

for the record



Cinderella Affidavit

by Michael Fredrickson

reviewed by John Berry

Spare time at a premium?

Very selective with your valuable moments for recreational reading?

Cinderella Affidavit, by Michael Fredrickson, gives you the satisfaction of escaping into a well-written, fast-paced legal thriller. For everyone who loves a book filled with intrigue, suspense, and surprise endings, this story will more than fill the bill. Of equal interest to lawyers will be the realistic and vivid description of our judicial system at its best and worst.

There is no such thing as a safe, no-knock search warrant. Unfortunately, for police officer Francis X. Dunleavy, a drug bust in Boston's Chinatown required such a warrant. It led to his death and the beginning of a tale of criminal intrigue.

Officer Dunleavy's last seconds of life begin the first chapter. The death scene is so uniquely and realistically presented that readers feel they are actually experiencing the ebbing away of a life through the victim's own eyes.

Soon after an investigation begins into Officer Dunleavy's death, a major problem is discovered. Investigators uncover a Cinderella Affidavit—a fraudulent document signed by a narcotics officer to help him get a search warrant. The search for the killer leads to the unexpected revelation that Dunleavy's death is much more than a drug deal gone awry.

The dangerous dealings of Chinatown gangs, law firm ethical violations, and cops gone bad are one part of the equation. The good guys in this 384-page story are hardworking and honest officers of the court, trying to bring heroics back in vogue as they battle what appear to be insurmountable odds.

This book is fun to read, hard to put down, and commands the interest of the reader from the first paragraph to the last.

Fasten your shoulder harness for the last 50 pages. Shrewd legal analysis combined with Sherlock Holmes-like mystery unravelings will make you want to go back and reread them to make sure you missed nothing.

No time to read? Make time for *Cinderella Affidavit*. You will be glad you did.

The book may be purchased at major bookstores or through amazon.com.

John Berry is Assistant Executive Director—Legal of the State Bar of Arizona.



Help! How Can I Use the Internet?

by Jerry Lawson

reviewed by Donna M. Runyan

By now, everyone knows the Internet is here to stay and just about everyone has some idea of the kind of information that is available over the Internet. As a matter of fact, some people even know how to find the information they want! So, you ask, "How do they do that?" Well, they attend seminars, take hands-on classes, and they read books to fill in the gaps.

A recently published book—*The Complete Internet Handbook for Lawyers* by Jerry Lawson—may be very helpful if you are looking for:

- basic tutorials for using Internet communication, networking, and research tools
- information about marketing your firm
- information about ethics and security issues on the Internet.

The information provided in the book includes additional paper resources as well as online resources to enhance and supplement every topic discussed in the book. But there is more. Lawson's book is unique because he will keep the information updated on an accompanying Web site at www.abanet.org/lpm/netbook. Therefore, the information in his book will not become obsolete with time. That is important because, as you may know, Web sites can be updated on a monthly, weekly, daily and sometimes hourly basis, whereas printed information remains the same no matter when you return to it.

The feature of the book I especially like is the section titled "Other Voices." Lawson has provided what he calls the "best from the best"—suggestion lists from recognized top authorities on the Internet and the legal profession. Here you will find hundreds of tips from experts covering a wide range of subjects.

Lawson is a lawyer and founder of Netlawtools, Inc., an Internet consulting and Web site design firm. He has produced many articles about the use of the Internet by lawyers and has been quoted as an expert on the Internet in various publications.

You may purchase the book through the ABA Service Center at (800) 285-2221, or visit their Web site at www.abanet.org/lpm/catalog. It will also be available at the State Bar Basic and Intermediate CLE Hands-on Internet training classes held every month in Phoenix and Tucson.

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Legislative Wrap-up

After addressing a number of issues ranging from tax increment financing for stadiums to education funding, the 1999 Arizona Legislative Session adjourned sine die on Friday, May 7, 1999 at 3:54 a.m. The session featured the first biennial budget in Arizona since 1950, which caused the legislature to exceed its 100-day deadline. The legislature and the governor were both busy this year, with the legislature introducing nearly 1,200 bills, 374 of which were sent to the governor. The governor, meanwhile, vetoed a whopping 21 bills and issued line-item vetoes on seven additional bills. Most of the vetoed bills dealt with attempts by the legislature to infringe upon the authority of the executive branch, which was not favorably looked upon by the governor.

The State Bar of Arizona was busy on a number of bills during the session, primarily in a defensive role. In particular, the State Bar was instrumental in defeating bills that would have (1) unconstitutionally infringed on the Character and Fitness Committee's authority to determine who can practice law (striker to HB 2115); (2) prevented parties in small-claims courts from having an unfettered right to hire an attorney and transfer the case to justice court (SB 1138); (3) unconstitutionally allowed the legislature to circumvent Arizona Supreme Court Rules by defining who can practice law in landlord and tenant matters; and (4) required the division of liquid assets at the time of filing for divorce. Additionally, the State Bar was instrumental in amending SB 1324 so that Arizona attorneys are *not* required to use certified court reporters in out-of-state depositions, and helped defeat the movement to defund Arizona's two law schools.

The State Bar was also instrumental in passing some very good legislation in 1999. The Mental Health and Elder Law Section bill relating to mental health issues involving the authority of Title 14 guardians (SB 1146) was passed and signed into law on its first try. Similarly, the revisions to Article 9 of the Uniform Commercial Code that emanated from the Business Law Section's UCC subcommittee were passed and signed into law with a July 1, 2001 effective date.

The proposal of the Legal Services Committee and the Arizona Bar Foundation for a continued \$100,000 appropriation for the elder law hotline was also included in the Arizona Supreme Court's budget that was signed by the governor. Finally, the "Fill the Gap" proposal (HB 2341) was funded at a significant level that will benefit the entire criminal justice system, including the courts, prosecutors and public defenders. Although the governor line-item vetoed funding in future years, funding is assured for at least the first two years and additional funding can be sought at a later time.

The only significant bill that was supported by the State Bar and not passed was SB 1385, which dealt with the unauthorized practice of law in immigration cases. This bill was filed at the last minute, which in a number of ways substantially hurt its chances of passage. Discussions with key legislators, however, hint at a more successful outcome for this bill if more bipartisan support can be found on the sponsorship of the bill and more time can be given to lobby the bill in advance of the next session.

Finally, it is worth noting an important piece of legislation that passed on which the State Bar had no position. This bill (SB 1159) pertains to attorney fees and states that in contract cases, the court may award attorney fees to the offeror of a rejected written settlement offer if the judgment is at least as favorable to the offeror. In effect, this bill would allow a losing party to seek attorney fees under the aforementioned conditions.

In conclusion, the State Bar had an effective year in both defeating and passing the most significant bills of interest to the legal profession. As preparations begin for the next legislative session, the State Bar will continue to remain ever vigilant in defending attacks against the legal profession and the judiciary as well as supporting key legislative proposals from the Committees and Sections.

For more complete details regarding the 1999 Legislative Session, please contact Ron Johnson, Director, Government Relations, at (602) 340-7372; or Kathleen Lundgren, Administrative Assistant, Government Relations, at (602) 340-7371.

Arizona Community Foundation Puts High Tech Behind Giving

PHOENIX—The Arizona Community Foundation has launched the Planned Giving Design Center, a new Web site that provides lawyers, accountants and financial advisors with comprehensive information on advanced charitable financial and estate planning.

According to Deborah Whitehurst, executive vice president of the Arizona Community Foundation, "The site has been created as a tool to help people with their charitable giving. It also provides e-mail news alerts and links to detailed commentary regarding the latest IRS pronouncements, court decisions and legislative developments affecting charitable taxation.

The site, which allows advisors to register free of charge, can be found at www.azfoundation.org.