



# BAR COMMUNITY

## BOARD OF GOVERNORS JANUARY MEETING REVIEW

Below are highlights from the January 20, 2006, State Bar Board of Governors meeting. Meetings typically are held monthly at the Arizona Bar Center in Phoenix. To see the complete minutes, go to [www.myazbar.org/AZBarInfo](http://www.myazbar.org/AZBarInfo) and click on “Board of Governors.”

- ▶ President Helen Perry Grimwood called the meeting to order. No executive session was held.
- ▶ President Grimwood reported on the meeting with the New Mexico Bar that brought together Chief Justice Ruth McGregor, New Mexico Chief Justice Richard Bosson, New Mexico State Bar President Virginia Dugan, Immediate-Past President Charles Vigil and Gina Maestas of their Administrative Office of the Courts, and their Arizona counterparts.
- ▶ President Grimwood reported on speaking engagements including the Federal Bar Association.
- ▶ President Grimwood reported on the Minority Bar Convention and Jo Ana St. George’s request to list the CMWL as co-sponsor of the panel that is being put on by the National Bar Association and the American Corporate Counsel Association. The board supported the CMWL’s petition with two conditions: (1) no financial commitment from the State Bar of Arizona; (2) that the model brochure submitted with the request be truthful, including that all sponsorship reflected on it are in fact in place.
- ▶ President Grimwood reported that the Appointments process is about to start again and membership needs to apply.
- ▶ President Grimwood stated that District 6 will need an election for one seat. Maricopa County will be single shot, which means only one seat open for a two-year term.
- ▶ President Grimwood reviewed the board materials on Fair and Impartial Courts.
- ▶ Teresa Schmid, Executive Director, reviewed with the

board the Executive Director’s Report.

- ▶ Ms. Schmid reported that the court has set May 22, 2006 as the deadline for comments on R-05-0034 (Petition to Amend Rules 32(c), 45 and 64(f), ARIZ.R.S.C.T.).
- ▶ Ms. Schmid reported on coming events: February 2, 2006, the Arizona Women Lawyers Association will sponsor a reception for Chief Justice McGregor at the Doubletree Hotel, Tucson; February 7-12, the ABA midyear meeting; February 13, the Foundation sponsors a Legislative Reception on the Senate lawn.
- ▶ Ms. Schmid also reviewed the “On the Horizon” portion of the report, dedicated to giving the Board advance notice of emerging issues that may become significant to the Bar in the future but do not yet require action by the board.
- ▶ The board approved the Finance Committee’s recommendation to sponsor the Judicial Intern Opportunity Program in the amount of \$1,500.
- ▶ The board approved the recommendation of the Audit Committee to have Miller, Allen & Co. represent the State Bar of Arizona and the Client Protection Fund during the 2005-2007 audits and to authorize Frank Barriga to sign on behalf of the State Bar of Arizona.
- ▶ Ms. Schmid reviewed the two board reporting forms that had been vetted by the Human Resources Committee and Finance Committee regarding: (1) salaries of those in the Lawyer Regulation Department and (2) performance pool reallocation. The board approved both recommendations as written.
- ▶ Mr. Frank Lewis, as spokesman for the group of members who are over 70 years of age, reported on his meeting with Alan Bayham and Robert Van Wyck regarding their concerns with Petition R-05-0034 that was filed with the Arizona Supreme Court. The major points of concern are mandatory CLE and dues for the members over 70.
- ▶ Jeff Jacobson, President of the Young Lawyers Division (YLD), reported on the success of the Wills for Heroes Program. He stated that the 100 Club donated all the laptops to the program and reviewed some of the challenges facing the growth of the program.
- ▶ Patrick Black, the incoming President from the Arizona Asian American Bar Association, reported on the February 16 annual induction activities and the goals for the upcoming year.
- ▶ The Client Protection Fund Board of Trustees requested the board to modify the Client Protection Fund Declaration of Trust to raise the per-claim cap from \$50,000 to \$75,000. Geoff Sturr, Treasurer, presented the request to the board. The board approved the request, with Amelia Cramer and Brian Chambers abstaining.
- ▶ Robert Van Wyck, Chief Bar Counsel, reported that the King brief was filed January 20 and that the oral argument will be in March.
- ▶ Amelia Craig Cramer, Chair of the Tucson Building Task Force, gave an update on the findings of the task force and the three potential leases and one property for purchase. She reviewed the rental versus purchase analysis.
- ▶ The board voted unanimously to authorize the Tucson Building Task Force to continue negotiations with respect to three possible commercial office spaces rentals: 135 W. Council, La Placita Village and Rio Nuevo Professional Plaza, as well as to enter into negotiations with respect to a possible building acquisition of 70-80 W. Franklin, with assistance by Ray Hanna representing the Scope & Operations Committee.
- ▶ Legislative Update—Christine Thompson, Director of Government Relations, reported that by the 12th day of the leg-

islative session, 1,053 bills had been introduced. She distributed the list of proposed positions on legislation. Legislation in the “support” category were voted on in a previous meeting. Legislation listed on the handout in the “oppose” category are bills that have historically been opposed by the Bar.

- ▶ The board voted unanimously for the Bar to continue to oppose HCR 2010 Justice Courts; Jurisdiction; HCR 2011 Supreme Court, Jurisdictional Limits; HCR 2012 Election, Presiding Superior Court Judges; HCR 2015 Judges, Merit Selection, Population; HCR 2016 Justices and Judges, Governor Appointment; and HCR 2020 Separation of Powers, Judicial Lawmaking.
- ▶ Richard Coffinger inquired about the Board’s Reconsideration of Arizona Supreme Court Petition R-05-0034.
- ▶ The board voted to approve the Consent Agenda, including the Approval of Reinstatements; Notice of Deceased Members; and the Amended December 16, 2005, Minutes.

### Standing Board Committee Reports

- ▶ Amicus Committee, Long-Range Planning Committee, Member Services Committee—No report.
- ▶ Human Resources—Ben Click, Chair, reported that the most pertinent information coming up from the committee was reported earlier in the meeting. Colleen McManus, Senior Director of Human Resources, reviewed the turnover rate at the Bar.
- ▶ Rules Committee—Foster Roberson, Chair, reported on Criminal Practice and Procedure Committee regarding R-05-007, amending Rule 18.1(c), relating to the mandated retention times for court reporter’s notes. He reported that the committee did not have a recommendation. Christine Thompson passed out a draft letter to Justice Ruth McGregor on behalf of the Bar

## FROM THE BOARD

as prepared by Micah Schmidt on behalf of the Criminal Practice and Procedures Committee. The board voted to approve sending the draft letter.

- ▶ Mr. Robberson further reported that the item from the Civil Practice and Procedure Committee seeking to amend

ARIZ.R.CIV.P. 16(d) governing Joint Pretrial activities was sent back to committee.

- ▶ Richard Coffinger reported on progress of the Maricopa County Superior Court in implementing its issuance of security express lane passes to private attorneys, which has

already been implemented for attorneys in the County Attorney and Public Defender's offices. The proposed policy for private attorneys requires that the attorney, on a one-time-only basis, have the FBI send his or her arrest record directly to the court's security office, prior to

issuing a renewable annual pass. If the FBI policy prevents it from sending a person's arrest record to any address other than the person making the request, then Presiding Judge Barbara Rodriguez Mundell may consider modifying the policy.

- ▶ Meeting adjourned.

**ETHICS UPDATES**

**PROFESSIONALISM RULES ONLINE**

The State Bar has launched an enhanced Web page dedicated to improving member access to Arizona's Rules of Professional Conduct. The Rules also are linked to Arizona ethics opinions.

The new page is at [www.myazbar.org/Ethics/rules.cfm](http://www.myazbar.org/Ethics/rules.cfm). When a rule is expanded, links to its current version and to related ethics opinions are displayed. This online index takes the place of the hard-copy index that the State Bar has produced in the past.

**ETHICS OPINION E-MAIL ALERT**

The Bar also has added an e-mail alert system that automatically notifies members of new State Bar ethics opinions. Visit the page ([www.myazbar.org/Ethics/opinionmail.cfm](http://www.myazbar.org/Ethics/opinionmail.cfm)) to sign up for notification.

**ETHICS COUNSEL**

Still unsure of how to handle an ethical dilemma? Call our new ethics counsel, Patricia A. Sallen, at the ethics hotline: (602) 340-7284.

## PROFESSIONAL VOLUNTEER OPPORTUNITIES

The State Bar Appointments Committee is currently accepting applications from *judicial and active members in good standing* to fill the following upcoming vacancies. Application forms are due at the State Bar office by the deadlines indicated below, and can be obtained by calling Carrie Sherman at the Arizona Bar Center at (602) 340-7201 or the Bar's Tucson office at (520) 623-9944. An application also can be downloaded from the Bar's Web site—[www.myazbar.org](http://www.myazbar.org) (refer to *Appointment Committee News*).

### Maricopa County Commission on Trial Court Appointments

Application Deadline—Monday, April 3, 2006

**Purpose:** This nonpartisan commission is chaired by the Chief Justice of the Arizona Supreme Court. Primary responsibility is to screen, interview and select judicial candidates for submission to the Governor for final selection to fill judicial vacancies.

**Openings:** The Board of Governors will nominate one individual to Gov. Janet Napolitano to fill the unexpired term of Donna L. Elm (Federal Public Defender's Office). The four other lawyer-commissioners are James E. Blair, Jr. (Supervisory District 1; Senate confirmation pending), Maricopa County Attorney's Office; Helene S. Fenlon (Supervisory District 2), Spinelli Corporation; Patrick J. McGroder (Supervisory District 4), Gallagher & Kennedy; and Jennifer R. Hunter (Supervisory District 5; Senate confirmation pending), Attorney General's Office.

**Criteria/Qualifications:** Applicants must be active members of the State Bar of Arizona in good standing who have been admitted to practice before the Arizona Supreme Court for not less than five years. Candidates must reside in Supervisory District 3 and may not be registered Republicans.

Arizona's Constitution (Article 6, Sections 36C and 41D) provides for ethnic and gender diversity on the appellate and trial court commissions. Therefore, the Board of Governors strongly encourages lawyers with ethnically diverse backgrounds to apply for this opening.

**Term:** Fill one unexpired term to Jan. 15, 2007, and subsequently serve a full four-year term to January 2011.

members in good standing throughout their tenures as delegates. There is a two-term limit; however, an exception may be made if the delegate demonstrates leadership within the ABA committees and sections. Each delegate should represent a different county (although exceptions have been made in the past).

**Term:** Two years beginning August 9, 2006.

### Arizona Foundation For Legal Services & Education Board of Directors

Application Deadline—Wednesday, April 26, 2006

**Purpose:** This working board, which includes public members, provides direction to Foundation activities, including: the Interest on Lawyers' Trust Accounts (IOLTA) program; grants for indigent legal services and the administration of justice; and law-related education programs.

**Openings:** One appointment will be made by the State Bar Board of Governors to fill the unexpired term of Christopher J. Littlefield. Mr. Littlefield, formerly with the Dial Corp. in Scottsdale, has relocated outside of the state of Arizona.

**Criteria/Qualifications:** Open to active members of the State Bar of Arizona in good standing. Nonlawyers may be considered. The board meets approximately eight times per year. In addition, board members serve on standing Foundation committees.

**Term:** Fill one unexpired term to December 31, 2007.

### ABA House of Delegates

Application Deadline—Wednesday, April 26, 2006

**Purpose:** Delegates represent the State Bar at the annual and midyear meetings of the American Bar Association (ABA) House of Delegates. The State Bar reimburses only that portion of delegate expenses relating to that portion of the House's agenda that addresses the regulation of the profession and improving the quality of legal services.

**Openings:** Two appointments will be made by the Board of Governors. A board policy states that at least one of the State Bar's four delegates appointed by the board shall be an attorney member of the board. Board member Jeffrey Willis (Snell & Wilmer LLP, Tucson) has served in this capacity for two years and is eligible for reappointment to a second, but final, two-year term. Delegate Ernest Calderón (Calderón Law Offices, Phoenix) is also completing a two-year term as a delegate and is eligible for reappointment to a second, but final, two-year term.

The State Bar's two other delegates are Susan C. Villarreal (Villarreal Law Office, Tucson) and C. Bradley Vynalek (Quarles & Brady Streich Lang LLP, Phoenix). Mr. Vynalek is serving as Arizona's Young Lawyer Delegate.

**Criteria/Qualifications:** Open to active members of the State Bar of Arizona in good standing. The successful candidates must also be ABA

### City of Tempe Judicial Advisory Board

Application Deadline—Wednesday, April 26, 2006

**Purpose:** Recommend to the Tempe City Council the best-qualified persons to become city magistrates and to evaluate the performance of, and advise regarding the retention of, current appointed magistrates.

**\*Openings:** Two appointments will be made by the Tempe City Council. Thomas E. Klobas (Maricopa Legal Defender's Office, Phoenix) and Brad Tebow (Attorney at Law, Tempe) are completing initial three-year terms on the board, which was formed in 2003.

**Criteria/Qualifications:** Open to active members of the State Bar of Arizona in good standing who reside in the City of Tempe and who do not hold, or have not held, any contract for professional services with the City of Tempe in the last five (5) years.

**Term:** Three years beginning July 2006.

\* Subsequent to the submission of this notice for publication, the Tempe City Council was scheduled to meet to address the two incumbent positions. Before completing and submitting an application, please contact Carrie Sherman (602-340-7201; [carrie.sherman@staff.azbar.org](mailto:carrie.sherman@staff.azbar.org)) at the State Bar offices for an update on these two specific vacancies.

**Client Protection Fund  
Board of Trustees**

Application Deadline—  
Wednesday, April 26, 2006

**Purpose:** The trustees act as custodians of monies deposited in the fund, invest those funds, and pay claims in appropriate cases.

**Openings:** One appointment will be made by the Board of Governors. Geoffrey M. T. Sturr (Osborn Maledon PA, Phoenix) is completing a five-year term and is eligible for reappointment to a second, but final, five-year term. The other trustees are Larry W. Suciu (Law Offices of Larry W. Suciu, Yuma), Mark D. Rubin (Attorney at Law, Tucson), John G. Balentine (Van O'Steen Attorneys at Law, Tucson) and nonlawyer Maria Hoffman (Maricopa County).

**Criteria/Qualifications:** Any active or honorary member of the State Bar of Arizona in good standing who has actively practiced law or served in a judicial capacity in the State of Arizona for 10 years or more is eligible for appointment as a trustee. The trustees meet three to four times a year and review more than 100 claims annually.

**Term:** Five years beginning June 2006.

**Community Legal Services  
Board of Directors**

Application Deadline—Wednesday,  
April 26, 2006

**Purpose:** This board consists of 27 members, four of whom are State Bar representatives. Powers include establishment of standards of eligibility of applicants for legal services, establishment of standards covering the scope of legal services to be made available, and determination of major program policies.

**Openings:** Two appointments will be made by the Board of Governors. Gary M. Kula (City of Phoenix Public Defender's Office, Phoenix) and Greg Shaw Williams (Robinson & Associates, Glendale) are completing six-year terms and are ineligible for reappointment.

**Requirements/Restrictions:** Open to active members of the State Bar of Arizona in good standing. The board meets once a month except in July and August.

**Term:** Six years beginning June 2006.

The **Phoenix International School of Law** has hired **Akiba Covitz** as its new Associate Dean. He earned his Master's in Law from Yale Law School, and most recently was an associate professor in the Political Science Department at the University of Richmond.

The law school also named some adjunct faculty: **Judge Colin Campbell**, formerly presiding judge of the Maricopa County Superior Court; Maricopa County Superior Court **Judge Barry Schneider**; and attorney **Daniel Dye**.

**Jodi Weisberg** also has been hired by the law school as its Communications Manager. She earned her master's and J.D. degrees from the University of Arizona. She also has worked as a journalist and, most recently, as the Legal Program Director for Fresh Start Women's Foundation.

**Raj Gangadean**, a corporate and transactional attorney, was promoted to partner at **Perkins Coie Brown & Bain**.



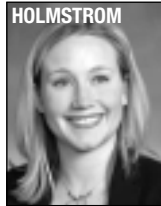
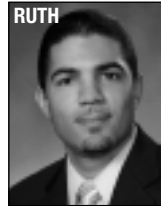
**Titus Brueckner & Berry PC** has announced that **David A. Fitzgerald** and **Patrick J. Davis** have joined the firm as partners and **Damien R. Meyer** and **Darrell S. Husband** have joined as associates.

**Robert C. Kozak** has joined **Murphy Lutey Schmitt & Fuchs PLLC** in Prescott.



**Alexandra C. Mijares** has joined **Greenberg Traurig LLP** in its Phoenix office. She will work in

the firm's white-collar crime and commercial litigation practice.



**Lewis and Roca** has announced that four new associates have joined the

firm. **Kirsten Copeland** practices in the construction and commercial litigation groups. **David Cowles** and **Marvin Ruth** practice commercial litigation, and **Kristina Holmstrom** joined the firm's life, health, and disability practice. In addition, **Carla A. Consoli** has joined the firm as partner, and practices in government relations and administrative law.

**Fennemore Craig PC** has announced the addition of seven



new associates. **James Bond**, **Pam Colquette**, **Gregory Monaco**, **Nicolle Siele** and **James Wright** practice in real estate. **Matt Henriksen** practices in business and finance, and

**Debra Polly** practices in estate planning.

**Michael Cordrey** and **David Yuhas** have joined **Bellah and Harrian PLLC** as associates.



**Gust Rosenfeld** announced that four attorneys have joined the firm. **Melanie G. McBride**

(civil litigation) and **Janet E. Jackim** (real estate and business) joined the Phoenix office. **Roger W. Frazier** and **Michael S. Woodlock** (civil litigation) joined the firm's Tucson office.



**Gallagher & Kennedy PA** has announced that **William R. Herrera** has joined the firm as Of Counsel, and **Michael R. Ross** joined the firm as shareholder. **Herrera** practices corporate law, and **Ross** focuses on commercial litigation.

Four new attorneys have joined **Jones Skelton & Hochuli**. They



are: **Elizabeth Hall**, general insurance defense; **Shannon Ivanyi**, government liability; **Steven Leach**, general tort defense; and **Kelly Shira**, environmental law.

**Eric D. Gere** has joined **Robbins & Green PA** as an associate and practices in commercial and real estate litigation.

**Joel DeCiancio** has become a senior member, and **Thomas Hall** and **Patrick Rowe** have become members of the **Cavanagh Law Firm**. All practice in insurance defense.

**Rodney Malpert** has joined international employment-based firm **Littler Global** as director of U.S. immigration.

SLATE



Ilene Slate has joined Quarles & Brady Streich Lang LLP as Of Counsel in the real estate practice.

WALLIN



Troy A. Wallin was named partner of Hutchison & Steffen, based in Las Vegas. He practices in corporate law and securities.

Jere M. Friedman was promoted to partner at Rogers & Theobald LLP. His practice concentrates in corporate securities, mergers and acquisitions, and general corporate transactions.

HONORS AND AWARDS

Bryan Cave attorney George C. Chen was selected as one of the "Best Under 40" lawyers by the National Asian Pacific American Bar Association.

SOBELMAN



Snell & Wilmer partner Howard Sobelman has been appointed to the board of directors of the Southwest

Autism Research and Resource Center.

Scottsdale attorney Denise Blommel received the Thanks Badge II, the highest volunteer award from the Girl Scouts-Arizona Cactus-Pine Council.

Judge Wallace R. Hoggatt received the second place honor in the 2005 Judge Edward R. Finch Law Day Speech Awards for his speech "The Republic of Jurors."

BERG



Fennemore Craig managing partner Tim Berg was elected secretary of the American Academy of Appellate Lawyers Board of Directors.

Bahar Schippel, a partner with Snell & Wilmer, was appointed co-chair of the American Bar Association Tax Section's Subcommittee on Membership, and vice-chair of the Subcommittee on LLCs and LLPs.

SCHIPPEL



Gilbert Municipal Court Judge Nicole Laurin has received scholarships from the State Justice Institute and the National Judicial College to attend the National Judicial College in Reno, Nevada.

Robert A. Mandel, an attorney with Greenberg Traurig, has been nominated to serve on the board of directors of the Jewish Federation of Greater Phoenix.

Gallagher & Kennedy PA attorneys Dana Stagg Belknap, Christian K. G. Henrichsen and James R. Taylor were recently elevated to AV status in the peer review rankings by Martindale-Hubbell.

Fennemore Craig attorney Cathy Reece has been elected vice president of membership of the International Turnaround Management Association.

The Arizona Chapter of the American Jewish Committee will honor three attorneys at its 2006 Judge Learned Hand Awards luncheon: David B. Rosenbaum, Osborn Maledon, Community Service Award; Arizona State University law professor Rebecca A. Tsosie, Public Service Award; and Fennemore Craig attorney Sal J. Rivera, Emerging Leadership Award.

HENSLEY



TUSKAI



Jones, Skelton & Hochuli attorneys Michael E. Hensley and Les S. Tuskai have been appointed judges pro tem for Maricopa County Superior Court.

Roger N. Morris, a partner with Quarles & Brady Streich Lang LLP, was named an "outstanding healthcare transactional lawyer of 2005" by *Nightingale's Healthcare News*.

CROSS



Attorneys Kevin Bonner, Fennemore Craig, and James Cross, Osborn Maledon PA, have been appointed to three-year terms as lawyer representatives to the Ninth Circuit Judicial Conference.

Lonnie J. Williams Jr., a partner with Quarles & Brady Streich Lang LLP, has been installed as the new president of the National Conference of Bar Presidents.

WILLIAMS



Alexander D. Nirenstein, Fred Ruotolo and Donna G. Heller of Nirenstein Ruotolo & Gonzalez PLC recently opened a new office at One Agave Plaza on the Chandler/Tempe border.

JONES



Lindsay Jones, an attorney with Gust Rosenfeld, was elected to a two-year term on the board of directors of the Arizona Education Foundation.

Kevin D. Quigley, a partner with Quarles & Brady Streich Lang LLP, was elected secretary of the executive committee of the Maricopa County Bar Association board of directors.

QUIGLEY



RECENTLY DECEASED

- Ralph F. Brandt, Yuma
- William E. Constable, Portland, Ore.
- Richard E. Frederick, Tucson
- Richard Gilmore, Glendale
- Patricia L. Howe, Phoenix
- Edward A. Linden, Tucson
- Paul McKosky, Lake Havasu City
- Thomas D. Proffitt, Mesa
- Mark R. Santana, Phoenix
- Darrow K. Soll, Phoenix
- Yale McFate, Tempe
- William E. Morga, Gilbert
- R. Alex Morgan, Sierra Vista
- Mark W. Pangburn, Mesa
- Earl Terman, Phoenix
- Victor J. Zepp, Scottsdale