52-48%. With this, Arizona became the first state to reject an anti-marriage constitutional amendment. In 2008, however, anti-gay forces pushed through a constitutional amendment that excluded same-sex couples from marriage.

“But in 2013, the City of Phoenix adopted the kind of anti-discrimination ordinance that we had wanted 20 years before—plus it included protection for transgendered people. Bisbee approved marriage in their town—a great ploy,” Hardin said.

Currently, there at least two cases before the Supreme Court regarding marriage equality. Hollingsworth v. Perry, which involves California’s Proposition 8, and U.S. v. F/id:nne. “Opponents say that if the LGBT community gets what it wants, it will be the end of the world as we know it. And in fact, that is what we want,” Hardin concluded.
A lawyer turned time management expert shares his map app experience

By Paul H. Burton

The Contenders
1. Maps – Apple – Free. Apple introduced its map app in the iOS 6 release. Although the app included some interesting new features, like tilting and the ability to “flyover” areas, it experienced some mapping failures that many felt was the first crack in Apple’s post-Jobs armor.

2. Google Maps – Google – Free. Google’s map app is the mainstay for most mobile device users. Shortly after being relieve of its duties in the Apple pre-installed software lineup, Google released its latest version for iOS. The clean interface and feature-rich functionality immediately made it a top download for iDevice users everywhere.

3. MapQuest – MapQuest – Free. MapQuest long ago released its mobile app, which is a companion to its popular mapping web site. Of the three apps tested, MapQuest is largely focused on those seeking directions. The User Interface is the least attractive, but once the basic functionality is learned, it’s easy to use.

The Vignettes
1. New York, New York – Apple Maps. On a recent trip to New York, I arrived the evening before my speaking engagement. This trip had me staying in lower Manhattan, which I don’t know well. My speaking engagement was first thing the next morning, so I wanted to determine how long my transit time would be to ensure I arrived with plenty of time to prepare.

When I put the venue address into my Apple Maps app, it indicated that my speaking engagement was up on 23rd Street! Having selected my hotel for its proximity to my client venue, I was astonished at this result. For several attempts to refresh the result, I turned to another map app contestant and found the correct location – at the very southern tip of Manhattan – dozens of blocks away from where Apple Maps would have taken me!

2. Clearwater, Florida – Google Maps. After a conference engagement in Tampa, we stayed a few extra days to enjoy the nearby beach community of Clearwater, FL. Throughout our long weekend, we used Google Maps to provide us with voice-guided, turn-by-turn directions to our destinations of interest. This included two golf courses and several restaurants. Though the Google app seemed to draw very heavily on the battery, more so than the other contestants here, it did get us to the correct locations very accurately. The only hiccup came on our last night.

We were headed to our dinner destination some ten miles away, using Google Maps to guide us. We entered Clearwater proper and came to an abrupt stop. The local Seafood Festival had created a traffic nightmare. We inched forward for 25 minutes before calling the restaurant and cancelling our plans. Disappointed, we turned around and were lucky to get a table at a less-than-terrific place on that busy Saturday night.

Google Maps didn’t adjust our route based on real-time traffic conditions. This will seem nitpicky until you read the next review.

3. Greensboro, Georgia – MapQuest. My latest trip took me to the Reynolds Plantation in Greensboro, Georgia. Greensboro is 75 miles east of Atlanta and is most easily reached using Interstate 20 East. I landed in Atlanta at 10:30 p.m. and headed to the rental car center. The weather was overcast and drizzly. Having had battery drain problems with Google Maps, I elected to locate my destination information into MapQuest. It’s a little more techy to use, so caution is the watch word when one headed into the Georgia wilds in the middle of a stormy night!

The first “wow” experience occurred about twenty minutes into the drive when the voice-guided, turn-by-turn MapQuest app instructed me to take an exit off the freeway. This seemed odd until I noticed the road construction signs and huge traffic backlog as I exited off the freeway. MapQuest then expertly guided me down several local streets until I returned I-20 East, traffic-free.

The second “wow” experience occurred the next day on my return trip. The weather had worsened overnight to a cold, low-slung gloomy and rainy day. Leaving the hotel I was informed there was a huge traffic jam right at the onramp to the freeway that I needed to use. To see if MapQuest “worked” on Saturdays, I plugged my return trip destination into the app and immediately shown an alternative route suggestion based on traffic conditions! The reroute worked brilliantly and I arrived back at the airport with no increased stress from sitting in a traffic jam.

The Conclusion

Third Place – Apple Maps. Not only does Apple Maps contain unnecessary features like tilting and flyover, its core features don’t work very well. No voice-guided assistance is available at this point and, maybe worse, it can’t be removed from any iOS device. I’ve moved it to my “Unused Apps” folder where the other irrelevant but persistent iOS apps reside.

Second Place – Google Maps. The refreshed interface of Google’s app is the best of the bunch. However, the apparent lack of real-time traffic management and the significant battery drain leave a lot to be desired. When looking for a new location in an unfamiliar place, the last thing we should be concerned about is battery life and traffic problems!

First Place – MapQuest. This app is a little too feature rich, which makes it cumbersome to get started with the directions. However, the real-time rerouting based on traffic live situations is by far the most impressive. This app rerouted me on a Saturday afternoon away from a traffic accident 90 miles outside of Atlanta! The only thing they could do better is to refresh the interface to a Web 2.0 simple menu system that slides in/out like the others.

Paul H. Burton is a nationally recognized time management expert. He is the developer of QuietSpacings®, a customizable productivity system that helps busy people increase focus and results on the job. A frequent keynote speaker, Paul also provides interactive training programs and customized coaching services.

College of Law launches unique patent practice degree for non-lawyers

Engineering and hard-science graduates are often looking for jobs that use their technical backgrounds in unique ways. One option that many of these engineers and scientists don’t recognize is a job in patent law.

“We’ve heard from law firms and other employers that they plan to step up hiring of patent agents,” said Douglas Sylvester, dean of the Sandra Day O’Connor College of Law at Arizona State University, “We plan to fill this demand by training graduates who will be prepared for practice once they’ve passed the patent bar exam.”

To accomplish this training, the College of Law has created an emphasis within its Master of Legal Studies program. The emphasis in Patent Practice will go far beyond preparing students for the patent bar exam, providing substantive training in patent law, other forms of intellectual property, and hands-on patent drafting and prosecution skills.

“The ‘capstone’ experience for Patent Practice students is participation in the Lisa Foundation Patent Law Clinic, which is certified by the United States Patent and Trademark Office. Our graduates will have the skills necessary to successfully integrate into a corporate environment, communicate with the necessary legal and technical parties, and enough drafting experience to make employers comfortable that their work product is high quality,” said Sylvester.

According to the College of Law’s Career Strategy and Professional Development Mentoring Center, the pay range for a patent agent is about $52,000 to $143,000, with a median of almost $90,000. Starting salaries for non-experienced patent agents range from $45,000 to $80,000.

When these attractive salaries are viewed with companies’ indications to increase hiring, this skill set appears to be in demand, said Professor Eric Menkhus, Director of New Program Development at the College of Law. “Eligibility to sit for the patent bar examination does not require a law degree,” Menkhus said.

Menkhus, an ASU Industrial Engineering graduate, says eligible candidates who sit for and pass the patent bar exam don’t need law degrees to become Patent Agents with the USPTO. They can draft patent applications and represent others to help guide patent applications through the USPTO’s decision-making process, which is known as “patent prosecution.”

The program is a 12-month, 30-credit hour experience if done on a full-time basis. Applications will be accepted throughout the summer, with students starting classes in August 2013. For more information, visit the Admissions page of the College of Law’s website, law.asu.edu, or email MLSASU@asu.edu.
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