38 Attorneys Make History as First Inductees into Hall of Fame

Some 250 attorneys, and their families and friends, celebrated the induction of 38 of their distinguished peers, including legal pioneers from around the turn of the last century, into the Maricopa County Bar Hall of Fame.

The event, a gala luncheon held at the Hyatt Regency Phoenix on Oct. 22, also served as MCBA’s 2008 Annual Meeting.

MCBA president, Hon. Glenn Davis presented glass plaques to nine stand-ins for deceased inductees or inductees unable to attend. Another 10 attorneys accepted their plaques in person and made short remarks.

“The goal of the Hall of Fame is to honor in perpetuity the remarkable individuals who built the legal profession in this county and who made exceptional contributions to both the justice system and to the community,” Judge Davis said. “It is also intended to foster an apprecia-

See Hall of Fame page 9

Watch for Your 2009 Board of Directors Election Ballot

Nine candidates are vying for 10 seats on the Board of Directors and the decision is now in the hands of MCBA members.

Ballots went into the mail at the end of October to all MCBA attorney members in good standing, and must be returned by Nov. 24. The election results will be report-

ed in the first week of December.

Each position consists of a two-year term. The candidates are: Brian Bergin (incumbent); Andrew M. Bianca; Hon. Keelan S. Bodow (incumbent); Holly Davies; LaShawn Jenkins (incumbent); Aaron Nash; Jenny Pelton (incumbent); T.J. Ryan; and Joel Sinclaire. Kenneth W. Reeves, III has withdrawn his candidacy.

Sinclaire and Ryan are seeking member-at-large seats after terms on the board as presidents of the Corporate Counsel Division and the Young Lawyers Division, respectively.
MCBA Membership a Sound Investment in Today’s Economy

In the current economy, I think we are all looking a bit harder for real value and sound investments. I submit that your membership in the Maricopa County Bar Association is one of the best investments you can make as a legal professional.

First, there are the numerous direct benefits of membership. Many members take advantage of the quality CLE programs offered by the MCBA (with discounts that can save members more than their annual dues).

A majority of MCBA members are members of the sections and divisions of this organization. The myriad of activities and opportunities offered by sections and divisions make them the backbone of this organization.

Your Maricopa Lawyer subscription provides timely and relevant information to keep you abreast of developments in the local legal community.

But beyond these direct and valuable benefits to you, your MCBA membership provides substantial benefit to the community and profession. To many of us, this public service is the most valuable and rewarding aspect of membership.

I think most attorneys are at least aware of the Volunteer Lawyers Program (VLP), but I have been surprised to find that many people do not make the connection of the MCBA with this program.

The VLP is in fact a joint program of the MCBA and Community Legal Services. In my view, it is one of the most worthwhile and important programs the MCBA helps to provide.

The VLP offers a full range of opportunities to assist people who are in financial need and have meritorious civil legal needs. Through the program, volunteers can donate a few hours to interview or advise clients or provide representation to a family that needs help to obtain guardianship of a child or a disabled adult, save their home, resolve a consumer problem, or protect themselves from domestic violence.

Prior to my appointment to the bench, I took a good number of VLP referrals, and one of the things I miss since being a judge is the satisfaction I got from helping in these cases. Because of the screening done by VLP, the cases assigned are invariably ones in which representation of the party is vital and necessary and can make an important difference.

If you are not already participating in this program I urge you to do so, as you will find it to be one of the most rewarding and professionally satisfying experiences of your career.

MCBA members also support the Maricopa County Bar Foundation (MCBF), which is the charitable arm of the MCBA. Its mission is to raise and distribute funds to enhance the rule of law and the system of justice in Arizona, with a focus on programs that relate to the administration of justice, ethics in the legal profession, legal assistance for the needy and the education of the public.

Over the past 20 years, the MCBF has awarded hundreds of thousands of dollars in grants to worthy organizations and programs, which help meet the legal needs of the community. Access to justice for disadvantaged citizens has been the Foundation’s highest priority, followed by legal education for a wide range of audiences.

The work of the MCBF is a tribute to the concern, commitment and generosity of MCBA members toward their community. So, when you renew your membership in the next month or so, consider the added value of the service to the community and profession provided by the MCBA. The combination of public service and the direct benefits to you personally and professionally make MCBA membership one investment that provides a sure return, even in today’s economy.

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Lawyer Referral Service Needs You

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

Among the areas needing coverage are: administrative law, SSI-SSD/Medicare law, workers' compensation, and immigration. Spanish-speaking and West Valley attorneys are also needed.

It’s easy to join! Call Linda Peña at (602) 682-8590.

Maricopa Lawyer Referral Service
2007 Membership Information

Serving the Community
By Andrea Maysayestewa

The Maricopa Lawyer Referral Service is now accepting applications for 2008 membership.

The LRS provides services to the community by connecting clients in need with area attorneys. The LRS does not charge attorneys for referrals. The attorneys are then responsible for the fees charged to the consumer.

In 2007, the LRS assisted over 13,000 people with legal issues. The LRS is a joint program of the Maricopa County Bar Association (MCBA) and the Maricopa County Bar Foundation (MCBF).

The LRS is now seeking attorneys who practice in the areas of wills and estates, family law, personal injury, domestic violence, immigration, workers’ compensation, and probate law.

For more information, call Andrea Maysayestewa at (602) 682-8601.

Contributions of articles and letters to the editor are encouraged. All materials must be submitted by the 10th of the month to be considered for the next issue. All submissions may be edited for content, length and style.

The MCBA does not necessarily endorse the views expressed by contributors and advertisers.

Editorial Board
Chair: Aaron Nash
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Frequently Asked Electronic Filing Questions and Passport Updates

How are mandatory and permissive eFiling the same?

eFilings in the Superior Court in Maricopa County can be filed with the Clerk’s Office through the Clerk’s eFiling Online website or through Wiznet, a third-party vendor. The requirements of the Electronic Filing Guidelines posted on the Clerk’s website apply to all eFiling.

What case types will be in the permissive eFiling pilot?

Attorneys and parties will be able to eFile in many civil and family court cases in the Superior Court in Maricopa County. eFiling would not be mandatory in those cases, but if an attorney or party chooses to eFile, the assigned judicial officer will have the ability to review and process the eFiling.

When can I start eFiling in these cases?

Judges in civil and family case types have received training and are able to accept electronic filings in anticipation of a permissive eFiling pilot program. The Supreme Court’s Administrative Order will specify the start date, expected to be effective before the end of this year.

The Supreme Court posts its Administrative Orders online at http://www.supreme.state.az.us/orders/admoorder/.

Are there specific procedures or a list of documents related to eFiling?

Yes. eFiling must conform to the Electronic Filing Guidelines, posted on the Clerk’s website at https://efiling.clerkofcourt.maricopa.gov/efilingguidelines/. The guidelines must change periodically to stay current with local requirements and technology, making it important to bookmark and return to the guidelines regularly.

Can I file everything electronically now?

No. Permissive eFiling is limited to general civil and family case types and does not include probate, mental health, tax, juvenile matters, special actions, transfers of jurisdiction or lower court appeals cases. Certain documents may not be electronically filed, including sealed documents, case initiating pleadings and other documents defined in the Electronic Filing Guidelines.

Can I stop eFiling in complex and mandatory civil litigation cases now?

No. Attorneys and parties court-ordered to file electronically must continue to eFile.

Do I have to eFile now?

Not necessarily. If the court has ordered you to eFile in a case, you must eFile in that case. You can choose to eFile in certain civil and family cases under the permissive eFiling pilot and you can choose to eFile in criminal and DUI cases in Superior Court, but you are not required to eFile unless the court has ordered you to.

Will I have to eFile in the future?

Yes. The Supreme Court has indicated eFiling will be mandatory for attorneys practicing in the Superior Court in Maricopa County sooner or later. Eventually eFiling will reach most, if not all case types, but there is no court-wide blanket requirement to eFile at this time.

What if I have eFiling-related questions?

Comprehensive eFiling training is available in numerous ways, including bar-sponsored CLEs and a 90-minute training and Q&A that is offered at the Clerk’s Office in downtown Phoenix every month.

A help page and additional FAQs are posted on the Clerk’s website at https://efiling.clerkofcourt.maricopa.gov/help.asp. For help while filing on the Clerk’s website, call (602) 506-2565 or e-mail efilesupport@cosc.maricopa.gov.

Third-party vendor Wiznet offers eFiling training on its eFiling system; contact Wiznet directly at www.wiznet.com/maricopaaz.

Steven D. Sheldon, Esq. (Judge, Ret., Maricopa County Superior Court, 1989-2007). Judge Sheldon (Ret.) was assigned to Civil, Criminal, Family Court and Special Assignment, including responsibility for the Motorola Groundwater Class Action case (including the 6-month jury trial of the case), rehobs of the Special Master case, the Samny “The Bull” Gravano case, etc. Judge Sheldon (Ret.) also conducted hundreds of settlement conferences while on the Bench. Todd Franks, Esq. is a Maricopa County Judge Pro-Tem and is listed in “Best Lawyers in America.”

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Special Recognition of Paralegals
Who Go Above and Beyond

Our sincerest thank you to everyone who supported the Paralegal Division for the 2008 Arizona Paralegal Conference—one of the best ever!

Such a successful event could only happen with the generous contributions of our vendors, sponsors, speakers, supporters, attendees, the Phoenix Convention Center, and of course, the hard work and dedication of the Division’s Conference Committee. Please see more about the conference on page 14.

At the conference, it was my pleasure to present the 2008 Paralegal Division Member of the Year Award to Monica Rapps, CP. Rapps is a paralegal with Gust Rosenfeld, PLC, specializing in litigation and water law, and is the immediate past president, having served as president of the Division in 2007. The nominator wrote, “Monica is a stalwart supporter of the Paralegal Division and the paralegal profession. She volunteers more than she ‘should,’ serving as acting secretary at Board meetings, taking photos at Division and other MCBA events, and faithfully attending committee meetings. “She serves as a much needed bridge from the founding members of the Division to the current volunteers who do not possess this historical perspective. It is her nature to share her time and talent and we are all the beneficiaries.” Congratulations, Monica!

Congratulations also to Joan Dalton who is one of the founding members of the Paralegal Division and has worked for several years in the Solicitor General’s Office. Attorney General Terry Goddard recently announced that Dalton would become the library resources director for the attorney general’s office as of Oct. 6.

The announcement stated “with her leadership and experience, Joan will enhance our ability to provide legal research tools that meet the needs of our diverse office. Joan brings a tremendous new energy to our AG library.”

Joan has served on the Editorial Board of the Maricopa Lawyer for many years, and was also a director on the Board of the Paralegal Division from 2002 to 2003. Please join us in congratulating Joan Dalton on her new position.

Remember to check the website at www.maricopabar.org (click on the “For Paralegals” link) for the latest announcements about our End of Year Celebration on Tuesday, Dec. 16, and the dental and toy drives. I look forward to seeing you there.

COURTWATCH
continued from page 1

analysis, laws affecting the secondary aspects of speech receive less-exacting scrutiny than other restrictions.

Under the federal test, as noted in Center for Fair Public Policy v. Maricopa County, 336 F.3d 1153 (9th Cir. 2003), a statute is constitutional “if it is designed to serve a substantial government interest, is narrowly tailored to serve that interest, and does not unreasonably limit alternative avenues of communication.” In that case the Ninth Circuit upheld § 13-1422 against a First Amendment challenge.

But Stummer and Lumm relied instead on Article 2, § 6 of the Arizona Constitution: “Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right.” Berch noted that Arizona’s provision is independent of the First Amendment, having been enacted before the First Amendment was extended to the states.

“The encompassing text of Article 2, Section 6 indicates the Arizona framers’ intent to rigorously protect freedom of speech,” she wrote. “The State does not argue that the books and magazines in Petitioners’ bookstores are obscene,” Berch noted, concluding that Stummer and Lumm were therefore engaging in protected speech in Arizona. “We [therefore] need only decide whether and to what extent the State may curtail this protected speech in order to reduce secondary effects.”

Turning to that issue, she reiterated the standard announced in Mountain States Telephone & Telegraph Co. v. Arizona.

See CourtWatch page 5

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First Person Should Not Always Be First Choice

There is nothing wrong with using the first person (I, we, my, our) in some legal documents.

For instance, a legal writer may need to use the first person when writing a client letter or drafting a will or contract. In these instances, the use of the first person provides an expected personal tone and directness to the writing.

The first person may not be appropriate in other legal documents, however. Specifically, the first person may provide too informal a tone and may provide a way for the writer to avoid committing himself to the writing. This lack of commitment affects the writing’s persuasiveness.

The most formal of legal documents is a brief written to a court. As such, a brief generally requires use of the third person. A third-person point of view focuses on the facts, the law, and how the law applies to the facts.

This formal, professional tone helps convince the audience of the soundness of the legal argument. If a writer interrupts this formal, professional tone with the first person, the focus of the argument shifts to the writer.

Compare:

The defendant’s confession was involuntary because the officers used unfair interrogation techniques.

And:

After reviewing the law and the facts, it is my opinion that the defendant’s confession was involuntary because the officers used unfair interrogation techniques.

With:

After I applied the law to the facts, it was clear that the defendant’s confession was involuntary because the officers used unfair interrogation techniques.

“inconsistent with the broad protection of speech afforded by the Arizona Constitution. “Because Arizona’s speech provision safeguards the right to speak freely on all topics,” she concluded, “our test must more closely scrutinize laws that single out speech for regulation based on its disfavored content.”

Berch concluded that Stummer and Lumm had shown that the content-based statute burdened protected speech. Conversely, the State had shown that the hours-of-operation provision was aimed at secondary effects, not speech itself. So, Berch moved to phase two.

The first inquiry in this phase was the significance of the government’s asserted interests. The latter problem turned out to be insuffi-

“[M]ajor matters of public inconvenience or annoyance,” Berch wrote, quoting an earlier case, “cannot be transformed into substantive evils of sufficient weight to warrant the curtailment of liberty of expression.”

On the other hand, “[c]ombatting criminal activity such as prostitution and public indecency...is a substantial governmental interest.” But the State had not shown any correlation between this criminal activity and the hours of operation of adult bookstores. In fact, the only evidence on this point hinted that there was less crime during the hours when the statute mandated closure. Furthermore, it had not shown “that any substantial interests would be achieved less effectively by the bookstores’ closure for fifty-three hours each week.”

But Berch stopped short of striking down the statute on the record before the court. Instead, she vacated Court of Appeals’ opinion and remanded the case to the Superior Court.

Legal Briefs

By Joan Dalton

Brain test could replace polygraph

A brain test that measures an involuntary mental response to information is getting more interest from intelligence agencies and the military.

The technique is called “brain fingerprinting” and its developer, neuroscientist Larry Farwell, says it can identify incriminating information despite an individual’s attempt to conceal the knowledge.

Farwell says that military officials and federal government personnel are interested in seeing if the technique can be used to identify those making improvised bombs in Iraq that are used against soldiers.

Although the presence of this involuntary mental response has been widely accepted within the neuroscience community, Farwell has gone one step further and connected the response to another related electrical brain response that he says results in a footprint mapping of an individual’s knowledge or lack of knowledge of an event or act.

Farwell, son of a physics professor connected with the “Manhattan Project,” explains that unlike the polygraph test, “brain fingerprinting doesn’t have anything to do with the emotions, or whether a person is sweating or not; it simply detects scientifically if that information is stored in the brain.

COURTWATCH

continued from page 4

Corporation Commission, 160 Ariz. 350, 773 P.2d 455 (1989): When laws affect speech, “the [government] must regulate with narrow specificity so as to affect as little as possible the ability of the sender and receiver to communicate. “

Section 13-1422, Berch held, is not content-neutral, as it applies “only to businesses that neutral, as it applies “only to businesses that..." not speech..."

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Lemons into Lemonade: Taking Advantage of Economic Turmoil

As a result of the uncertainty surrounding the current credit debacle and the government's struggle to deal with it, the U.S. stock market has taken a significant tumble. To date, markets have declined to levels not seen since 2003, and while that may be cause for concern for some people, for young lawyers, it represents one of the best opportunities to invest in your financial future.

With the Dow off almost 30 percent since January of this year, the opportunity exists to purchase the stocks and bonds of great companies at discounted prices. These companies possess strong balance sheets and a long history of positive earnings, but have taken a hit simply due to the fear of investors arising from the credit turmoil.

Of course, investing in these companies and other investment vehicles depends on your risk tolerance, current financial situation, and assumes that you remain confident in the fundamental underpinnings of American business.

If you have the opportunity to invest in your employer's 401(k) plan, this might be the most effective way to take advantage of the opportunities that exist in today's financial markets.

Consider the following: contributions to your 401(k) are pre-tax, and capital growth in your portfolio is tax free. And if your employer matches your contributions, then you have even more money working for you. Eventual withdrawals from your plan are taxed at your then-applicable income tax rate.

Roth IRAs also provide a unique opportunity to invest after-tax dollars that grow tax free and are withdrawn tax free, subject to rules similar to 401(k)s. For young lawyers, Roth IRAs represent an incredible opportunity to use after-tax dollars to leverage tax-free growth of assets designated for your retirement years.

There are many ways to invest in your financial future. As a young lawyer, knowing your options is important.

If you feel you need additional guidance regarding your financial strategy, don't go it alone. I encourage you to engage the services of a qualified investment advisor, who can help you plan for your financial future.

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The Jolly Testator Who Makes His Own Will

Charles, Lord Neaves

Ye lawyers who live upon litigants' fees,
And who need a good many to live at your ease,
Grave or gay, wise or witty, what's your degree,
Plain stuff or Queen's Counsel, take counsel of me.

When a festive occasion your spirit unbinds,
You should never forget the professions best friends.
So well wind round the wine, and a light bumper fill
To the jolly testator who makes his own will.

He promises his wish and his purpose to save
All disputes among friends when he's laid in the grave;
Then he straightforward proceeds more disputes to create
Than a long summer's day would give time to relate.

He writes and erases, he blunders and blots,
He produces such puzzles and Gordian knots
That a lawyer, intending to frame the thing ill,
Couldn't match the testator who makes his own will.

Testators are good, but a feeling more tender
Springs up when I think of the feminine gender.
The testatrix for me, who, like Telemaque's mother,
Unweaves at one time what she wove at another;
She bequeaths, she repeals, she recalls a donation,
And ends by revoking her own revocation;
Still scribbling or scratching some new codicil,
Oft success to the woman who makes her own will.

"Tisn't easy to say, 'mid her varying vapors,
What scraps should be deemed testamentary papers.
"Tisn't easy from these her intention to find,
When perhaps she herself never knew her own mind.
Every step that we take, there arises fresh trouble;
Is the legacy lapsed? Is it single or double?
No customer brings so much grit to the mill
As the wealthy old woman who makes her own will.

The law decides questions of meum and tuum,
By kindly consenting to make the thing suum;
The Aesopian fable instructively tells
What becomes of the system, and who gets the shells;
The legatees starve, but the lawyers are fed;
The available surplus of course will be nil,
The Seniors have riches, the Juniors have bread;
What becomes of the oysters, and who gets the shells;
The law decides questions of meum and tuum.

The testatrix for me, who, like T elemaque's mother,
Springs up when I think of the feminine gender!
Testators are good, but a feeling more tender
Than encounter the risk that your will shouldn't stand.
Than attempt by a by-way to reach your abode;
You had better pay toll when you take to the road,
From the worthy testators who make their own will.

Oh! success to the woman who makes her own will.
You should never forget the profession's best friends;
When a festive occasion your spirit unbends,
Plain stuff or Queen's Counsel, take counsel of me:
Grave or gay, wise or witty, whate'er your degree,
And who need a good many to live at your ease.

Criminal Presiding Judge Announces Retirement

Criminal Presiding Judge Anna Baca will be retiring in January 2009.

Judge Baca joined the bench in 1994 following more than a decade of work as an administrative law judge and enforcement manager for the U.S. Equal Employment Opportunity Commission.

“…has done an outstanding job of running the criminal department. She has demonstrated wisdom, calmness and integrity in executing her job responsibilities, and she works tirelessly for hours on end,” Presiding Judge Barbara Rodriguez Mundell said. “I hate to see her leave but I know she has more than earned her right to take a rest.”

Judge Gary Donahoe will take over for Judge Baca as the new criminal presiding judge.
**MCBA CALENDAR**

All events are held at the MCBA headquarters at 303 E. Palm Lane, Phoenix, unless otherwise noted.

Also check www.maricopabar.org or call (602) 257-4200.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>1</td>
<td>Paralegal CLA Review Course 8:30 a.m.</td>
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<tr>
<td>4</td>
<td>ELECTION DAY – VOTE!</td>
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<tr>
<td>5</td>
<td>CLE: Taking a Fact Witness Deposition</td>
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<tr>
<td></td>
<td>11:30 a.m.-1 p.m.</td>
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<td></td>
<td>Lawyer Referral Committee meeting 11 a.m.</td>
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<td>6</td>
<td>Construction Law Section Exec. Com. 12 p.m.</td>
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<td>7</td>
<td>Estate Planning, Probate &amp; Trust Section Exec. Com. 8 a.m.</td>
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<td>8</td>
<td>Comerica Bank 2008 Pro Bono Golf Classic 6:30 a.m. – The Legacy Golf Resort, Phoenix</td>
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<tr>
<td></td>
<td>Paralegal CLA Review Course 8:30 a.m.</td>
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<td>10</td>
<td>Young Lawyers Division Exec. Com. 12 p.m.</td>
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<td>Paralegal Division Exec. Board 5 p.m.</td>
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<td>11</td>
<td>VETERANS DAY – MCBA office closed</td>
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<tr>
<td>12</td>
<td>Environmental &amp; Natural Resources Law Section Exec. Com. 1 p.m.</td>
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<td>Public Lawyers Division Exec. Com. 12 p.m.</td>
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<td>Real Estate Section Exec. Com. 5:30 p.m.</td>
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<td>Arizona Black Bar 5:45 p.m.</td>
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<td>14</td>
<td>Breakfast at the Bar 7:30 a.m.</td>
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<td></td>
<td>CLE: Random Audits of Your Firm’s Trust Account, Use of Credit Cards and Other Breaking Ethics News 12-1 p.m.</td>
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<tr>
<td></td>
<td>CLE: The Phoenix Rio Salado Project: History &amp; Recent Events 12-30-2:45 p.m.</td>
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<td></td>
<td>Rio Salado Habitat Restoration Area, Phoenix</td>
</tr>
<tr>
<td>15</td>
<td>Paralegal CLA Review Course 8:30 a.m.</td>
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<tr>
<td>19</td>
<td>Employment Law Exec. Com. 12 p.m.</td>
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<td>Lawyer Referral Service Committee meeting 12 p.m.</td>
</tr>
<tr>
<td>20</td>
<td>CLE: Basic Estate Planning for New Attorneys and Attorneys Who Plan to Practice in This Area 7:30-9 a.m.</td>
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<tr>
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<td>MCBA Board of Directors meeting 4:30 p.m.</td>
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<tr>
<td>21</td>
<td>MCB Foundation meeting 8:30 a.m.</td>
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<td>Corporate Counsel Lunch CLE-topic TBA 12 p.m.</td>
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<tr>
<td>22</td>
<td>Paralegal CLA Review Course 8:30 a.m.</td>
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<tr>
<td>24</td>
<td>Diversity Committee meeting 1 p.m.</td>
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<tr>
<td>26</td>
<td>Criminal Law Section Exec. Com. 12 p.m.</td>
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<tr>
<td>27</td>
<td>THANKSGIVING DAY – MCBA office closed</td>
</tr>
<tr>
<td>28</td>
<td>MCBA office closed</td>
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</tbody>
</table>

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

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**MARK YOUR CALENDARS**

The Comerica Bank 2008 Pro Bono Golf Classic is set for Saturday, Nov. 8 at the Legacy Golf Resort.

Proceeds will benefit the Maricopa County Bar Foundation and the Volunteer Lawyers Program. Sponsorships are also available. For more information, please visit www.maricopabar.org and click on the Maricopa County Bar Foundation link.

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**Comerica Bank**

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HALL OF FAME
continued from page 1

tion by the public of our profession’s history in this county, and to inspire other attorneys pursue their dreams, maintain high standards, and make even greater contributions.”

Those inducted into the Hall of Fame this year and in the future will be honored in a permanent display at the Maricopa County Bar Association building. “And in the future,” Judge Davis added, “I hope this display will become part of the Maricopa County Justice Museum and Learning Center, on the drawing board to be housed at the historic Old Maricopa County Courthouse.”

He also noted that many exceptionally deserving attorneys were not included in this first induction, but would most certainly be included in future years. Hall of Fame Committee members participated with the understanding that they could not be considered for nomination in the year of their service.

The 2008 inductees are:

MODERN ERA
(*deceased)
Bruce Babbitt
Hon. Charles C. Bernstein*
John J. Bouma
Robert W. Browder
Harry J. Cavanagh, Sr.*
Hon. Valdemar A. Cordova*
Hon. Hayzel B. Daniels*
John P. Frank*
Samuel P. Goddard, Jr.*
Larry A. Hammond
William F. Haug
Edward “Bud” Jacobson*
Michael K. Kennedy
Hon. Lorna E. Lockwood*
William J. Maledon
Hon. Sandra Day O’Connor
Hon. Cecil B. Patterson, Jr.
Hon. William H. Rehnquist*
Paul M. Roca*
Richard A. Segal
Kenneth J. Sherk
Frank L. Snell, Jr.*
Hon. Thomas Tang*
Hon. James A. Teilborg
Mark Wilmer*

PIONEERS
(all deceased)
Dr. John Alsap
A.C. Baker
Alice Birdsall
Greg Garcia
Hon. William Hancock
Hon. Joseph Kibbey
Hon. A.D. Lemon
Anita Lewis
Hon. Frank H. Lyman
Wing F. Ong
Hon. John C. Phillips
Hon. Rawghlie Stanford
George J. Stoneman

To read about the inductees and view their photographs and induction photos, please go to the MCBA website at www.maricopabar.org.

Lois Daniels, the widow of Hon. Hayzel B. Daniels, accepts the Hall of Fame plaque from Judge Davis.

Inductee Hon. Sandra Day O’Connor was represented by her son, Scott O’Connor.

A member of the Hall of Fame Committee, Stan Watts (right), is with MCBA president-elect Kevin Quigley and board member David Funkhouser, III.

Richard A. Segal, Gust & Rosenfeld (right), a Hall of Fame inductee, is with his daughter, Lisa Solivan, and Tom Chauncey II.

A crowd of 250 helped celebrate Hall of Fame inductees at the Hyatt Regency Phoenix.

These permanent plaques, to be displayed at the Maricopa County Bar Association building, are destined to eventually become a part of the Maricopa County Justice Museum and Learning Center, which is on the drawing board to be housed at the historic Old Maricopa County Courthouse.

Linda Douglas, Barbara Paternoster and Edwin Kenney are with Robert W. Browder of Browder & Kenney (right), who was inducted into the Hall of Fame.
Race Judicata 2008 Raises Funds With a Little Help from Friends

A cheery crowd of some 250 adults, kids, infants, and dogs converged on Tempe’s Kiwanis Park on an early Sunday morning in September to participate in Race Judicata 2008. Sponsored by the MCBA Young Lawyers Division, the race featured a 5K, 1 mile run and kids dash to raise money for the division’s charitable activities. Shauna Yoder chaired the event for the division.

Race Judicata was also generously supported by a number of sponsors, who are listed below.

**Corporate Sponsors**
- Westlaw
- Burke Panarella Rich
- Snell & Wilmer
- Sweet Tomatoes

**In-kind Donations**
- Sweet Tomatoes
- Safeway Drivers Group
- Powerade
- Clearly Water
- Law Offices of Stone & Davis
- Ikon

Looking for a Career Change? A Law Professorship Might Be for You

If you’re an attorney or you’re in law school, one career avenue you may have considered is becoming a law professor. After all, going into academic work is less fast-paced than trial attorney work (and many other areas of practice) and offers the ability to teach the next generation of attorneys through your own knowledge and experience.

Unfortunately, there’s not a lot of information out there on law professor jobs, and some of what is out there may be contradictory. Here’s some basic information, then, that will help you decide, based on job requirements and work environments, whether or not you want to become a law professor.

**Is the School Important?**

General wisdom has it that if you’re interested in becoming a law professor, the school you attend can be very important. After all, Yale Law School leads by a significant margin in the production of new teaching candidates, and after Yale come Harvard and Stanford. Schools definitely do pay attention to where you received your degree. However, that’s not the only factor.

If you didn’t attend a top school, you can’t use your grades as an indicator of your intellectual prowess, but that doesn’t mean that other methods can’t be used. Twenty-five years ago, most law schools looked to standardized measures of academic achievement, including prestigious clerkships, membership on the school’s law review, and very high grades, but these have long since stopped being the only factors that are used in considering candidates.

That’s because law schools realized that merely having good grades doesn’t indicate whether or not a candidate will produce quality scholarship as a law professor. Practical legal experience is not necessarily an indicator of scholarly skill, either — in fact, some schools even look down on it, which can make coming in from private practice difficult. Many younger law professors lack significant practical experience entirely.

The most common credential preferred by law school hiring committees today is a graduate degree in a related field. These degrees can vary from political science and economics to psychology and English.

The important thing is that candidates have one — about a quarter of entry-level law professor jobs in recent years have been filled by people with PhDs. A significant number of the remaining jobs were filled by those with master’s degrees. While it’s not necessary to have such a degree — only a little less than half of the professors hired have one — it can be helpful if you don’t have more conventional measures by which to attest your skills.

**Scholarship and Preparation**

Since scholarship is the most important part of a law professor job, with teaching coming in second, it’s important to be able to prove to a hiring committee that you have the skills for it. While still a student, take time to read as much of the scholarship coming from younger professors as possible — consider joining a reading group. In addition, it’s important to write.
LAW PROFESSORSHIP
continued from page 10

While publishable writing is a big component of your hireability as a law professor candidate, published scholarship isn’t as important as doing the writing in the first place. This is because law schools are aware that your publication status is mostly determined by law journals, which are run by students who may not be the best judges of scholarly work. Start by writing two- to three-page idea summaries, take advantage of summer writing fellowships, and write reaction papers to seminars to build your writing portfolio.

Writing and scholarship continue after you graduate, too. Think about setting two to four years aside afterward to prepare for being a professor. Read scholarly articles and write a few that can be presented at a job talk. Since most students haven’t the time to do this during school, it’s vital to take time after graduation to do so.

Perseverance Is Key
Getting a law professor job isn’t easy — it’s a long hard road that takes a lot of work and commitment. In fact, commitment to the process is one of the key pieces of becoming a law professor in the end. Almost every law professor candidate will encounter lots of uncertainty throughout the process.

Persistence is important, no matter where you went to school. There’s a good chance you won’t make law review, place your article where it? what it? From lawcrossing.com

What to Expect out of Law Professor Jobs
Law professor jobs offer less monetary compensation than being an associate or partner in a law firm. In general, salaries are similar to those of associates, with lower end professors making around $50,000 per year, and higher salaries rising to $300,000 or more. There are also unusual cases, such as the $600,000 offered by Yale for a top corporate law professor, but much lower salaries are the norm.

Those looking primarily for a high salary may be disappointed by law professor jobs. On the other hand, those interested in a low-structure work environment, with the ability to engage in plenty of scholarship, may find the lower compensation not to be a problem.
VLP Attorney of the Month

Rebecca Owen Uses Personal Experience to Navigate Family Law

By Peggi Cornelius

Although unusual, perhaps it is not surprising that attorney Rebecca Owen was inspired to join the Volunteer Lawyers Program (VLP) when she met the coordinator of the VLP’s Family Lawyers Assistance Project (FLAP) at a holiday party in December 2006. Nearly two years and many hours of pro bono work later, it seems especially fitting that the VLP honor her as Attorney of the Month during this holiday season.

Owen’s participation in the VLP has focused in an area of tremendous need. She provides legal counsel to those representing themselves in family law matters. Because the number of unrepresented parties in Maricopa County Superior Court family law cases far exceeds those in which one or both parties is represented, FLAP was founded to assist pro se litigants, and is located in the court. Owen spends a morning or afternoon there at least once a month.

“There are many legal issues that are complex and the court procedures daunting, which might be mind boggling for the litigant seems fairly routine to me,” Owen said. “Years of professional experience make it possible for me to advise six or eight people in a few hours. Much of what people receive from my counsel is a combination of guidance and confidence to proceed.”

FLAP Coordinator Karen Jackman describes Owen as “extremely compassionate and caring,” and noted that “she often stops on her way in or out of court hearings to consult with people waiting at FLAP, even when it is not her scheduled volunteer time.”

In addition to her pro bono work at FLAP, Owen has responded to the need for her expertise at another legal advice clinic coordinated by VLP Director Patricia Gerrich.

“[Owen] recently met with volunteer attorneys at a Salvation Army residential facility, to brief them on family law issues and services at FLAP,” Gerrich said. Once she had seen the need there, Owen returned on another occasion to provide a group presentation on child support to more than 100 residents. Now, she’s offered to be a regular volunteer at the Salvation Army legal clinic.

Owen comments that she is able to relate to problems faced by people she counsels, because her personal background includes some similar challenges. Owen was raised by a single father after her mother passed away when she was nine years old. Her family lived in a steel mill town in Indiana, and her father worked in a grocery store.

Enlisting in the military helped provide her with higher education, extensive travel and employment opportunities. Her undergraduate studies were in business and history, and her military career path led her into health care as a dental assistant and an EMT.

A graduate of the Widener University School of Law at Harrisburg campus, Owen is currently the sole proprietor of her family law practice.

“I once heard a commissioner remark how important it is to set aside any sense of routine that comes from working in the court system every day, and remember the litigants are having their ‘day in court,’ and sometimes it is their one chance to be heard,” Owen said. “The work I do at FLAP helps me keep that in mind, and when I leave I feel I have made a difference for people who are pleading their case without legal representation.”

Volunteer Lawyers Program

Thanks Attorneys

The Volunteer Lawyers Program thanks the following attorneys and firms for accepting these 28 cases during the past month.

VLP supports pro bono service of attorneys by screening for financial need and legal merit and providing primary malpractice coverage, donated services from support professionals, training, materials, mentors, and consultants. Each attorney receives a certificate from the MCBA for a CLE discount.

For information about cases and other ways to help, please contact Pat Gerrich at the VLP at (602) 254-4714 or pgerrich@clsaz.org.

DO SOMETHING AMAZING

Attorneys throughout Arizona are being asked to do something amazing by volunteering with the Volunteer Lawyers Program (VLP).

Join an elite force of lawyers who use their special powers to leap legal hurdles with a single bound. To become a superhero, return the VLP enrollment form included with the statewide VLP recruitment materials and letter from Hon. Glenn Davis.

If you did not receive your invitation to join or would like more information about amazing things you can do, contact the VLP at pgerrich@clsaz.org or (602) 254-4714.
THE BULLETIN BOARD
News from the legal community

The Maricopa Lawyer invites members to send news of moves, promotions, honors and special events to post in this space. Photos welcome. Send your news via e-mail to maricopaw lawyer@maricopabar.org.

Moves and New Hires

Lewis and Roca, LLP is pleased to announce that fifteen associates have joined firmwide, including ten who will be located in the Phoenix office. They include: Brooklyn M. Blood, Joseph A. Brophy, Nathaniel W. Edwards, Matthew H. Engle, Michael J. Hammer, Naomi O. Jorgensen, Myles Morrison, Travis A. Pacheco, Sarah Seher and Travis M. Wheeler. Blood joins the firm’s Tribal Affairs and Gaming practice group and received her juris doctor from the University of San Diego School of Law. Edwards joins the firm’s Intellectual Property and Technology practice groups and received his juris doctor from the University of Arizona. Engle joins the firm’s Corporate, Securities and Tax practice groups and received his juris doctor from the University of Nevada, Las Vegas. Hammer joins the firm’s Commercial Litigation group and received his juris doctor from the University of Arizona. Jorgensen joins the firm’s Intellectual Property and Technology practice group and received her juris doctor from the University of Nevada, Las Vegas. Morrison joins the firm’s Commercial Litigation practice group and received his juris doctor from the University of California, Berkeley. Pacheco joins the firm’s Labor and Employment practice group and received his juris doctor from the University of Arizona. Seher joins the firm’s Construction practice group and received her juris doctor from the University of Arizona. Wheeler joins the firm’s Insurance and Products Liability practice groups and received his juris doctor from the University of Arizona.

As commission chair, Jenkins is responsible for leading the commission in addressing human relations issues affecting Phoenix residents and fostering open communication with all groups. The commission makes recommendations to the mayor and City Council regarding civil and human rights issues and plans, and coordinates and conducts programs to eliminate discrimination and racism.

Phoenix School of Law, Arizona’s only privately-owned law school, continues to grow with the addition of three new members of the administration: Brian Fouz, Jill Hudson and Joseph Perez. Fouz will serve as coordinator of student services, Hudson as assistant director of bar prep and Perez as assistant director of the Center for Professional Development.

Jennings, Strous & Salmon, PLC is pleased to announce that Stephanie Hart, John Lopez, Sunita Krishna, and Kerry Hodges have joined the firm as associates.

Hart joins the firm’s litigation and real estate practices and obtained her juris doctor from Columbia University School of Law.

Lopez joins the firm’s Biotechnology & Life Sciences Industry Group and the firm’s Intellectual Property & Technology Practice Group, and earned his juris doctor at the Sandra Day O’Connor College of Law at Arizona State University.

Krishna joins the firm’s litigation practice as well as the product liability and tort and insurance law practices, and earned her juris doctor from the University of Arizona.

Hodges joins the firm’s litigation practice and earned his juris doctor from the Regent University School of Law.

Rodney Q. Jarvis has joined Fennewmore Craig as a shareholder in the Land Use Planning and Zoning practice. Jarvis focuses his practice on all aspects of land use and planning, including zoning approvals, development master plans, variances, use permits, design review, building permitting, subdivision approval and development agreements.

Jennings, Strous & Salmon, PLC is pleased to announce that Stephen C. Newmark has joined the Heard Museum’s Development Committee. Newmark practices in state and local taxation, estate planning and probate. The Heard Museum Development Committee formulates policies and strategies for expanding the museum’s contributed income through the following programs: Annual Fund, Circles of Giving, General Membership, Sponsorship, Foundation, Government, Corporate Partnerships and special fundraising events. The Committee also actively assists staff in identifying, cultivating and soliciting contributions.

The Phoenix College Alumni Association will celebrate the 2008 Alumni History Makers: Scholarship Dinner and Auction on Thursday, Nov. 6 at 6 p.m. at the Hilton Garden Inn, 4000 N. Central Ave. This event will mark the 10th anniversary as Phoenix College Alumni are inducted into the Hall of Fame. Mayor Phil Gordon, along with others from the public sector, including Calvin Goode, Peterson Zah, Hon. Rebecca White Birch, and Ben Miranda, will be inducted into this year’s PCAA Hall of Fame.

Honors and Awards

MCBA Executive Director Allen W. Kimbrough has been appointed to a three-year term on the ABA’s Standing Committee on Public Education. Kimbrough, who has been with the MCBA since 2006, has been very active in the ABA throughout his career. He recently completed six years of service on the Association’s Standing Committee on Meetings and Travel, the final three years as chair.

Julie A. Pace, a partner in the Labor, Employment & Immigration Group at Ballard Spahr Andrews & Ingersoll LLP, received one of the inaugural Arizona Business Magazine Centers of Influence Awards. The honor is given to professionals the magazine designates as “having demonstrated an extraordinary influence within their companies, their industry, their business clients and the community.”

Tom Curzon, a partner at the Phoenix law firm of Osborn Maledon, PA, has received a Center of Influence Award, honoring the state’s most influential accountants, bankers and lawyers, from Arizona Business Magazine. Curzon’s practice focuses primarily on serving as outside general counsel to emerging, growth-oriented companies and on entrepreneurial transactions.

News and Events

Marty Harper, managing partner of Shughart Thomson & Killroy, PC, in Phoenix announced on Oct. 16 that the shareholders of his firm and Kansas City-based law firm Polsinelli Shlomon Flanagan Suchhaus, PC, have voted to approve the merger of the two firms effective January 2009. The firm name will become Polsinelli Shughart, maintaining the strong reputation each firm has established in Phoenix, the southwest and across the country.

Matthew A. Goldstein

Stephen C. Newmark

Tom Curzon

Allen Kimbrough

LaShawn Jenkins

Matthew A. McGlothlin

Jill Hudson

Joan McKown

Matthew A. Goldstein

Jeremy M. Goodman

Rodney Q. Jarvis

Michael K. Murphy

LaShawn Jenkins

Marty Harper

Matthew A. McGlothlin
Celebrating a successful conference are one current president and five past presidents of the MCBA Paralegal Division. From left: Tricia Kramer, Clarisse Ringwald, Garth Harris, Sybil Taylor Aytch, Monica Rapps and current president, Kathy Bunch.

Paralegal Division secretary Sara Nedly is with Hon. Scott Bales of the Arizona Supreme Court. Justice Bales was the keynote speaker at the MCBA’s Arizona Paralegal Conference.

Kelly Gray, chair of 2008 Arizona Paralegal Conference, holds flowers presented to her by the MCBA Paralegal Division in appreciation for her leadership.
To register, use the registration form on this page, go to www.maricopabar.org, or call Jennifer Deckert at (602) 257-4200. Unless otherwise specified, all CLE programs will be held at the MCBA office: 303 E. Palm Lane, Phoenix, AZ 85004.
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