Ninth Circuit Court of Appeals strikes down Tucson’s unique election system

With a judge from South Dakota casting the deciding vote, a panel of the Ninth Circuit Court of Appeals has thrown out the city of Tucson’s unique system of electing members of the city council. The court held that Tucson’s hybrid system — fusing at-large and district voting into a single scheme — unconstitutionally violates the one-person, one-vote principle.

Public Integrity Alliance v. City of Tucson, No. 15-16142 (9th Cir. Nov. 10, 2015).

City-council elections in American cities generally fall into one of two types: members are elected either at-large or by separate districts. In its 1930 City Charter, Tucson adopted a system applying characteristics of both types.

The city is divided into six wards. Candidates are nominated from these wards in partisan primary elections in which only ward residents may vote. Candidates chosen in the primaries proceed to the general election, which is conducted at-large: All voters city-wide may vote for one candidate from each ward on the ballot. Thus, while candidates emerge from the wards, each member elected to the council represents the entire city.

A group called the Public Integrity Alliance joined with five individual voters in suing the city, contending that the hybrid system violates the Constitution. They argued that the principle of one-person, one-vote was violated because they had no say in nominating the candidates from other than their home wards. The district court ruled for the city, and the plaintiffs appealed. In an opinion by Judge Alex Kozinski, the Ninth Circuit reversed.

Kozinski noted that the plaintiffs had acknowledged that Tucson could have adopted an at-large system, allowing those voters to vote in both the primary and general election for the same candidate. Importantly, though, the majority also agreed that Tucson could have adopted a ward-based election, a system that would have given those voters no say at all in either the primary or the general election for that same candidate.

Tucson’s hybrid system thus gives each voter a little more than is constitutionally required. But the court holds that this is constitutionally forbidden. Tucson evidently could right its constitutional wrong by taking that little morsel away. Why can’t Tucson grant this little bit of generosity? What constitutional principle is served by forcing it to go even further? “In for a penny, in for a pound?”

For golf clubs and tennis racquets, the sweet spot is in the middle. Evidently, not so in elections.
A new year, a blank space

Here I sit, facing a blank page. Literally.

For years, my predecessors have communicated with us, the members of the Maricopa County Bar Association, through a monthly column. I recognize the requirement has been viewed by some past presidents as a chore, an unwelcome task that unavoidably must be performed by the top elected official of the association; simultaneously, though, I am confident that many of the association’s prior leaders have cherished the opportunity to use the column to convey ideas, concepts, expectations, goals and successes to the membership.

By way of personal introduction, I am a native of Phoenix (though I did live elsewhere during and after undergrad), a happily married father of healthy sixth grade twins, an ASU Sandra Day O’Connor College of Law alumnus, and a partner at Bryan Cave, LLP. My legal practice focuses primarily on litigating and resolving commercial distressed financial disputes (defaulted loans, corporate restructurings and bet-the-company contract matters). I also devote time to pro bono engagements, generally maintaining at least one open file at all times. Many of these cases come from the Volunteer Lawyers Program and serve Spanish-speaking clients. I am a fan of all our local sports teams, enjoy strolling through art festivals and have been known to sip a fine single malt Scotch from time to time.

In all honesty, I feel a fair amount of angst at the prospect of presenting, amusing and meaningful columns on a monthly basis. I embrace the challenge, and hope I do not disappoint. I welcome your honest feedback.

Here I sit, facing a blank page. Figuratively.

Typically the president of any organization ascends out of some internal drive, whether it be an ambitious desire of institutional improvement or, on the opposite end of the spectrum, a survivalist mentality of maintaining status quo. The Maricopa County Bar executive leadership process attempts to attract and inspire the former: its leadership route contemplates, though does not guarantee, a three-year ramp-up period. The secretary is considered the strong favorite to succeed as treasurer, who will presumably be selected by the board as the president-elect (and from there, as set forth in the association’s bylaws, will assume the role of president). After progressing through the offices, the president should have a solid grasp on the general direction of the association, challenges that must be overcome and opportunities upon which to maximize.

I have the good fortune of following this path to the presidency, which has given me three years to embrace the top leadership position of the association for 2016. I have the good fortune of succeeding a long line of predecessors to whose good fortune do I add the benefit of serving with the good fortune of succeeding a long line of predecessors.

The MCBA exists because our community needs us to lead. I invite you to contribute your time and talents to this charge. During this calendar year, we will face local and national political elections. I foresee with every decision I make. TJ did what he promised to do — he left the association better than he found it, and I take this opportunity to publically thank TJ. For his leadership, vision and devotion. Following his success, I accept the high expectations that my predecessors, the Executive Committee, the board, the membership and I personally place on my presidency. I aspire that my final column in December will reflect a full page, complete with a rich and thorough 2016 MCBA story that focuses on our community, which includes not only the association’s members but all members of the legal profession and, indeed, the entirety of the residents of and visitors to Maricopa County.

The MCBA exists because our community needs us to lead. I invite you to contribute your time and talents to this charge. During this calendar year, we will face local and national political elections. I foresee
Looking ahead to the new term

I am super excited for the opportunity to serve as president of the MCBA’s Young Lawyers Division for 2016; it’s going to be another great year for the YLD!

YLD is a division of the MCBA and includes all MCBA members who have been licensed to practice for five years or less, or who are 30 years of age or younger (whichever occurs last). Membership in the YLD is automatic for all MCBA members who fit the above criteria. The board meets once a month to plan and organize many fantastic events throughout the year. The events are for all members of the MCBA, not just YLD members. Each event is aimed at serving the underserved members of the community in some way. Here are a few examples:

Race Judicata: The YLD hosts a 5K-rain/1-mile walk/kids’ dash each October at Kiwanis Park in Tempe. This event draws quite a diverse and enthusiastic crowd and it just keeps getting better each year. In addition to all the great work of the YLD board members, the race is also supported by Race Timers, a professional race event organizer. Race Timers uses “the most up-to-date technology when timing a race. All our events are chip timed (disposable tags) using the Ultra Timing System by RFID Timing Systems.” (per www.racetimers.com)

Necessities Drive: The YLD collects and organizes necessities (toiletries, feminine products, diapers, etc.) annually for donation to local domestic violence shelters; proceeds received from the Race Judicata are used to purchase additional necessities. Board members meet over the weekend to separate and pack the goods into boxes, which are then delivered to the shelters each year. Big thanks to Two Men and A Truck for their assistance in delivering the goods free of charge.

Barristers Ball: The YLD’s biggest event of the year is coming up soon and all MCBA members are encouraged to attend. The “black-tie preferred” charity gala event will take place on March 5, 2016, beginning at 6 p.m. at the historic Camelback Inn in Scottsdale. It is a wonderful opportunity to dress up and attend a gala at a great price (early bird prices, which ends Jan. 15, are $1,450 for table of ten). Each ticket includes a delicious dinner and one wine pour, one drink ticket, live music, dancing, photography, chips for playing at the many casino tables, and much more! As for attire, we recommend men come in a tuxedo or suit and tie and women dress in a long evening gown, cocktail dress or dressy evening separates. A silent auction will include a fantastic array of items such as sports memorabilia, vacation packages and more. Some amazing prizes will also be raffled off at the event, so be sure to buy your winning raffle tickets! The Barristers Ball benefits the Maricopa County Bar Foundation. The foundation is the charitable arm of the MCBA, which supports the justice-related public service and educational activities of the Maricopa County Bar Association and other organizations.

Mock interviews: Each year, the YLD provides volunteers to pose as potential employers in an effort to give law students an opportunity to practice their interviewing skills before they graduate. Mock interviews take place at ASU and Arizona Summit Law School twice a year, in the spring and the fall.

Mock interview: In 2015, the YLD organized 12 pairs of mentors and mentees who attended a number of events at various venues throughout the year, and we were also encouraged to keep in contact with their assigned mentor/mentee. We hope to continue this program in 2016 and beyond.

Thank you to all of the board members and committee volunteers, event sponsors and the MCBA staff (especially Laurie Williams and Kelly Branger) for all they do to help make all these incredible events possible.

The YLD provides invaluable opportunities for young lawyers. If you are interested in getting more information about the above events, donating necessities or otherwise getting involved, I encourage you to email me at krystal.ahart@azbar.org. I am sincerely looking forward to a great year with the YLD and would love for you to be a part of the fun!

YLD board meetings are held on the first Wednesday of the month at the MCBA offices, at noon.

Arbitration Fee Donations Help
Partnering with the Maricopa County Superior Court, the Maricopa County Bar Foundation (MCBF) is once again encouraging attorneys assigned to arbitration to donate the $75 fee to the Foundation’s fundraising efforts.

It’s Easy to Contribute
The court has made it easy to contribute with a convenient “pro bono” check-off box located at the bottom of the Invoice in Support of Request for Warrant, a form provided in your arbitration packet. For more information, go to maricopabar.org and click on the Maricopa County Bar Foundation link located on the homepage sidebar.

Thank you for making a difference!
2016: What’s your professional resolution?

Happy New Year! With the gifts exchanged and the ball dropped in Times Square, we are now busy making our New Year’s resolutions. These usually consist of personal goals such as eating better, getting in shape or quitting a bad habit — most of which will not last through the end of the month. How about doing something different this year by making a professional resolution? Ask yourself, “Am I where I want to be in the legal community?”

If your answer is no, I challenge you to make a change this year, starting with your involvement in the MCBA. If you are reading this article, you are either a member of the MCBA or know someone who is. If you haven’t joined, what’s stopping you? If you are a member, what’s keeping you from being an active one? The MCBA is not just for attorneys. It has a lot to offer both paralegals and paralegal students and there are many ways for you to get involved, whether you have a lot of time to contribute or a little.

The division has many committees to choose from when deciding what works best for you. The Legal Resources Committee selects our continuing legal education programs which are offered to our members at a discounted rate. This year, we will have one CLE each quarter, with our first being a lunch event on February 4 titled “Profiting from Your Paralegal: How to Effectively Leverage Your Paralegal in Your Personal Injury Practice,” presented by John Torgenson, Esq. and Valerie Ramirez, paralegal, from the Torgenson Law Firm. This CLE will benefit both paralegals and attorneys. We will also have a happy hour event each quarter in different areas of the Valley for networking. If you would like to suggest a venue in your area, please contact Committee Chair Norma Franco. We are also reviving our mentorship program this year. If you would like to be a mentor or if you are a student looking for a mentor, please contact Ms. Franco.

The division’s Paralegal Career Day is set for Saturday, March 26. This event is specifically geared to assist our student members who just graduated or will be graduating in the near future. The speakers will focus on resumes, cover letters, interviewing and appropriate attire for an interview or on the job. We will also have a speed networking session where paralegals from all areas of the legal community will meet with groups of attendees to discuss what they do and answer questions. This year’s event includes a resume workshop where managing paralegals will be reviewing students’ resumes and providing feedback on the spot. If you are interested in assisting with this event, please contact Committee Chair Cecilia Rodriguez. This is a great way for seasoned paralegals to give back to those just joining the legal profession.

Our Community Outreach Committee enjoyed working with the Young Lawyers Division this past year and is looking forward to other opportunities to assist them in 2016. Our charity event for this year will be a summer backpack drive to benefit The Red Gelli Foundation, which helps homeless children in Maricopa County. We will also be forming a team to participate in the YLD’s Race Judicata and the Leukemia & Lymphoma Society’s Light the Night Walk. We are currently looking for members who would like to attend the MCBA’s Barristers Ball on Saturday, March 5, so we can purchase a table at the lower rate. If you are interested in any of the above, please contact Committee Chair Cecilia Rodriguez.

The 17th Annual Arizona Paralegal Conference will take place on Friday, October 14, at the Desert Willow Conference Center. It takes many volunteers to make this event a success. The committee is already hard at work determining the topics, speakers and vendors, and can always use more members. If you are interested in helping us plan this great event, please contact Committee Co-chairs Melinda Manchester and Kate Hofland.

Each year, the division awards a $1,000 scholarship to a student member attending a paralegal program and in need of financial assistance. Our Scholarship Committee meets online in early August to review the applications and determine who will receive the division scholarship and the one awarded by the Maricopa County Bar Foundation. This is a short-term commitment. If you are interested in joining this committee, please contact its Chair, Nichole StasdaKovich. Our Membership Committee is always in need of volunteers to help us promote the division and gain new members. This includes promoting the division to both paralegals and students. If you have any suggestions or are interested in joining this committee, please contact Chair Nilda Jimenez.

In addition to the volunteer opportunities mentioned above, the MCBA offers its members a job bank, which includes paralegal positions. The MCBA has also partnered with various providers to give its members a discount on both personal and professional products and services. Paralegal Division members also have the unique possibility to network with attorneys and judges at MCBA events.

There are many ways to get involved this year, whether you have a lot of time or only a little to spare. Please consider joining us at one of our events to see what we are all about. As a reminder, each year we select one paralegal member to receive the Paralegal Member of the Year Award. This honor is bestowed on a member who has promoted the division and donated their time and talents throughout the year. Will you be this year’s recipient?

We are pleased to announce that Judge (Ret.) Bethany G. Hicks has become Of Counsel to the firm. Judge Hicks recently retired from the Maricopa County Superior Court with more than twenty-three years of experience on the civil, family, criminal and juvenile benches.

Bethany is a graduate of the Sandra Day O’Connor School of Law at Arizona State University, is licensed to practice in the State of Arizona, and is a member of our Family Law Section. Her practice will be concentrated in civil and family law mediations, parent coordination, special master appointments, consultations and arbitration.
Making a “real” point

It’s the time of year for making New Year’s resolutions, and I have a resolution that legal writers can make and (easily) keep: eradicate the “fakers” from your writing. “Fakers” are those words that pretend to make writing more precise, but instead they damage the writer’s credibility due to their either their ambiguity or stuffiness, or both. Following is my list of top five “fakers” to watch out for in your writing:

1. Deem. This word appears in a lot of older cases, so it is particularly hard one to eradicate, especially with new legal writers who tend to copy what they read and think the word has special meaning. The good news is that few non-lawyers use this word because it is archaic and stuffy. Try the words: agree, agree or think instead.

2. Herein, therein, hereinafter, thereafter. In most legal writing style manuals, these words are listed as unhelpful legalese. I agree with this characterization and would add that sometimes these words add unintended ambiguity. For example, herein means “in this.” But, the “this’” part usually needs further explanation. Consider this sentence from a contract: “The contractor agrees to the payment terms herein.” The ambiguity is whether herein refers to the entire contract or just the section where this sentence appears. Different readers might have different interpretations. In this instance, I suggest using a specific cross-reference to the payment terms to avoid ambiguity.

3. Said. This is another word that appears many times in older cases as an adjective: “The party will pay the fee according to said payment plan.” I consider this usage a lazy one. My guess is that said is operating as a shortened version of aforesaid and is intended to refer to a previous sentence. Both words are stuffy legalese. Instead, the writer should simply use the or, if precision is the goal, use this, that, those or these with any necessary qualifiers.

4. Such. Like said, many legal writers rely on such as a clarifying adjective. In other words, they use such to refer to a previous noun or phrase. This usage is stuffy and archaic, and you can replace this word with the, this, that, these or these.

5. Very/clearly/definitely/really. Some writers defend these words as persuasive modifiers. Most legal readers disagree, however. I suggest using stronger verbs so these over-used adverbs are not needed.

What’s behind the scenes for 2016

Each new year brings changes and challenges. Some events are surprises, like a change in policy or practice with a court customer that creates an operations problem no one thought of, despite extensive planning. Other events are known, but require months of preparation before implementation, like legislation, court rules and other mandates. Much of what the clerk’s office has planned for 2016 is happening behind the scenes, but will benefit our customers through more efficient and updated operations.

The clerk’s office is enhancing the structure and performance of courtroom clerk operations. This adjustment will provide courtroom clerks direct assistance in performing their functions and improve the speed of resolving complex matters. Additional cross training will ensure coverage of preparation before implementation, like legislation, court rules and other mandates. Much of what the clerk’s office has planned for 2016 is happening behind the scenes, but will benefit our customers through more efficient and updated operations.

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Retirement luncheon

The legal community gathered on Dec. 1 for a luncheon honoring the retirements of Justice Rebecca White Berch and Presiding Judge Norman J. Davis. Attendees enjoyed lunch and a plaque presentation at the Hyatt Regency Phoenix.

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A big thank you to Tyler Carrell as his term as YLD President comes to an end.

The Executive Board of the Young Lawyers Division held their end of the year meeting at the Vig Fillmore on Dec. 1. YLD leadership was recognized and honored for their achievements in 2015.

YLD Board Member Kim Davis is named the YLD Member of the Year.
The ethics of technology

By Russell Yurk

In my opinion, one of the biggest ethical challenges facing lawyers today is the rapid advance in technology. On one hand, new technologies are very helpful to the profession. They produce new tools that allow lawyers to communicate more efficiently and process information faster and more thoroughly than ever before. However, with those new technological tools come increased ethical responsibilities.

The Arizona Supreme Court amended the comments to ER 1.1 (Competence) effective January 1, 2015 to explain that lawyers “should keep abreast of changes in the law and its practice, including the risks and benefits associated with relevant technology …” ER 1.1 cmt. 6. This isn’t entirely new — the ethical duty of competence has always been interpreted to include an understanding of relevant technology. See, e.g., Ethics Ops. 05-04, 09-04. But by incorporating this concept into the comments to ER 1.1, the Arizona Supreme Court adds emphasis to the concept.

Why is this important? Because it means that lawyers are responsible not only for knowing changes in the law, but also for the “risks and benefits” of the changing technology landscape. Technology is now considered an integral part of the practice of law and it is nearly always relevant to the representation of clients.

Many lawyers will ask, “How does technology affect my ethical duties?” When you think about it, modern technology is a thread that runs throughout the practice of law. One example is the safeguarding of client information on personal computers, law firm servers and mobile devices. The ethics rules require lawyers to use reasonable measures to safeguard their client’s property and information related to the case. This obligation likely includes appropriate password policies, antivirus or malware protection, public Wi-Fi or VPN policies, and potentially encryption of information on laptops and portable devices. Encryption makes it significantly more difficult for others to remove client information from stolen or lost devices.

Another example where technology affects ethical duties is the increasing relevance of e-discovery. Few lawyers would deny that competent lawyers need to know how to ask appropriate questions at a deposition or draft appropriate interrogatories when litigating a case. E-discovery is no different — competent lawyers need to fully understand what forms of e-discovery may be requested of their clients and advise their clients accordingly. Lawyers also need to understand what e-discovery options are available to gather information from litigation opponents. Today, many people communicate regularly through text message and social media as opposed to formal letters or even email. Is your client preserving all potentially relevant electronic information as well as hard copy documents?

Gathering thousands or tens of thousands of electronic communications and documents either for production or for review can raise another challenge. How do you competently review several thousand documents to find the most relevant information? The good news is that technology has also given lawyers the ability to quickly and thoroughly review vast amounts of information through technology-assisted review, group-detection technology and predictive coding. E-discovery consultants can advise you on options appropriate for your particular situation.

Lawyers do not need to be technology experts. But they also can’t bury their head in the sand. Lawyers need to understand why they need to stay abreast of technological advancements. Law firms should consider enacting firm-wide policies regarding the appropriate use of technology and safeguarding client information, utilizing outside consultants to advise lawyers on technological options available for specific situations, and scheduling regular training of lawyers and law firm personnel on technological advances. It is often helpful to appoint a technologically savvy lawyer to lead this effort within the law firm. By doing this, lawyers will comply with their ethical obligations and better represent their clients.

Russell Yurk is a partner with Jennings, Hang & Cunningham, LLP, in Phoenix. His practice focuses on professional liability, lawyer discipline and complex civil litigation.

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Welcome, Sustaining Members!

The MCBA is proud to welcome the following attorneys who have joined the Association as Sustaining Members for 2016:

- Bryan James Blehm
- James C. Dutson
- Magaly Fontes
- James R. Harrison
- Jennis Hemingsway
- Leonnesia Herd
- Jill M. Hulsizer
- Jack Levine
- Charles F. Myers
- Michelle N. Ogborne
- Rich J. Peters
- James T. Rayburn
- Lynda C. Shely
- Howard A. Snader
- Hon. Ronce F. Korbin Steiner
- Robert E. Thomson

(List as of Dec. 21)

For a single payment of $500, Sustaining Members receive unlimited attendance at live Continuing Legal Education programs and other benefits. For more information or to become a Sustaining Member, please contact Membership Director Cynthia Quinonez at 602-682-8582.

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NADN is the official neutrals database provider for the national trial (AAJ) and defense (DRI) bar associations - for more info, see www.nadn.org/about
Family Law Judicial Reception

The 2015 Family Law Judicial Reception was held on Dec. 2 at the MCBA office. Light appetizers, beer and wine were served as members of the Family Law section mixed and mingled with the judicial community. A big thank you to the sponsors: CourtCall, ProperComm, Arizona Mediation Institute, and Padish & Wells.

Event sponsors Family Law Section Chair Kellie Welles and Jim Padish of Padish & Wells

Cari Gerchick with reception sponsor JC Welch of CourtCall

From left: Event sponsor Judith Wolf from the Arizona Mediation Institute, with Lindsey Cohen and Family Law Section Board Member Jennika Stith

Event sponsor Steve Sheldon from ProperComm and Paula Kirby

MAY POTENZA BARAN & GILLESPIE

May, Potenza, Baran & Gillespie, P.C. is pleased to announce that Ms. Shruti Gurudanti has joined the firm as an Associate in our Transaction Department. Shruti is developing her practice in the area of corporate law, mergers and acquisitions, and emerging businesses.

Shruti is a graduate of the James E. Rogers College of Law at the University of Arizona, is licensed to practice in the State of Arizona (2015) and in India (Bar Council of Maharashtra & Goa) (2010).
CLE review: Same-sex marriage in Arizona: One year later
By Aaron Nash

With marriage comes divorce. Thus began a well-attended CLE last October covering the status of same-sex marriage in Arizona. The class was presented live and broadcasted remotely near the one-year anniversary of when same-sex marriages were officially conducted and recognized in Arizona. Claudia Work and David Horowitz walked the participants through the last year’s developments, pitfalls, and unanswered questions and scenarios that have unfolded on a case-by-case basis in Arizona and around the country.

Some well-intentioned practitioners brought same-sex divorce cases into their long-standing family law practices only to find themselves in a minefield unlike opposite-sex marriages. Work and Horowitz provided real-world examples of couples with thorny fact patterns that only served to demonstrate the unending combination of factors that could be involved and that will have to be litigated to establish Arizona precedent. Among the factors complicating the legal status of same-sex marriages are contractual relationships that precede the couple’s marriage; accumulation of different types of legal status such as registered domestic partnerships, civil unions and marriage in multiple states by the same couple; states that deemed other legal statuses entered within their borders as marriage as of a date certain without notifying the couples; and state statutes that have not been modified to reflect same-sex marriages.

In Arizona’s courts, it will take time for case law to develop and the courts may choose not to address some statutory issues, leaving that to the legislature. Couples currently living with cohabitation agreements that marry or want to marry may find there are provisions in those agreements that are not allowed under the Uniform Premarital Agreement Act and they will need to address those or be surprised by them later. A person receiving spousal support from an opposite-sex marriage who later entered a same-sex marriage that suddenly changed from invalid to valid under the law may find their case back in court for sorting out those particulars. Adding children to the formula further complicates the legal issues that will have to be resolved in law and equity.

Same-sex marriage issues arise in different ways when federal agencies are involved. Benefits and legal status have to be determined by each federal agency’s guidelines. They will be looking at the date of a civil union versus a marriage and many other fact-driven ways of measuring the validity and duration of a relationship as it relates to legal status and entitlements. For same-sex couples, the entire relationship history is key to determining their rights and status, including all the legal documents that reflect all their relationships and property holdings.

A key takeaway of this informative CLE was that same-sex marriage legal issues may have some resemblance to existing civil and family law, but always have the potential for fact-specific factors that have not been litigated and where advocacy may create precedent. As a starting point, same-sex couples will need a legal marriage that can be documented before Arizona’s family court is available to them. The presenters suggested that practitioners prepare their clients for the fact that the vast majority of civil and family court records are public, and their clients’ relationship status in court may impact their work and housing, where state laws do not prohibit actions based on sexual preference.

See the MCBA’s website for information on accessing the full presentation. The video and supporting materials include participant questions and answers; definitions; case law; historical references; citations to the impact of children, adoption and divorce; and a checklist to reference when a same-sex relationship may impact a client’s case. Look for future CLEs from the MCBA, as these issues will continue developing in equity, by case law and statuteuly.

MICHAEL J. FULLER, ESQ.
3050 North Third Street, Suite 220, Phoenix, Arizona 85012
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JANUARY 2016 CALENDAR
All events at MCBA office, unless otherwise specified.

1 MCBA office closed in observance of the New Year
4 Litigation Section Board Meeting Noon
6 YLD Board Meeting Noon
7 Construction Law Section Board Meeting Noon
8 CLE: Estate Planning Fundamentals Session 1: Where There Isn’t a Will There’s a Way 11:30 a.m.
11 Paralegal Division Board Meeting 5:30 p.m.
12 CLE: Can I Delete This? Record Keeping & Litigation Holds in an Electronic Age Noon CCD Meeting 4:30 p.m.
13 Environmental Section Board Meeting Noon
14 CLE: Insolvent Estates 7:30 a.m. CLE Waves of Change in Family Court 1:30 p.m.
15 CLE: Estate Planning Fundamentals Session 2: Basic Estate Planning 11:30 a.m.
18 MCBA closed in observance of MLK Day
19 Family Law Section Board Meeting Noon
20 Barristers Ball Committee Meeting 8 a.m. LRS Committee Meeting Noon
21 CLE: Data Security and Privacy Breaches Noon Board of Directors Meeting 4:30 p.m.
23 CLE: Estate Planning Fundamentals Session 3: Basic Conservatorship/ Guardianship of Adults 11:30 a.m.
27 MCBF Board of Trustees Meeting 7:30 a.m.
28 Diversity and Inclusion Committee Meeting Noon
29 CLE: Estate Planning Fundamentals Session 4: Intro to Probate 11:30 a.m.

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

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New judge Q&A: Hon. Kerstin LeMaire

Q: What has surprised you the most about making the transition from commissioner to judge? A: Nothing has surprised me in particular, but I was sincerely impressed and humbled at how dedicated everyone was to making the transition smooth. From the court facilities team who orchestrated the physical move; to CTS who coordinated the technology move; to the judicial staff from both the probate and civil departments; everyone has been extraordinarily kind and generous.

Q: Who has been the biggest inspiration in your legal career? A: Alicia Franco and Estella Desardan, Superior Court Associate Presiding Judge Joseph Welsy was one of more than 40 judges who volunteered on National Adoption Day.

Ninth Circuit Court of Appeals continued from page 1

knowledge that the city could have chosen to use either at-large or ward-based systems for both the primary and general elections. The appeal’s outcome thus depended on whether the primary and general elections are two separate elections — to be judged independently of each other — or instead are parts of an integrated whole. “The difference matters a great deal,” he wrote. “If the two elections were separate, then the plaintiffs’ constitutional arguments would evaporate — because there would be no mismatch between the voting constituency and the represented constituency in the two elections.”

He found no trouble answering the question, however. “It is perfectly clear,” he wrote, “that the two contests are not independent.” Without the primary, he explained, “there could be no candidate to compete in the general election.” And “without the general election, the primary winners would sit on their hands.”

With the two parts being part of a unitary whole and with all council members representing all Tucsonans, Kozinski concluded that all Tucson voters must have a say in all parts of the process. “A citizen’s right to vote in the general election may be meaningless unless he is also permitted to vote in the primary,” he wrote, explaining that “if a voter’s preferred candidate is defeated in a primary unless he is also permitted to vote in the primary, the voter from which the voter is excluded, the voter preferred candidate is defeated in a primary, thereby forcing the entire city to choose among nominees selected by a tiny minority of residents. He also imagined New York dividing the primaries for its two U.S. senators, one open only to residents of Manhattan and the other open only to the rest of the state. “We do not believe,” he wrote, “that such mismatches between voters at different stages of a single election cycle are constitutionally permissible.”

“We cannot endorse an election system that encourages at-large representatives to prioritize kissing babies and currying favor in their home wards over the interests of their constituents who happen to live in other parts of the city,” Kozinski wrote. “Excluding out-of-ward voters from the primary election discriminates among residents of the same government unit in violation of the Equal Protection Clause of the Fourteenth Amendment.”

“Every other eligible voter who will be a constituent of the winner of the general election must have an equal opportunity to participate in each election cycle through which that candidate is selected,” Kozinski held. Joining him in reversing the district court’s ruling was Lawrence L. Pierson, Senior District Judge for the District of South Dakota.

In dissent, Judge Richard C. Tallman first argued that the majority had ignored basic election-law tenets. “Conspicuously absent from the majority’s opinion is any mention of the appropriate standard of review,” he wrote. “Courts determine the appropriate level of scrutiny to evaluate a state election law by examining the burden the law imposes on voters’ rights and then weighing that burden against the state’s legitimate interest in maintaining the law.”

Tallman also accused the majority of ignoring electoral realities, including the fact that “the two contests are not independent.” He disagreed with the majority’s conclusion that the two elections are not independent — as the Supreme Court had written in 1992 in Burdick v. Takushi. Tallman implied that the majority had improperly applied strict scrutiny, which, he wrote, “is appropriate only if the burdens are severe; otherwise, the state election law is constitutional so long as it is justified by a state’s ‘important regulatory interests.’”

According to Tallman, the Supreme Court had limited strict scrutiny to statutes that had imposed discriminatory poll taxes, property ownership requirements and durational residency requirements. He noted that the Ninth Circuit had repeatedly upheld voting restrictions that were not severe, were generally applicable, even-handed and politically neutral, and that protected “the reliability and integrity of the election process.”

Tallman also accused the majority of ignoring hypothetical elections, only citing the fact that individuals do not have an absolute right to vote in primary elections. It is constitutional, he noted, to limit voting in primary elections to voters from a candidate’s political party. Indeed, the Ninth Circuit had previously upheld Arizona’s closed-primary system. And the Third Circuit had reached a similar result in a case earlier this year, reasoning that there is “no constitutional right to unqualified participation in primary elections.” The court concluded that the burden that a closed primary places on voters’ rights is minor compared to the state’s interests in having it.

While these two cases were not dispositive, they were persuasive because “they do counsel that primary and general elections are not on the same constitutional footing.” And, according to Tallman, “primary elections in Tucson . . . are nothing more than the means political groups use to choose the standard bearers who will face off in the general election.”

He disagreed with the majority’s conclusion that the primary and general elections must be considered together as parts of a unitary whole, writing that “the cases the majority cites do not establish that primary and general elections must always be considered together.” Although one of those cases holds “that Tucson cannot deprive a ‘qualified’ voter from voting in a ward primary,” Tallman wrote, it leaves Tucson with “broad discretion to decide who is ‘qualified’ to vote in its primaries.”

Tallman agreed that the systems envisioned in the majority’s hypotheticals would severely limit voter participation in primary elections and therefore would not pass constitutional muster. But he denied the majority’s reliance on hypotheticals. “First, both of these hypotheticals eliminate large swaths of city residents from voting in any primary, which would likely be considered a ‘severe burden’ on voting rights and subject to strict scrutiny under Burdick.” Second, unlike “Tucson’s system, the hypothetical restrictions would likely not further any important governmental interest. Tucson’s ward-based primary, by contrast, helps to ensure that each ward has a nominee for City Council who is aware of that ward’s particular needs.”

“The Constitution,” Tallman concluded, “permits Tucson to set different geographical units for its primary and general elections.” He therefore dissented.

INSIDE THE COURTS

National Adoption Day

On Saturday, November 21, 280 children were adopted on National Adoption Day at Juvenile Court, Durango. Gov. Doug Ducey joined Presiding Judge Janet Barton and Juvenile Court Presiding Judge Colleen McNally at a press conference to kick off the event. Gov. Ducey is a strong advocate for foster care and children finding permanent and loving homes in Arizona. The governor and his wife Angela are aunt, uncle and god parents to a boy who was adopted through the foster care system.

Star Wars Storm Troopers at the National Adoption Day event.

Gov. Ducey speaks at the event.
12 • JANUARY 2016

MARICOPA LAWYER

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Register online at: www.maricopabar.org. Click on "CLE/Events" at the top menu and then "CLE Calendar."

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Follow directions for online registration. Then, from the program's online registration page, download a printer registration form by mail or fax.

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

ATTENDANCE POLICIES
ADVANCE REGISTRATION: Full payment must be received in advance of the program before you are considered registered.

LATE REGISTRATION: Early Bird registration ends five days prior to the program date. Late registration is an additional $15.

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 (at 602-682-8616), or email Kelly at kdengel@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.

JANUARY 2016

ESTATE PLANNING FUNDAMENTALS

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SESSION I
FRIDAY • JANUARY 8
Where There Isn’t a Will, There’s a Way
Presented by: Mark Moritz, Attorney at Law

SESSION II
FRIDAY • JANUARY 15
Basic Estate Planning
Presented by: Hillary Gagnon, Attorney at Law

SESSION III
FRIDAY • JANUARY 22
Basic Conservatorship/Guardianship for Adults
Presented by: Brian Theut, Theut, Theut & Theut PC; Kevin Parker, Snell & Wilmer

SESSION IV
FRIDAY • JANUARY 29
Introduction to Probate
Presented by: Judie M. Retelle, Attorney at Law

TWO WAYS TO REGISTER:

ONLINE: www.maricopabar.org under CLE/EVENTS header, then click CLE Calendar.
PHONE: Call Kelly Brantiger at 602-682-8588 M-F, 8:30 am to 5 pm.
Have your credit card information handy.

JANUARY 2016

1 TO 3 P.M.
Data Security and Privacy Breaches – Are You Covered?
3 CLE credits available
Please join Karin Aldama and Rusty Crandell for a presentation intended to give attendees a robust understanding of data breach threats and steps companies can take to mitigate and address those threats and risks through insurance. More specifically:
• Understand the Threat
• Prepare for Obtaining Cyber Coverage
• Obtain Cyber Coverage
• Respond to a Breach
Presenters: Karin Aldama, Esq. and Rusty Crandell, Esq., Perkins Coie, LLP
Cost: MCBA members: $76.50/$82.50
Bring your paralegal/legal assistant (Please provide their name and email): $30

JANUARY 2016

1 TO 3 P.M.
Where There Isn’t a Will, There’s a Way
3 CLE credits available
Please join John Torgenson and his paralegal Annette Burns for a seminar on determining whether an estate is intestate, how to determine whether an estate is intestate, and how to effectively leverage your paralegal in your personal injury practice.
Presenters: John Torgenson, Esq. and Annette Burns, Esq.
Cost: MCBA members: $100/$125
Bring in your paralegal/legal assistant (Please provide their name and email): $30

JANUARY 2016

1 TO 3 P.M.
Your Paralegal in Your Personal Injury Practice
3 CLE credits available
Please join John Torgenson and his paralegal, Valerie Ramirez, for a seminar that will provide:
• An overview of the definition of a paralegal,
### LUNCH SERIES • FEBRUARY 5, 12, 19 and 26

**Program:** 11:30 a.m. - 1 p.m.

**Location:** 303 E. Palm Lane, Phoenix, AZ 85004

**Lunch included • Each session offers 1.5 hours CLE credit hours**

**Sponsored by the Bankruptcy Law Fundamentals**

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### FEBRUARY 2016

#### BANKRUPTCY LAW FUNDAMENTALS

**PRESENTED BY:**

**MCBA Bankruptcy Law Section members**

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<th>Member Status</th>
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### EARLY BIRD PRICING

1. **LiMiTED SEATiNg-RESERvE NOW!**
2. EARLY BIRD PRICING ends 2.2.16

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#### INDIVIDUAL SESSION PRICES

**EARLY BIRD PRICING**

<table>
<thead>
<tr>
<th>Session</th>
<th>Date</th>
<th>Title</th>
<th>Presenter(s)</th>
<th>Description</th>
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<td>I</td>
<td>Feb 5</td>
<td>Hold That Appeal: Paring Back the Doctrine of Equitable Mootness</td>
<td>Henk Taylor</td>
<td>Focus on legal principles</td>
<td>1.5</td>
<td><strong>$50/$65.50</strong></td>
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<td>II</td>
<td>Feb 12</td>
<td>Why Darth Vader is Not Entitled to a Discharge</td>
<td>Dean Diner, Esq., Nussbaum, Gillis &amp; Dinner, PC; Scott Weiner, Esq., Nussbaum, Gillis &amp; Dinner, PC</td>
<td></td>
<td>2 CLE credit hours available</td>
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<tr>
<td>III</td>
<td>Feb 20</td>
<td>Death &amp; Bankruptcy: The Intersection of Bankruptcy and Inherited Beneficiaries</td>
<td>Mark Bregman, Esq, Dyer &amp; Ferris, LLC</td>
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<td>2 CLE credit hours available</td>
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<td>IV</td>
<td>Feb 26</td>
<td>How Mean is the Means Test?</td>
<td>Scott Hyder, Esq., Law Office of Scott Hyder, PLC</td>
<td></td>
<td>2 CLE credit hours available</td>
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#### SESSION I

**FRI DAY • FEBRUARY 5**

**Hold That Appeal: Paring Back the Doctrine of Equitable Mootness**

**PRESENTED BY:** Henk Taylor, Esq., Ryan Rapp & Underwood, PLC

**TWO TO REGISTER:**

**ONLINE:** www.maricopabar.org under CLE/EVENTS header, then click CLE Calendar. **PHONE:** Call Kelly Braniger at 602-682-8888 M-F; 8:30 am to 5 pm.

- Common misconceptions and the evolution of the paralegal’s role
- Ways to save time and money by using a paralegal in your practice, specifically personal injury
- Maintaining the attorney/paralegal relationship and understanding expectations
- Useful apps and technology for attorneys and paralegals.

**PRESENTERS:** John Torgenson, Esq., Torgenson Law; Valerie Ramirez, Legal Administrator, Torgenson Law

**COST:**

- **MCBA members:** $50/$65
- **MCBA Paralegal & Public Lawyer Division members:** $35/$50
- **MCBA student members:** $15/$30
- **Non-members:** $80/$95

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#### SESSION II

**FRI DAY • FEBRUARY 12**

**Why Darth Vader is Not Entitled to a Discharge**

**PRESENTED BY:**

**DEAN DINNER, ESQ., NUSSBAUM GILLIS & DINNER, PC; SCOTT WEINER, ESQ., NUSSBAUM GILLIS & DINNER, PC**

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#### SESSION III

**FRI DAY • FEBRUARY 19**

**Death & Bankruptcy: The Intersection of Bankruptcy and Inherited Beneficiaries**

**INTERESTS IN TRUSTS**

**PRESENTED BY:**

**MARK BREGMAN, ESQ., DYER & FERRIS, LLC**

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#### SESSION IV

**FRI DAY • FEBRUARY 26**

**How Mean is the Means Test?**

**PRESENTED BY:**

**SCOTT HYDER, ESQ., LAW OFFICE OF SCOTT HYDER, PLC**

---

### FEBRUARY 16, 2016 • NOON TO 1:30 P.M.

#### THE RULES OF EVIDENCE AND FAMILY LAW

**SPONSORED BY:**

**MCBA Family Law Section**

**1.5 CLE credit hours available**

Please join Russell Wenk and Charles Trullinger for a seminar on Rules of Evidence. This seminar will focus on:

- Relevance and reliability
- Hearsay refreshers
- What rules still apply when not invoked
- Common objections
- What rules apply when invoked
- Practice tips
- Expert testimony in light of rule 702
- Trial objections
- Getting documents admitted under the rules
- Use of depositions
- Recording phone calls

**PRESENTERS:** Russell Wenk, Esq., and Charles Trullinger, Esq., Trullinger and Wenk, PC

**COST:**

- **MCBA members:** $75/$82.50
- **MCBA Paralegal & Public Lawyer Division members:** $45/$60
- **MCBA student members:** $15/$30
- **Non-members:** $107.50/$122.50

**LIMITED SEATING-RESERVE NOW!**

1. **Early bird pricing ends 2.11.16**

---

### FEBRUARY 23, 2016 • NOON TO 2 P.M.

#### LIFE CARE PLANNING AND THE PERSONAL INJURY CASE

**2 CLE credit hours available**

Please join Lois Hawkins, RN, CLCP for a seminar focusing on life care planning and what you should consider when handling a personal injury case that may involve life care planning. More specifically:

- What type of cases to involve a Life Care Planner
- Benefits of using a Life Care Planner
- How to involve a Life Care Planner
- What to look for when searching for a Life Care Planner
- The role of collateral resources and The Affordable Care Act play in a life care plan
- Life Care Planning methodology
- Standard of practice

**PRESENTERS:** Lois Hawkins, RN, CLCP

**COST:**

- **MCBA members:** $85/$100
- **MCBA Paralegal & Public Lawyer Division members:** $60/$75
- **MCBA student members:** $15/$30
- **Non-members:** $107.50/$122.50

**LIMITED SEATING-RESERVE NOW!**

1. **Early bird pricing ends 2.11.16**

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### FEBRUARY 10, 2016 • 11:30 A.M. TO 1 P.M. (Lunch included)

#### RESOLVING JOINT OWNERSHIP DISPUTES THROUGH PARTITION, RECEIVERSHIP AND SPECIAL MASTERS/COMMISSIONER APPOINTMENTS

- **1.5 CLE credit hours available**
- **Voluntary Division of Property/Statutory Division of Property: ARS § 12-1211**
- **Partition in Kind**
- **Partition by Sale**
- **Partition Agreements**
- **Foreclosure**
- **Challenging Foreclosability**
- **Special Commissioner Appointments**
- **Standard Orders**
- **Customized Order Provisions**
- **Maximizing Value**
- **Reporting**
- **Contract Negotiations**

**PRESENTERS:**

- John Torgenson, Esq., Torgenson Law
- Valerie Ramirez, Legal Administrator, Torgenson Law

**COST:**

- **MCBA members:** $50/$65
- **MCBA Paralegal & Public Lawyer Division members:** $35/$50
- **MCBA student members:** $15/$30
- **Non-members:** $80/$95

**LIMITED SEATING-RESERVE NOW!**

1. **Early bird pricing ends 2.2.16**

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### FEBRUARY 17, 2016 • 11:30 A.M. TO 1 P.M. (Lunch included)

#### IN-HOUSE COUNSEL ETHICS

- **1 CLE credit hour available**

Please join Scott Brown for an ethics CLE specifically designed for in-house counsel. Topics will focus on:

- Who is the client?
- Protecting the privilege
- Fixing false statements
- Duty of competence regarding e-discovery

**PRESENTERS:** Scott Brown, Esq., Partner, Lewis Stockton Banfield, PLLC

**COST:**

- **MCBA members:** $60/$75
- **MCBA Paralegal & Public Lawyer Division members:** $45/$60
- **MCBA student members:** $15/$30
- **Non-members:** $107.50/$122.50

**LIMITED SEATING-RESERVE NOW!**

1. **Early bird pricing ends 2.10.16**

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### FEBRUARY 26, 2016 • NOON TO 2 P.M. (Lunch included)

#### LIFE CARE PLANNING AND THE PERSONAL INJURY CASE

- **2 CLE credit hours available**

Please join Lois Hawkins, RN, CLCP for a seminar focusing on life care planning and what you should consider when handling a personal injury case that may involve life care planning. More specifically:

- What type of cases to involve a Life Care Planner
- Benefits of using a Life Care Planner
- When to involve a Life Care Planner
- What to look for when searching for a Life Care Planner
- The role of collateral resources and The Affordable Care Act play in a life care plan
- Life Care Planning methodology
- Standard of practice

**PRESENTERS:** Lois Hawkins, RN, CLCP

**COST:**

- **MCBA members:** $85/$100
- **MCBA Paralegal & Public Lawyer Division members:** $60/$75
- **MCBA student members:** $15/$30
- **Non-members:** $107.50/$122.50

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1. **Early bird pricing ends 2.11.16**

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This seminar will focus on how to manage an attorney-client relationship to decrease the risk of not getting paid and learning techniques to increase the chance of collection. Are you in a situation where you need to collect from a former client or are you tasked with collecting from a third-party source? This seminar will provide information that will assist in these situations.

**PRESENTERS:** Michael Zdzancwesq, Esq., Windbergs & Zdzancwesq, PLLC

**COST:**

- **MCBA members:** $67.50/$82.50
- **MCBA Paralegal & Public Lawyer Division members:** $45/$60
- **MCBA student members:** $15/$30
- **Non-members:** $107.50/$122.50

**LIMITED SEATING-RESERVE NOW!**

1. **Early bird pricing ends 2.10.16**

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This seminar will focus on how to manage an attorney-client relationship to decrease the risk of not getting paid and learning techniques to increase the chance of collection. Are you in a situation where you need to collect from a former client or are you tasked with collecting from a third-party source? This seminar will provide information that will assist in these situations.
You Are Cordially Invited to the

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A gala occasion to benefit a worthy cause

Saturday, March 5, 2016

CAMELBACK INN RESORT & SPA, 5402 E. Lincoln Dr., Scottsdale, AZ 85253

COCKTAILS & SILENT AUCTION ■ 6:00 p.m.
DINNER AND DANCING ■ 7:30 p.m.
Black Tie Preferred

Beneficiary of the 2016 Ball
Maricopa County Bar Foundation

Reservations
Tables get premium seating, recognition

EARLY BIRD REGISTRATION (ends Jan. 15)
■ Table of Ten: $1,450
Individual Ticket: $150 ■ Two Tickets (purchased at once): $275

REGULAR REGISTRATION
■ Table of Ten: $1,675
Individual: $175 ■ Two Tickets (purchased at once): $325

How to Register
Please register online at www.maricopabar.org or call Laurie Williams at (602) 682-8585

About the Maricopa County Bar Foundation
The Maricopa County Bar Foundation, a 501(c)(3) charitable organization, supports many causes and community-based programs, including:

The Legal Assistance to Women & Shelters (LAWS) program runs legal clinics for women and men in domestic violence situations and the homeless population by offering advice on family law and other civil legal issues.

The Maricopa County Justice Museum and Learning Center. The museum, located on the 6th floor of the historic Old Courthouse in downtown Phoenix, hosts exhibits on some of Arizona’s greatest legal cases, including cases that have changed the American justice system.

Justice Michael D. Ryan Scholarships are need-based scholarships offered to law students from diverse backgrounds at the ASU Sandra Day O’Connor College of Law, the U of A James E. Roger School of Law and the Arizona Summit Law School. The scholarships are designed to help students afford their dream of service to the community through law.
first job was legal assistant, which occurred just as I started my final se-

- personal level, Crawford recalls with some pathos and some humor how he decided a

- The Volunteer Lawyers Program has recognized Crawford's excep-

- In North Dakota or Min-

- “I ruled out becoming a doctor after tak-

- “I disliked divorce work, but enjoyed pro-

- “Courage is resistance to fear, mastery of fear – not absence of fear.” - Mark Twain

- New judge Q&A continued from page 11

- A: “Courage is resistance to fear, mastery of fear – not absence of fear.” - Mark Twain

- Q: If you had a day to spend with anyone (living or dead, real or fictional), who would it be and what would you do?

- A: I would love another day with my godfather and uncle, Dr. Roger LeMaire, who passed away in 1999 at the far too young age of 63. He always knew when I needed a word of encouragement or a pat on the back. I would love to be able to share with him my successes and hear his perspec-

- **PRO BONO SPOTLIGHT ON CURRENT NEED**

- Volunteer lawyers are needed to assist families who are troubled by debt collectors.

- **GUARDIANSHIP OF MINOR CHILDREN**

- Joshua De La Ossa

- Law Office of Joshua De La Ossa

- Volunteer Lawyers Program Thanks Attorneys

- The Volunteer Lawyers Program thanks the following attorneys and firms for agreeing to assist on 15 cases referred by VLP to help people with low incomes. VLP supports pro bono service of attorneys by screening for financial need and legal merit and provides primary malpractice coverage, donated services from professionals, training, materials, mentors and consultants. Each attorney receives a certificate from MCBA for a CLE discount. For information about ways to help, please contact Pat Gerrieh at VLP at (602) 254-4714 or pgerrieh@jdsaz.org.

- [BANKRUPTCY - COURT ADVISORS FOR CHILDREN IN FAMILY COURT - CONSUMER - GUARDIANSHIP OF INCAPACITATED ADULTS]

- Stanley A. Buzzelle

- Osvald Law Group

- Diane L. Drain (3 cases)

- Arizona Summit Law School Bankruptcy Clinic

- Donald W. Powell

- Carmichael & Powell

- Jennifer A. Cranston

- Gallagher & Kennedy

- Annette M. Cox

- Law Office of Annette M. Cox

- Joshua De La Ossa

- Law Office of Joshua De La Ossa

- Jennifer W. Shick

- Shick Law Offices PC

- Bruce M. Squire

- Bruce Squire Law

- Gregory Marshall

- Snell & Wilmer

- Mitchell J. Klein

- Snell & Wilmer

- Matthew P. Chiarello

- Snell & Wilmer

- Claudia P. Lopez

- Law Office of Claudia P. Lopez

- Gallagher & Kennedy

- It is an eclectic mix from The Clash to Mumford & Sons. Right now I am listening to

- Two amazing paralegals with Community Legal Services in Yuma, Arizona, who have dedicated their lives to ensuring equal access to justice for all have been a long-standing inspiration for me professionally and personally. In addition to the services they themselves provide to the public, they have also trained a slew of staff attorneys, myself included, in the finer points of case development, client management, community outreach and effective advocacy.

- Q: What’s your favorite quote?

- A: “Courage is resistance to fear, mastery of fear – not absence of fear.” - Mark Twain

- Q: If you had a day to spend with anyone (living or dead, real or fictional), who would it be and what would you do?

- A: I would love another day with my godfather and uncle, Dr. Roger LeMaire, who passed away in 1999 at the far too young age of 63. He always knew when I needed a word of encouragement or a pat on the back. I would love to be able to share with him my successes and hear his perspec-

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