Escobedo v. Illinois: From controversy to obscurity

By Paul G. Ulrich

June 22, 2014 marks the 50th anniversary of Escobedo v. Illinois (1964). Escobedo extended criminal suspects’ Sixth Amendment right to counsel to pre-indictment custodial interrogations, at least when suspects asked for their attorney before making any incriminating statements and the attorney then was trying to contact them. Escobedo initially was highly controversial. Lower appellate courts disagreed on how it should be applied. Later, Supreme Court cases eventually limited Escobedo to its facts, instead holding suspects had no Sixth Amendment right to counsel until after they were formally charged. Escobedo thus lost any precedential value. How did this all occur?

Gideon and its progeny

Gideon v. Wainwright (1963) had held the Sixth Amendment’s right to counsel was a fundamental right, essential to a fair trial. The Fourteenth Amendment’s Due Process Clause therefore required defense counsel in all state-court noncapital felony trials. Since Gideon only required counsel at trial, the question became when the right to counsel attached. Other cases soon held a capital defendant had the right to counsel at his arraignment, since that was a critical stage in criminal proceedings. Defendants similarly also had the right to counsel at preliminary hearings. Failure to tell a suspect under interrogation that he was entitled to counsel was relevant in deciding whether his confession was voluntary. The right to counsel also attached after a criminal suspect was indicted.

Escobedo’s background

Escobedo provided the opportunity to resolve the right-to-counsel issue. Danny Escobedo was 22 years old, with no prior police record. He was arrested and interrogated in January 1960 concerning his brother-in-law’s murder. He was arrested and interrogated in January 1960 concerning his brother-in-law’s murder. He was released later that day through a writ of habeas corpus.

Escobedo was re-arrested 11 days later, after another defendant told police Escobedo had fired the fatal shots. Escobedo made incriminating statements while being interrogated, after police had refused his requests to see his lawyer and failed to advise him about his constitutional rights. The lawyer also was then trying to see him. Escobedo’s motions to suppress his statements were denied and he was convicted to see him. Escobedo’s motions to suppress his statements were denied and he was convicted.

Escobedo’s conviction because the police had told him that he would be permitted to go home and would be granted immunity from prosecution if he gave a statement implicating his co-defendant. However, on rehearing, it affirmed the trial court’s finding that Escobedo’s confession was voluntary, since the police officer had denied making such promises and the trial court believed him.

The Escobedo decision

Justice Goldberg’s 5-4 majority opinion reversed Escobedo’s conviction because he was...
In last month's article, I challenged readers to take better advantage of MCBA member benefits. This month's article has a similar theme, but with a different slant. In this article, I'd like to highlight something specific that the MCBA offers that can benefit your practice and its profitability: the MCBA Paralegal Division.

The MCBA is one of the few legal organizations that focus on paralegals—and we do so for two reasons. First, paralegals are an important component of our local community. And, second, those who take advantage of the MCBA's Paralegal Division see the benefits.

It has recently been brought to my attention that there are two types of attorneys. Those who get most of their paralegal and those who don't. 

Attorneys often commiserate about how difficult it can be to find good help. Even if you hire someone who is reliable, has a decent knowledge base and is willing to learn, training that individual can take up a tremendous amount of time. And, in an industry where many attorneys charge for their time, hours directed toward training your staff could easily translate into a sizeable capital investment. But let's assume you're in this for the long haul and you make that initial investment. What happens next?

As an attorney you are constantly fine-tuning your skills, broadening your network and improving upon your best practices. However, you're not the only individual whose efforts ... paralegal's knowledge and skill set increases, so does his or her contributions to the profitability of your practice. As many of you already know, a good paralegal can assist with (i) legal research and writing, (ii) preparation of pleadings and discovery, (iii) organizing and managing client files, (iv) interviewing clients and witnesses, (v) investigating factual evidence, (vi) preparing trial notebooks and (vii) overall trial preparation.

In short, a good paralegal can improve the efficiency and profitability of a law office by performing many of the tasks an attorney performs, but at a reduced rate. Paralegal salaries are comparatively lower than those of an attorney, and a good paralegal should be able to free up your time so that you can tackle those tasks for which a paralegal cannot be of assistance.

In addition, as one of the Paralegal Division's leaders pointed out to me, depending on how a law office charges clients for a paralegal's time, the law office could have either (i) overall reduced legal fees, thereby attracting more clients, or (ii) a higher margin of profitability.

Furthermore, the right paralegal can help develop a strong professional relationship with your client and with your client's staff. And once the client is comfortable working with your paralegal, the client will be less frustrated when he or she calls with an emergency while you're tied up on another client's matter. I've heard from some of our members that learned that not all attorneys know how to best utilize their paralegals, and many paralegals can do more to help their attorneys than their attorneys realize. I can't offer much insight into the first issue, but I can on the second.

Sign your paralegal up to be an active member of the MCBA's Paralegal Division today! Don't just pay the membership fee and go about business as usual. Encourage your paralegal to take advantage of the MCBA's resources by attending division meetings, where he or she can meet other paralegals, learn methods and techniques that others apply in their practices which yield superior results and efficiencies, and start implementing those practices into your law office.

Another incentive for doing so — quickly pointed out to me at the last Paralegal Division meeting that I attended: Do you know what happens when a paralegal whose law office focuses in one area of law meets a paralegal whose law office focuses in a different area of law? They become referral sources for one another.

As indicated above, like lawyers, paralegals must stay on the cutting edge of new developments and continue to refine their best practices so that they can improve your legal practice. If you're still not convinced about signing up your paralegal for membership, consider sending him or her to the MCBA's 15th Annual Paralegal Conference, scheduled for October 10, 2014, and make the decision after that. I'm confident that you won't be disappointed.

As always, we want your input, welcome your insight and hope to hear from you. Please email your thoughts, comments and ideas to Executive Director Allen Kimbrough at akimbrough@maricopabar.org.

Until next month! 

*The author wishes to point out to readers that a paralegal assisted him with a client matter as he wrote this article.*

**Lead us not into temptation**

By Cameron Williams

In-house counsel turns to our private-practice colleagues for insight, assistance and representation. One area, however, where our counselors are often silent is the ethical implications of our decisions. This is a mistake, and it may cost you some business.

As lawyers, we all too frequently view ethics as inwardly focused. We may examine a contemplated action and determine how closely to the canons we can approach without placing our malpractice carrier on notice. We bristle, though, when others point out a more ethical approach, or question whether we have indeed crossed a line. Such nuanced and subjective reading of the ethical rules is engrained early in our training. During my only ethics class in law school (held during four days of winter break), the blanket advice for passing the MPRE was, “Figure out what Jesus would do, and then pick the next best option. I’ll be the correct answer. No one expects you to be Jesus.” The follow-up was worse: “Besides, Jesus was poor, and no one expects a lawyer to be poor.” Ouch. That advice still haunts me.

To the contrary, we as attorneys are called to be ethical advisors and to spread the good word. The ethical rules provide specifically that we may advise clients not only on the legal aspects of a situation, but on the ethical as well. Rule 2.1 of the Rules of Professional Conduct provides that “[i]n rendering advice, a lawyer may refer not only to law but to other considerations such as moral, economic, social and political factors that may be relevant to the client’s situation.”

Here’s a little “inside baseball” from a corporate counsel. Businesses really do try, for the most part, to do the right thing. That vision might become clouded for a particular individual when facing a lucrative opportunity, but most companies believe in their products or services and they subscribe to values-based business practices.

Private-practice counsel will gain further credibility and value in their client’s estimation if they incorporate an ethical consideration into their advice. Few things turn me away from an attorney faster than when I receive advice intended solely to win the argument, case or negotiation without any consideration to the aftermath. Granted, I am not advocating (nor am I hereby placating) the option of a scorched earth strategy, but most companies believe in their products or services and they subscribe to values-based business practices.

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Cameron Williams is a member of the Corporate Counsel Division and an associate counsel at the Van Teyl Group.
What better way to introduce this month’s topic than with a joke?

A Red Cross volunteer and a lawyer died and went up to the heavenly gates. Saint Peter tells the volunteer to wait a little while, and lets the lawyer in first. As the gates close on the volunteer, he sees the lawyer greeted with fanfare. Music erupts, cheers are had. A choir of angels descends from above and sings of joyous halls for the lawyer. Finally, the Lord makes himself present and gives a personal hallelujah for the lawyer. Finally, the Lord at last comes back to the volunteer and grants him entrance into heaven. There is no music, no choir. The last of the crowd are leaving now. Confused, the volunteer looks to Peter for an explanation.

Peter says, “Oh, we get volunteers in here all the time. This was our first lawyer.”

The moral of the story is this: If you’re already a lawyer (which you probably are), then you’d better become a volunteer, too.

All joking aside, the MCBA provides so many ways that YOU can volunteer. Some of these are discussed briefly in this article and on the MCBA website. You can volunteer in service opportunities that directly benefit the non-legal community, such as necessities drives, Ask-A-Lawyer events, etc. You can also serve as a leader within the MCBA and build connections with other lawyers. In fact, the slogan of the MCBA is “Where the Legal Community Connects.” The MCBA is where you can connect with other attorneys and the community at large. The MCBA can do so much for you, but in large part, the answer depends on what YOU can do for the MCBA. After all, this is our collective organization and it is what we make of it.

For me, personally, the MCBA has been a tremendous growth opportunity in terms of service, leadership and networking. I’d like to briefly touch on those areas of MCBA membership.

Service opportunities
Several years ago, I attended a YLD Ask-A-Lawyer event at the local YMCA. I had only been practicing law for a year or so and I was definitely nervous about giving advice to people in the community. I met with a woman who had traveled 45 minutes by bus to get there. As I listened intently to her story and potential legal claim, it became apparent that she had tried to hire several lawyers who did not believe she had a good case. As we openly discussed the problems with her potential case, I felt like she finally understood the disinterest that other attorneys had in her case. Suddenly she began to see the problems with her claim. She finally got closure on a potential legal claim that had occupied her time for many months and could now go on with her life. It was so fulfilling to use my limited legal experience to help others in the community that day.

The MCBA provides several service opportunities each year that you can participate in, including Race Judicata, the Maricopa County Bar Foundation, the Domestic Violence Necessities Drive and the Probate Lawyers Assistance Project.

Information about these opportunities can be found on the MCBA website. We are also open for suggestions on other ways that we can use our legal services to benefit the community at large.

MCBA leadership opportunities
Did you know there are over 355 leadership positions within the MCBA? These positions include serving on the MCBA board of directors, where we engage in strategic planning and organization-wide decisions. Most of the leadership opportunities consist of serving as committee chairs and members within the MCBA’s 14 divisions and sections, which are:

- Division
  - Young Lawyers
  - Solo & Small Firm
  - Public Lawyers
  - Paralegals

- Sections
  - Bankruptcy Law
  - Construction Law
  - Criminal Law
  - Employment Law
  - Environmental & Natural Resources Law
  - Estate Planning
  - Probate and Trust
  - Family Law
  - Litigation
  - Personal Injuries/Negligence
  - Real Estate

Networking opportunities
In 2013, the MCBA offered several opportunities to network with other attorneys. Most of these opportunities came through serving on the various sections and divisions.

Other networking opportunities come in the form of CLE receptions and major events like the Barristers Ball and Race Judicata. This year, the MCBA is hosting a Centennial Dinner and Hall of Fame Induction on Sept. 20, 2014 at the Arizona Biltmore Resort. It will be another excellent opportunity to connect with lawyers in our community.

During my limited years with the MCBA, I have built a great network of attorney friends. These friendships have been forged through hours of service and commitment together. The YLD attorneys on our board come from different practice areas and backgrounds. We occasionally refer cases to each other and call on each other for advice outside of our normal practice area. What a tremendous benefit!

I firmly believe the MCBA is where the legal community connects. With that in mind, I encourage you to be active in the association and look for opportunities to serve and get involved. In so doing, you will discover everything that the MCBA has to offer.

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New phone number for the clerk’s office

On May 19, the Clerk of the Superior Court’s Office switched to a new, all-purpose telephone number for the public. That number is (602) 37-CLERK (602-372-5375).

The clerk’s office transitioned to an Interactive Voice Response (IVR) system to allow the public to reach most areas of the office by dialing one number. Callers select from menu choices for the various areas of the office, and most reach their destination within three button presses. Many telephone numbers previously listed for public use in phone books and on websites will be disconnected. For a brief period during the introduction of the IVR system, disconnected numbers will provide a voice message referring customers to the new (602) 37-CLERK telephone number.

The primary benefits of the IVR system include a customer’s ability to reach a preferred area of the clerk’s office through one easy-to-remember number while reducing the number of misdirected calls and transfers between departments or agencies. Investing a little more time in the beginning of a call to connect the customer with the correct staff person should reduce hold times and customer frustration with repeating their situation to multiple people in different departments or agencies.

Callers can reach the following business units in the clerk’s office by calling the (602) 37-CLERK main telephone number:

- Accounting (bonds, trust funds)
- Billing (deferred fees, jury fees, tax intercepts)
- Distribution (address changes and mailings)
- Administrative receptionist
- eFiling (document review clerks)
- File counters (adult and juvenile)
- Criminal financial obligations (restitution, victim address updates)
- Grand jury
- Marriage licenses and passports
- Public records

Remember, dial (602) 37-CLERK (602-372-5375) for all calls to the office of the Clerk of the Superior Court in Maricopa County.

Is there a place for etc. and et. al in legal writing?

I have noticed a recent trend in some legal documents: the increasing reliance on “et al.” and “etc.”

“Et al.” means “and others,” while “etc.” means “and other things.” Many legal writers use these terms when writing lists and giving examples, but these terms should not be used casually. On the one hand, “et al.” is stuffy legalese and can easily be replaced with the plain English phrase “and others.” On the other hand, “etc.” or “et cetera” can create confusing redundancies. For these reasons, many legal writing professionals suggest not using these terms in preventive documents such as contracts.

1. Do not use “etc.” at the end of a list that starts with the phrase “for example” or “including, but not limited to.”
2. Do not use “etc.” after the word “and.”
3. Do not italicize the words (et cetera) or abbreviation (etc.).
4. Do not use more than one “etc.” at the end of a list — even for persuasive effect.
5. Do not forget to use a comma before “etc.” and a period at the end of “etc.”

In addition to these guidelines, some legal writers use “etc.” when that usage is not appropriate. Specifically, “etc.” is used to indicate a list of similar topics and things and should not be used when writing about unrelated topics and things.

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Mistake No. 8 – Know your limits

Most lawyers probably are familiar with the duty of competence, found in ER 1.1:

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

Most lawyers realize they must be competent to practice in specific areas of law such as commercial law, family law, criminal law, real estate law or banking law. But what if you don’t have that experience? Do you have to turn down the representation? Not necessarily. ER 1.1 allows lawyers to become competent “through necessary study” or “through association of a lawyer of established competence in the field in question.” ER 1.1 cmt. 2. Indeed, if the rules didn’t allow lawyers to become competent through study or association, new lawyers could never represent a client. Id. Ultimately, the question is whether the lawyer can provide adequate representation to the client on the factual and legal issues in the case. The complexity of the factual and legal issues is also relevant to the competency analysis. A competent lawyer must be able to adequately analyze the factual and legal aspects of the case. ER 1.1 cmt. 5. More complex matters “ordinarily require more extensive treatment than matters of lesser complexity and consequence.” Id. Thus, a complex trust should be prepared by someone with competent experience. Lawyers without any experience in criminal law generally shouldn’t represent a criminal defendant facing felony charges. In fact, criminal law raises a myriad of issues that an inexperienced lawyer might not recognize. See, e.g., Arizona Ethics Op. 07-01. Representation of criminal defendants in capital cases raises additional competency requirements. ER 1.1 cmt. 7.

Competency also applies to specific matters within a case. One may be experienced in personal injury cases, but have no experience in a specific type or mechanism of injury or damages claim. In that situation, the lawyer must be able to learn about those issues through study or associate experienced counsel. The client deserves a lawyer who understands the issues in his or her case.

The same analysis can be applied to any specific procedural rules. For example, a lawyer who practices exclusively in state court may be unfamiliar with different rules applicable to a case in federal court. In that situation, the lawyer should devote the time necessary to understand the relevant differences between state court rules and federal court rules or associate counsel experienced in federal court.

An oft-overlooked area of competency involves technology. The duty of competence applies not only to a lawyer’s legal skills but also to matters “reasonably necessary for the representation.” ER 1.1. In this day and age, those matters include electronic storage and communications. Lawyers have a duty to competently safeguard client information. ER 1.6. In the context of a “client’s electronic files or communications, an attorney or law firm is obligated to take competent and reasonable steps to ensure that the client’s confidences are not disclosed to third parties through theft or inadvertence.” Arizona Ethics Op. 05-04.

Not every lawyer is skilled on technological issues. Therefore, as a necessary prerequisite to making decisions on electronic storage and communications, “the lawyer must have, or consult someone with, competence in [that] field.” Arizona Ethics Op. 09-04.

Finally, it is important to remember that a lawyer’s duty of competency is not static. The rule requires lawyers to “keep abreast of changes in the law and its practice,” including CLE. ER 1.1 cmt. 6. Thus, lawyers need to stay up-to-date on changes in substantive law, procedural rules, and even technology to ensure that their knowledge and skills do not become outdated.

Russell Yurk is an attorney with Jennings, Haug & Cunningham, LLP, in Phoenix. His practice focuses on professional liability, lawyer discipline and complex civil litigation. He serves as the chair of the Defense Research Institute’s Lawyers’ Professionalism and Ethics Committee and is a Judge Pro Temp for the Maricopa County Superior Court. He can be reached at (602) 234-5819 or rry@jhc-law.com.

WE’RE ON FACEBOOK AND TWITTER
There’s a lot going on at the MCBA. Keep up with us by following our Facebook and Twitter pages.

Probate expands ADR and Mediation Program

Most probate cases are uncontested. However, when contested, probate cases undergo a lengthy resolution process involving settlement conferences that routinely exceed three hours. Resolution of complex probate cases is even more laborious.

To expeditiously and effectively process complex cases, the Probate Alternative Dispute Resolution (ADR) and Mediation Program was expanded with the goal of improving settlement rates and enhancing judicial oversight on contested cases that can result in litigation and attorneys’ fees that rapidly incurring settlement rates and enhancing judicial processing.

Probate cases classified as complex will be assigned to an experienced and credible person serving in the capacity of a mediator. This protocol was established by a committee of probate judges, retired commissioners, attorneys and mediators. Using grant funds, an expert in the field of dispute resolution and mediation practices was contracted to facilitate training. A nationwide solicitation for experts in mediation resulted in Professor Art Hinshaw, Clinical Director of the Lodestar Dispute Resolution program at ASU’s College of Law, being selected as the trainer. Hinshaw and the committee met several times over a six-month period to create the most viable training curriculum possible.

On March 20 and 21, 2014, more than 70 participants attended the seminar held at Table One. The seminar’s purpose was to inform and train on best practices in the mediation and settlement of Title 14 matters (probate and trust cases, guardianships and conservatorships), and to further educate attorneys, judges pro tem and mediators who have current knowledge and practical experience with matters involving Title 14 and A.R.S. 46-456. One of the qualifiers to be placed on the court-approved mediator roster is attendance and completion of the mediation training.

Court receives Award of Excellence

The Arizona Courts Association selected the superior court as the recipient of its 2014 Award of Excellence for the design, development and implementation of the Electronic Petitions to Revoke program.

Commissioner Justin Beresky and Mary Stuart-Bronski of Adult Probation accepted the award at a luncheon on Thursday, April 24, at the Prescott Resort and Conference Center. Since the program’s pilot in January 2013, the superior court has reduced the length of time it takes to process petitions to revoke probation from two weeks to two days. By apprehending probation violators sooner, the process has become more accurate and public and officer safety has improved.

Governor appoints Judge Starr

Governor Jan Brewster appointed Patricia Starr, a former commissioner with more than 20 years of legal experience, as a Maricopa County Superior Court Judge. She fills the vacancy created by the retirement of Judge Larry Grant. Starr has been a Maricopa County Superior Court Commissioner since 2011. Prior to her appointment as commissioner, she served as capital staff attorney for the Arizona Death Penalty Judicial Assistance Project; assistant attorney general for the Arizona Attorney General’s Office; and deputy county attorney for the Maricopa County Attorney’s Office; and law clerk to the Honorable Jefferson Lankford with the Arizona Court of Appeals. In 2006, she was nominated for the Arizona Prosecuting Attorneys’ Advisory Council’s David E. White Excellence in Victim Advocacy Award and earned the Arizona Attorney General’s Office of Victims Services Award in 2007. During her time with the Maricopa County Attorney’s Office, Starr was named Appeals and Research Division Attorney of the Year and Pretrial Division Attorney of the Year.

She earned her J.D. and bachelor’s degree from the University of Arizona.

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Hall of Fame Nominations Sought for 2014

The Maricopa County Bar Hall of Fame Selection Committee is now seeking nominations for 2014. The committee expects to select inductees from the broad diversity of lawyers in the county.

The deadline for submissions is June 13, 2014.

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 2014. You are, however, invited to re-submit a previous nominee with complete information as noted below.

Submission Requirements

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

Where to Submit Nominations

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

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

Deadline for submission is June 13, 2014.

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* Deceased
Reflections: 1988-89

By James McDougall

If I had to rely on my own memory to reflect on what happened during my year as president, this would be a very short article. Thankfully, the MCBA was kind enough to provide me with copies of the Maricopa Lawyer published during my tenure so I can fill in the gaps in my memory.

I took over as president of the MCBA in July 1988 from the immediate past president, Michael D. Hawkins. The other members of our board of directors were Gil Wikkin, president-elect; Hon. Rebecca Albrecht, vice president; Don Bivens, treasurer; John Everroad, secretary; and directors Linda Beuth, Jordan Green, Greg Osborne, Sharon Oscar, Joseph Rich, Hon. Michael Ryan, Mark Santana, Stephan Scott, Noreen Sharp and Lonnie Williams.

At the beginning of my term, I pledged that the year would not be a year of expansion but rather, it would be devoted to dealing with basics — structure, organization and financing — and maintaining the good programs and services the Maricopa County Bar Association had already established. We started the year with a series of meetings attended by the officers and directors and the chairpersons of our committees to engage in the extraordinary task of self-examination and evaluation. We asked ourselves in this process: What should the MCBA, a voluntary county bar association, be doing? What could we do better to serve our membership?

The result of our efforts was the first ever Plan for Action. In a 33-page document, the board clearly stated the agreed upon goals and objectives for the MCBA and set forth specific actions, strategies and programs to accomplish those goals and objectives. It was intended to be a plan that could be revised and revised every year or every few years. Unfortunately, I do not believe that the Plan for Action was revised or revised until 2011, but thankfully it appears the process of review and re-examination is back on track.

The nagging problem we faced was our financial situation. The MCBA budget for 1988-89 was set at $1,224,525. After the numbers were crunched, however, it was determined that our revenues would make us $40,000 short of our budget. We bit the bullet and announced that we had no choice but to increase our dues. At this point in our history we had been successful in decreasing our reliance on dues revenue to support the bar from 65 percent to 28 percent by increasing our income from non-dues sources, such as the Lawyer Referral Service, the Legal Placement Service and CLE programs. But income from these sources had been pushed to the limit. Even though our current level would not sustain us, our revenues, we provided the following services and programs: Judicial Evaluation Poll and Results, Lawyer Referral Service, Vol Law Program, Tel-Law, Consumer’s Guide to Arizona Law, Ask-A-Lawyer, Respect for Law Program, Law Related Education Program, Speakers Bureau, Legal Placement Service and Court Information Booth. We also had monthly membership luncheons, a charity golf tournament, a 10K run and a ski seminar. In addition, we published the Maricopa Lawyer monthly and the MCBA Pictorial Directory annually. Our biggest expense, at 42 percent of our budget, was for general administration, which included salaries, rent, insurance, etc.

After much study and gnashing of teeth, we determined that we had no choice but to increase our dues. At this point in our history we had been successful in decreasing our reliance on dues revenue to support the bar from 65 percent to 28 percent by increasing our income from non-dues sources, such as the Lawyer Referral Service, the Legal Placement Service and CLE programs. Even though we targeted an increase of membership from 6,500 lawyers in Maricopa County, it was clear that dues at 4,200 of the 6,500 lawyers in Maricopa County was expected to steadily increase and they took a great deal of staff time to produce. The Maricopa Lawyer was considered the backbone of the organization and it has survived today as a valued free member service. The MCBA Pictorial Directory did not, however, survive the budget cuts. It was last published in 2002. I still have it on my desk! I personally miss this publication and wish that the MCBA could find a way to revive and maintain the pictorial directory in the digital age.

One small controversy was reported on in the Maricopa Lawyer during my term in office. In the fall of 1988, the MCBA announced the results of the Judicial Evaluation Poll and the judges were endorsed as the result of the poll. The Judicial Evaluation Poll was, of course, the precursor to the Judicial Performance Review, which became law in 1992. The poll was conducted biannually, co-sponsored by the Arizona State Bar and the Maricopa and Pima County bars. To help educate and inform the public, both county bars publically endorsed judges for retention, whereas

Can you guess who they are?

Go to page 13 for the answers.

More than 700 attorneys registered for a CLE seminar on March 1, 1990 at the Pointe at Squaw Peak (now known as Pointe Hilton Squaw Peak Resort), making it, at that time, the second-largest such seminar ever in Phoenix. Roxana Bacon, president-elect of the State Bar, was a speaker at the event.
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(Contentual as of May 16)

Bankruptcy Section hosts happy hour

The Bankruptcy Section hosted a happy hour on April 23 at Half Moon Windy City Sports Grill. Awards were given to attorneys who volunteered for the Financial Distress Clinic, co-sponsored by the MCBA Bankruptcy Section and the VLP.

Attendees mix and mingle.

Kyle Hirsch, Joe Newell.

Kyle Hirsch, Jim Kahn and Justin Sabin.

Alissa Brice, Mark Hudson, Mike Walker, Cody Jess, Jim Kahn and Dale Schian.

Joseph Landsky and Cody Jess.
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For example, registrations for a September 17 program must be paid by September 15 in order to avoid the late fee.

**WALKINS:** You may register at the door if space is available; the $15 fee will apply. If you do not register at least two business days in advance of a program, MCBA cannot guarantee space or availability of materials.

**CANCELLATIONS/REFUNDS:** Refunds, less a $10 fee, will be issued only if the MCBA receives your cancellation, in writing by mail, fax, or email to bree@maricopabar.org at least two business days prior to the program.

**NO SHOWS:** If you registered and paid, but could not attend, you may request that materials be sent to you, free of charge (allow 3-4 weeks). If audio media is available, registrations may be converted to a self-study package for an additional $15 charge.

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.

**JUNE 3 • NOON - 1:30 P.M.**
**Lunch included**

2014 Ethics and Civil Rules Update

**SPONSORED BY:** Construction Law Section

**1.5 CLE ethics credits available**

This program will address the recent changes to the Arizona Rules of Civil Procedure, changes to the procedure of the Arizona Registrar of Contractors and recent ethics opinions.

**PRESENTERS:** J. Gregory Cahill, Mariscal Weeks/Dickinson Wright; Nicole F. Bergstrom, Mariscal Weeks/Dickinson Wright

**COST:**
- MCBA members: $62.50
- MCBA Paralegal & Public Lawyer Division members: $40
- MCBA Student members: $10
- Non-members: $92.50

**JUNE 6 • 1:30 - 3:30 P.M.**

No Uncertain Terms - Terms, Programs & Levels of Supervision for Adult Probation

This seminar will address the criteria for, and requirements of, unsupervised probation, standard probation and intensive probation, including the requirements of such probation programs and terms as mental health, domestic violence, sex offender, drug court and juvenile transfer court.

**WHERE:** Table One meeting room at Change of Venue, 101 W. Jefferson St., #100 Phoenix, AZ 85003

**PRESENTERS:** Adult Probation Dept. Officials Mike Cinzino and Therese Wagner

**COST:**
- MCBA members: $70
- MCBA Paralegal & Public Lawyer Division members: $40
- MCBA Student members: $10
- Non-members: $115

**JUNE 11 • NOON - 1 P.M.**
**Lunch included**

Choice of Law - Workers’ Compensation vs. Personal Injury

1 CLE credit available

Matt C. Fendon, shareholder with Fendon Law Firm, one of the highest volume worker’s compensation firms in Arizona, will discuss the topic of whether an injured worker should file and accept an employer’s compensation benefits or pursue a tort claim civilly in Superior Court against his or her employer.

**PRESENTER:** Matt Fendon, Fendon Law Firm, PLLC

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

**JUNE 12 • NOON - 1 P.M.**
**Lunch included**

The National Labor Relations Board

1 CLE credit available

The MCBA Labor and Employment Committee, in conjunction with the Arizona chapter of the Labor Employment Relations Association (LERA), is pleased to present a luncheon discussion on “The National Labor Relations Board: Northwestern Football, Social Media, Class Action Waivers, and Other Issues Relevant to Union and Non-Union Employers.” The presenters will have a lively discussion reviewing the Northwestern football players’ case and other recent decisions of the NLRB, relevant to both non-union and unionized employers.

**PRESENTERS:** Corinne Overstreet, NLRB; Gerald Morales, Snell and Wilmer; Dean Burrell

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

**JUNE 20 • 11:30 a.m. - 1 p.m.**

Loan Documentation

**PRESENTERS:** Adam Nach, Lane & Nach, PC

**COST:**
- MCBA members: $75
- MCBA Paralegal & Public Lawyer Division members: $40
- MCBA Student members: $10
- Non-members: $75

**JUNE 27 • 1:30 - 4 p.m.**
**Lunch included**

Title and Survey

**PRESENTER:** David Izakowitz, First American Title Insurance Co.

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

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- MCBA Public Lawyers Division members/Paralegal Division members: .......... $100

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- MCBA Real Estate Law Section member (use promo code REALSES) .............. $55
- MCBA Member: ................................ $62.50
- Non-Member: ................................. $102.50
- MCBA Student Member: ................. $10
- MCBA Public Lawyers Division members/Paralegal Division members: .......... $45

**SESSION III**

**FRIDAY • JUNE 20**

Title/Survey

**PRESENTER:** David Izakowitz, First American Title Insurance Co.

**SESSION IV**

**FRIDAY • JUNE 27**

Loan Documentation

**PRESENTER:** Adam Nach, Lane & Nach, PC

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Most CLEs are available for simultaneous webcast or later viewing through West LegalEd at http://tiny.cc/kg4cjw (WEBCAST )
JUNE 18 ■ NOON - 1:30 P.M. (Lunch included)

Foundations in Financial Statement Analysis - Introduction and Case Study
1.5 CLE credits available

Mike Fahlman, partner, and James Mellstrom, senior associate, for Grant Thornton Advisory Services, will present on financial statement use and analysis for attorneys. This interactive presentation will cover the three primary financial statements: balance sheet, income statement and statement of cash flows. Topics will include data sources, how financial statements are prepared and used, and how they relate to each other and a case study. The case study will illustrate the concepts discussed, while providing several tips and tricks specific to attorneys.

PRESENTERS: Mike Fahlman and James Mellstrom, Grant Thornton Advisory Services

COST: 
- MCBA members: $62.50
- MCBA Paralegal & Public Lawyer Division members: $40
- MCBA student members: $10
- Non-members: $92.50

JUNE 19 ■ NOON - 1 P.M. (Lunch included)

Medical Marijuana in the Workplace: What Have We Learned?
1 CLE credit available

This CLE is for attorneys who work with employers, have employees or in-house counsel. The program will review Arizona’s Medical Marijuana Act and what obligations it imposes on employers; how the Medical Marijuana Act interacts with other state and federal laws, including an employer’s obligations under the Family and Medical Leave Act and the Americans with Disabilities Act; implication of positive test results and disciplinary issues; and workplace safety issues. The program will also briefly review workplace issues nationwide involving medical marijuana.

PRESENTER: Lisa Coulter, Snell & Wilmer, LLP

COST: 
- MCBA members: $45
- MCBA Paralegal & Public Lawyer Division members: $30
- MCBA student members: $10
- Non-members: $75

See CLE page 14
NEW HIRE
Phoenix-based commercial law firm Engelmann Berger announced the addition of attorney Tamalyn E. Lewis as a shareholder. Lewis brings to the firm 30 years of experience representing banks, financial institutions, small businesses, farmers and individuals in resolving commercial disputes.
She is well known in the debtor-creditor bar and has been an active member of the Arizona State Bar, the Texas Bar Association and the Maricopa County Bar Association. She is also a member in the Arizona Bankruptcy American Inn of Court and a member of the TierraRosa Management Association.
Lewis received her law degree from the Sandra Day O’Connor College of Law at Arizona State University in 1983. She has been active in service to the community, including her appointment as a commissioner with the Arizona Commission on the Arts.

Ryley Carlock & Applewhite is pleased to announce that Sean D. Greengard, Rodney Glassman and Aaron G. York have joined the firm.
Greengard joins as staff attorney. He is a member of the firm’s Estate Planning and Corporate practice group. He helps businesses and individuals with a wide variety of estate planning and corporate issues.
Before pursuing his law degree, Greengard served as the vice president of operations for a real estate and development company, where he handled tax appeals, as the vice president of operations for a real estate and development company, where he handled tax appeals, as the vice president of operations for a real estate and development company, where he handled tax appeals, as the vice president of operations for a real estate and development company, where he handled tax appeals, as the vice president of operations for a real estate and development company, where he handled tax appeals, as the vice president of operations for a real estate and development company, where he handled tax appeals, as the vice president of operations for a real estate and development company, where he handled tax appeals, as the vice president of operations for a real estate and development company, where he handled tax appeals.

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VLP ATTORNEY OF THE MONTH

Attorney finds inspiration from past pro bono work to create legal clinic

By Peggi Cornelius, VLP Programs Coordinator

What leads attorneys to make pro bono work an integral part of their law careers is unique to each individual, but there are similarities in their stories. They are often inspired by the example or encouragement of a family member, by the rewarding service experience of a colleague or by a simple desire to give back to the community that has supported them.

Recently recognized as “Attorney of the Month” by the Maricopa County Volunteer Lawyers Program (VLP), Kelly L. Kral is a lawyer whose pro bono efforts have been woven into her practice since she was admitted to the Arizona Bar in May 1999.

“I think it’s important to do what you can to help others, and a friend from law school told me about VLP’s Family Lawyers Assistance Project (FLAP) when I began to practice in family law,” she says. “Several years later, my practice changed and the volunteer work I’d done at FLAP gave me the idea to start a similar advice clinic in probate law. My grandmother encouraged and motivated me to do the work to get the Pro Bate Lawyers Assistance Project (PLAP) off the ground.”

PLAP attorneys periodically agree to participate in a three-hour legal clinic that takes place at the Maricopa County Bar Association. In three hours, they may counsel up to six individuals. Consultations are free of charge for eligible low-income individuals, but do not include document preparation or representation. Kral’s primary goal is to provide unrepresented litigants in probate court with legal advice, court form related instructions, and knowledge of what to expect and how to prepare for trial.

Coordinating the PLAP legal clinic is always an undertaking worthy of recognition. However, getting it off the ground, as Kral describes her work at the outset, is especially praise worthy. Expressing gratitude for support and help she receives from many sources, Kral recounts some of the highlights.

“PLAP is co-sponsored by the Estate Planning, Probate and Trust Section of the MCBA and the Volunteer Lawyers Program, which is co-sponsored by Community Legal Services and the MCBA,” she says. “I received a grant from the Maricopa County Bar Foundation for computers and office supplies. I secured office space, created forms, recruited volunteer attorneys, and set up systems to handle a large volume of calls and online calendaring. Guidance from VLP Director Pat Gerrich and FLAP Coordinator Karen Jackman was especially helpful. It wasn’t all me, by any means.”

Employed at the firm of Dyer & Ferris, Kral attributes her expertise in guardianship, conservatorship, and trust and probate matters to what she has learned there the past eight years. “Charles J. Dyer had 40 years of experience and was a wonderful teacher and mentor to me before his death in 2009,” she says. One of the ways Kral pays it forward is by providing law students an opportunity to volunteer in the PLAP clinic.

During the years she was an active participant in FLAP, Kral was honored as a VLP award recipient; and in 2006, the Arizona Foundation for Legal Services and Education named her among the Top 50 pro bono attorneys in Arizona. In addition to her pro bono endeavors as a lawyer, Kral serves on the program committee for Homeward Bound and has volunteered to review scholarship applications for the Arizona Community Foundation.

“I hope attorneys who practice in probate court and want to join PLAP will contact me,” she says. “For others, I’ve found there are many different pro bono opportunities to explore. I’d encourage lawyers with an interest in any area of civil law to contact Pat Gerrich at VLP and get involved.”

Kelly L. Kral

Thank you to all PLAP volunteer attorneys!

The Probate Lawyers Assistance Project (PLAP) is a pro bono program that provides free legal advice to eligible low-income individuals who need assistance with probate court matters. The program is co-sponsored by the Estate Planning, Probate and Trust Section of the Maricopa County Bar Association and by the Volunteer Lawyers Program, which is co-sponsored by MCBA and Community Legal Services. Since its launch in late 2011, PLAP has provided assistance to over 400 people.

PLAP relies on volunteer attorneys who provide free half-hour consultations to eligible low-income individuals regarding guardianships, conservatorships, informal and formal probates, and trust matters. The Volunteer Lawyers Program thanks the following attorneys and firms for generously donating their time and helping to make PLAP a success. (For information on volunteering with PLAP, please contact Kelly L. Kral at kklkral@dyerferris.com.)

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Claire F. Black
Black Law Group
Robert C. Brown
Dickinson Wright Mariscal Weeks
Giancarlo G. Estrada
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Jennings Haug & Cunningham, LLP
Marsha Goodman
Marsha Goodman Attorney, PLLC
Fredrick M. Jones
Law Office of Fredrick M. Jones
Kelly L. Kral
Dyer & Ferris, LLC
Michelle M. Lauer
Jabug & Willik, PC
John C. Lincoln Law Office

Joseph Lunsky
Lunsky Law Firm, PLLC
Daniel J. Mazza
Law Offices of Kelly J. McDonald, PLLC
T. Troy McNemar
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Jane A. Proctor
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Quindy Koniuszy Follett & Syksdl, LLP
Emily Taylor
Law Offices of Kelly J. McDonald, PLLC
Katie L. Warner
Law Offices of Kelly J. McDonald, PLLC
J. Douglas Wiley, II
Polsinelli

Can you guess who they are? continued from page 8

Photo #1 is Ed Hendricks. He was the 1985-86 MCBA president. Photo #2 is Matthew Fennemore with Snell & Wilmer, LLP. Photo #3 is Sam Coppersmith. He practices with Coppersmith Schermer & Brockelman, PLC.

The Volunteer Lawyers Program is a joint venture of Community Legal Services and the Maricopa County Bar Association

Reflections: 1988-89

continued from page 8

the State Bar remained silent. The standard for endorsement was that those judges falling within the 100-80 percent range were endorsed, but those at no position on those falling in the 79-65 percent range and those falling below 65 percent were opposed.

In 1988, the MCBA took no position on three Maricopa County Superior Court judges and one judge from the Court of Appeals, and several judges were not on position October 1988, Judge Howard V. Peterson, who was not up for retention that year and who received a score of 70 percent on the poll, spoke publically against the Judicial Evaluation Poll, stating that the participating attorneys not only vote in a conflict of interest but, for the most part, they are incompetent. This criticism caused the Chief Presiding Judge, Hon. B. Michael Dann, to respond in the November issue of the Maricopa Lawyer that a majority of the Maricopa County Superior Court Judges did not agree with Peterson’s criticism. He stated that most judges believe that the results are an important source of valuable feedback on their performance and are of tremendous value to the public in deciding how to vote. He pointed out that, in fact, most judges believed that the results should be more widely circulated to the voting public and that the pool of evaluators should be expanded to include jurors and others.

During my term, the MCBA planned its first Bar Convention. With the onset of mandatory CLE, the MCBA thought that there would be a high demand for legal education that the bar could provide to its members and possibly provide extra income to the organization. Steve Hirsh was roped into chairing the convention. It was designed to be small, two day event - Friday and Saturday, with a dress-up dinner on Friday night hosted by the Young Lawyers Division. The first convention was held at the Pointe Hilton Squaw Peak in the fall of 1989 and the second held at the Camelback Inn in the spring of 1990. Hirsh recalls that Jerry Lewkowitz emceed the sit-down dinner at the first convention and did a Don Rickles routine roasting everyone in attendance. Solicitor General Ken Starr spoke at a keynote luncheon at the second convention. All Hirsh could remember about the luncheon was that it was warm out by the pool and all the butter pads melted. Alas, the attorneys in Maricopa County were happy just attending the State Bar Convention in June, so the MCBA convention was scrapped after year two. The Banquet Ball however, grew out of the convention and has survived today as a showcase event for the MCBA, and is still planned and executed by the Young Lawyers Division.

I was the first sitting judge to become the president of the county bar. In my first president’s message, I wrote a column expressing my thoughts about whether a sitting judge should be president of a bar association. Here is how I concluded that message:

“I am involved in the Maricopa County Bar Association because I am an attorney. I have sought out the County Bar Association as a forum in which to fulfill the obligation I feel to my profession. My work within the profession at this time is that of a judge. On the bench my position and your professional duty requires that you act in accordance with the respect the office is due. Off the bench, I’m just Jim—ask my wife!”

As just “Jim,” I have immensely enjoyed working with my peers at the Maricopa County Bar Association to improve the practice of law in our community. The friendships I have made through the MCBA are deep and rewarding. I am very happy to see that the MCBA is still staffed by competent people and that respected and dedicated attorneys continue to volunteer their time to making our profession better through the work with the Maricopa County Bar Association.

James McDougal was the 1988-89 MCBA president.
Escarbeto v. Illinois. From controversy to obscurity
continued from page 1

denied his Sixth Amendment right to counsel. It held that right did not depend on whether the authorities had first obtained a formal
indictment, as had occurred in Miranda v. United States (1964), decided six weeks before Escobedo. Instead, the criminal investigation had shifted from an investigatory to accusatory stage; it had focused on Escobedo, and its purpose was to get him to confess his guilt despite his absolute, constitutional right to remain silent. Accord-
ingly, the adversary system then began to operate and Escobedo had to be allowed to consult his lawyer before any statements he made to police could be used against him.

The majority’s rationale was that pre-indictment interrogations was a critical stage in the criminal process where legal aid and advice were most crucial. That stage surely was as criti-
cal as an arraignment or preliminary hearing, since rights then “may be as irretrievably lost if not then and there asserted.” What happened also “certainly affect the entire trial.”

Instead, the criminal investigation had shifted to deal with the authorities had first obtained a formal in
arrangement in the United States says a man is entitled to an attorney at the time of his arrest.” That objection was then correctly. Counsel did not argue the confes-
sions were involuntary and did not request a suppression hearing.

The trial court overruled counsel’s objection and admitted the confessions into evidence, and Miranda was convicted. The Arizona Supreme Court affirmed, distinguishing Escobedo because Escobedo had requested a lawyer. In the absence of any request for a voluntariness hearing, it also held Miranda’s confessions were voluntary.

Based on the limited trial court record and narrow Arizona Supreme Court opinion, the cor-
terrestrial view held by Miranda of the United States says a man is entitled to an attorney at the time of his arrest.” That objection was then correctly. Counsel did not argue the confes-
sions were involuntary and did not request a suppression hearing.

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terrestrial view held by Miranda of the United States says a man is entitled to an attorney at the time of his arrest.” That objection was then correctly. Counsel did not argue the confes-
sions were involuntary and did not request a suppression hearing.

Miranda did not explain how police warn-
ings would deter the coerced confession the Court found inherent in custodial interroga-
tions. It also did not discuss whether interrogations were a critical stage in criminal proceed-
ings so that the Sixth Amendment required counsel to be present to advise suspects con-
cerning their rights before such interrogations could occur. Miranda re-affirmed Escobedo and the principles it announced. However, it also re-characterized Escobedo’s right to counsel as necessary to protect suspects’ Fifth Amendment privilege against self-incrimination, not because suspects had any independent Sixth Amendment right to counsel as such.

Later cases

Texas v. Cobb (2001) held 5-4 that the Sixth Amendment right to counsel is “offense specific” and does not attach until after adversary judicial proceedings have been initiated. Accordingly, even though the defendant there had been in deten-
ed and had been appointed counsel for a burglary charge, his Sixth Amendment right to counsel did not extend to two related murders with which he had not yet been charged, since they were not the same offense as the one he was being held for. Miranda made without counsel following Miranda warn-
ings that were admissible.

Clefs continued from page 11

JUNE 24  8 A.M. - 1 P.M. (Lunch included)
Concealed Weapons
Law for Lawyers
SPONSORED BY: Construction Law Section
5 CLE credit hours available
WHERE: Shooters World
3828 N. 26th Ave., Phoenix, AZ 85017
This CLE will offer advanced instruction in the law of concealed weapons in Arizona. It is a
much expanded version of Arizona’s concealed weapons permit course – tailored expressly for lawyers – explaining the legal issues involving use of deadly force and other related topics. Additional instruction and discussion will focus on relevant case law such as U.S. v. Lopez, District of Columbia v. Heller and McDonald v. City of Chicago Per-
tinent state cases (e.g., Arizona v. Fish) will also be reviewed. REGISTER NOW – the CLE is limited to 24 persons!

OPTIONAL:Three hours of additional instruction in firearms misnamedness and safety will be avail-
able following the CLE, for an additional charge of $100. In conjunction with the satisfaction of other requirements, the eight-hour total will qualify you to obtain an Arizona Concealed Weapons (CW) permit. Further information about this supplemental
training will be provided to those who register for the five-hour CLE program. The CLEB is not involved in the supplemental three-hour program. The MCBA participation is limited to the five-
hour CLE portion of this program only.

PRESENTER: Michael Anthony, Carson Mess-
inger, PLLC; Mark Moritz, Attorney at Law
COST: MCBA members: $160
Non-members: $220

JUNE 24  1 - 4 P.M. (Lunch included)
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Ethics and Mindfulness for the Probate Practitioner
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Who’s my client? Who’s paying my bills? Who’s calling the shots? Or trying to?

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When do I raise the attorney-client privilege? Who can waive it?

When do I have to withdraw? How do I do it? Is my client incapacitated? What are my op-
tions? What are my duties?

How can I better understand the emotions and stress of my client? Of myself?
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**Escobedo v. Illinois**: From controversy to obscurity continued from page 14

were given by the police. However, the Court has continued to limit possible remedies for *Miranda* violations.

**Conclusion**

*Miranda* re-characterized the right to counsel declared in *Escobedo* as being required to protect suspects' Fifth Amendment privilege against self-incrimination, rather than as a method to protect suspects’ Fifth Amendment privilege. The police declared in *Miranda* that such confessions were given by the police. However, the Court has continued to limit possible remedies for *Miranda* violations.

*Miranda* v. Arizona has substantially re-characterized the right to counsel declared in *Escobedo* as being required to protect suspects' Fifth Amendment privilege against self-incrimination, rather than as a method to protect suspects’ Fifth Amendment privilege.

Paul G. Utzschneider, a retired Phoenix appellate lawyer, was one of the lawyers who represented Ernesto Miranda. This article is based on excerpts from his article, “*Miranda* v. Arizona: History, Memories, and Perspectives,” published in the current issue of the Arizona Summit Law Review.

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**JUNE 2014 CALENDAR**

All events at MCBA Office, unless otherwise specified.

2  12 p.m.   Litigation Section Board Meeting
3  12 p.m.   Public Lawyers Division Board Meeting
4  12 p.m.   Young Lawyers Division Board Meeting
5  8:30 a.m.   Construction Law Section Board Meeting
6  12 p.m.   Estate Planning Probate & Trust Section Board Meeting
7  12 p.m.   CLE: June Real Estate Fundamentals Luncheon Series — Session I: Commercial Lockouts and Landlord Lien Auction Sales
8  11:30 a.m.   CLE: No Uncertain Terms — Terms, Programs & Levels of Supervision for Adult Probation
9  12 p.m.   Paralegal Division Board Meeting
10  12 p.m.   Corporate Counsel Division Board Meeting
11  12 p.m.   Environmental Law Section Board Meeting
12  12 p.m.   CLE: Choice of Law — Workers’ Compensation vs. Personal Injury
13  12 p.m.   MCBA Executive Committee Meeting
14  7:30 a.m.   CLE: The National Labor Relations Board
15  12 p.m.   CLE: June Real Estate Fundamentals Luncheon Series — Session II: Real Estate Due Diligence
16  12 p.m.   Law Firm Section Board Meeting
17  12 p.m.   CLE: Business on Board: Serving on Nonprofit Boards
18  7:30 a.m.   Bankruptcy Law Section Board Meeting
19  8:30 a.m.   CLE Starting Your Own Firm — Session 2: Law Firm Ethics
20  12 p.m.   Law Firm Section Board Meeting
21  12 p.m.   Employment Law Section Board Meeting
22  12 p.m.   CLE: June Real Estate Fundamentals Luncheon Series — Session III: Title/Survey
23  11:30 a.m.   Employment Law Section Board Meeting
24  12 p.m.   CLE: June Real Estate Fundamentals Luncheon Series — Session IV: Loan Documentation
25  7:30 a.m.   Maricopa County Bar Foundation Board of Trustees Meeting
26  12 p.m.   CLE: Ethics and Mindfulness for the Probate Practitioner
27  11:30 a.m.   CLE: June Real Estate Fundamentals Luncheon Series — Session V: Title Insurance
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