



# BAR COMMUNITY

## BOARD OF GOVERNORS OCTOBER MEETING REVIEW

*Below are highlights from Oct. 22, 2004, State Bar Board of Governors meeting. This meeting was held at the offices of Lewis and Roca LLP, Phoenix, and Tucson teleconferenced. To see the complete minutes go to [www.myazbar.org/AZBarInfo](http://www.myazbar.org/AZBarInfo) and click on "Board of Governors."*

- ▶ President Charles Wirken reported on meetings with the Arizona Foundation for Legal Services & Education regarding future programs; the Superior Court Task Force on Admission and Reinstatement; and the successful Lawyers on Call program.
- ▶ Teresa Schmid, Executive Director, reported that from this point forward activities will be reported in the context of progress toward goals as outlined in the Long Range Plan, adopted by the Board of Governors on Sept. 17, 2004.
- ▶ Ms. Schmid gave a summary and overview of meetings attended over the past month and reviewed key future dates and activities she will be attending.
- ▶ Larry McVey, Chief Financial Officer, reviewed the August 2004 financial statements in detail.
- ▶ Robert Van Wyck, Chief Bar Counsel, reported on the progress of Discipline on the Web. Mr. Van Wyck also reported that Unauthorized Practice of Law (UPL) prosecutions have increased. He reviewed with the board the statistics on Lawyer Regulation.
- ▶ Foster Robberson, Legal Services Committee Chair, reported on the changes to Rule 33, 39 and 40 regarding Limited Admission on Motion. This matter was on the agenda as an information item, anticipating its being considered as an action item at the November Board meeting.
- ▶ Marnie Leinberger, staff administrator for the Board of Legal Specialization and Mandatory Continuing Legal Education (BLS/MCLE), presented the Board of Legal Specialization's proposed rule change to allow certified specialists to carry forward a maximum of six substantive continuing legal education hours from one year to the next. The board requested additional information, and the matter was tabled.
- ▶ Professor Paul Bennett, Clinical Professor of Law & Director of Child Advocacy Clinic and Co-Chair of the Professionalism Task Force, appeared before the board and presented on the work of the task force.
- ▶ The board unanimously approved the Consent Agenda, including Summary Suspensions for Non-Payment of Dues.
- ▶ The board unanimously approved the September minutes with one minor change.
- ▶ Christine Thompson, Director of Government Relations, reported on proposed legislation regarding Uniform Disclaimer of Property Act (Probate & Trust); Revised Uniform Arbitration Act; and the Uniform Mediation Act. These will be brought before the board for a vote in November.
- ▶ The Standing Committees: The Building Committee gave an update.
- ▶ Liaison Reports—Arizona Judicial Council: Christine Thompson gave an update that the committee is meeting to create statewide rules for domestic relations cases. The working draft has been circulated to committees and sections, and the final rules should be sent to the court early next year and will be out for official comment mid-year.

## NEWS FOR MEMBERS

## Mark Your X Calendar

## CLE OPPORTUNITIES AROUND

- Jan. 7 ..... 9:00 a.m. to 5:00 p.m.  
*(4.5 MCLE hours, including 4.5 hours ethics)*  
**New Rules on e-Filing**, Doubletree Hotel at Reid Park, Tucson
- Jan. 12 & 13 ..... 9:00 a.m. to 5:00 p.m. *(15.75 MCLE hours)*  
**Build Your Arizona Practice**, Orange Tree Golf Resort, Phoenix
- Jan. 14 ..... 1:00 p.m. to 5:00 p.m. *(3.75 MCLE hours)*  
**Open Meetings and Public Records**, ASU Downtown, Phoenix
- Jan. 19 ..... 8:00 a.m. to 12:30 p.m.  
*(4.25 MCLE hours, including 4.25 hours ethics)*  
**Professionalism Tucson Program**,  
Doubletree Hotel at Reid Park, Tucson
- Jan. 21 ..... 9:00 a.m. to 4:30 p.m.  
*(6.0 MCLE hours, including 2 hours ethics and Family Law Specialization)*  
**For Better or For Worse**  
Arizona Biltmore Grand Ballroom, Phoenix
- Jan. 26 ..... 12:00 p.m. to 2:00 p.m. *(2 hours ethics)*  
**Trust Account Management: A Practical "How to" Seminar**  
Arizona Bar Center, Phoenix or attend via live Webcast
- Jan. 27 ..... 9:00 a.m. to 12:15 p.m. *(3 hours ethics)*  
**Attorneys' Fees in Arizona**, ASU Downtown Center, Phoenix

- Jan. 28 ..... 9:00 a.m. to 4:00 p.m. *(5.25 hours MCLE)*  
**Surviving in the World of Contested Estates and Trusts, 2005 Update**  
ASU Downtown Center, Phoenix
- Feb. 3 ..... 9:00 a.m. to 12:30 p.m. *(3.5 MCLE hours)*  
**New Updates on *Blakely v. Washington* and *Crawford v. Washington***  
ASU Downtown Center, Phoenix
- Feb. 4 ..... 9:00 a.m. to 4:45 p.m. *(2 sessions, up to 6 MCLE hours)*  
**Immigration Issues in the Post 9-11 Era and Business Immigration Issues in the Post 9-11 Era**  
Sheraton Tucson Hotel & Suites, Tucson
- Feb. 4 ..... 9:00 a.m. to 4:00 p.m. *(5.0 MCLE hours, including 1 hour ethics and Injury & Wrongful Death Specialization)*  
**Advanced Trial Practice Skills and Strategies**  
ASU Downtown Center, Phoenix
- Feb. 11 ..... 9:30 a.m. to 3:30 p.m. *(4.5 hours MCLE)*  
**Effective Written and Oral Advocacy**  
Doubletree Hotel at Reid Park, Tucson

**Visit [www.myazbar.org/CLE](http://www.myazbar.org/CLE)**  
to view the expanded list of  
interactive online courses and extensive assortment of  
video and audio self-study products.

SPECIALIZATION

The following attorneys have submitted applications for certification or recertification as Certified Specialists. If you would like to submit confidential peer review on any applicant, contact Marnie Leinberger, the MCLE/BLS Administrator, at Marnie.Lcinberger@staff.azbar.org. You also may send comments to: The Board of Legal Specialization, State Bar of Arizona, 111 West Monroe, Suite 1800, Phoenix, AZ 85003.

**Bankruptcy Law**

*Recertification*

Thomas C. Axelsen  
Steven M. Cox  
James E. Cross  
Larry O. Folks  
Michael P. Lane

**Criminal Law**

*Initial Certification*

Rick D. Poster

*Recertification*

Robert F. Arentz  
David W. Basham  
Sean H. Bruner  
Marc Budoff  
Robert J. Campos  
Todd K. Coolidge  
Tom Crowe  
Kristen M. Curry  
Clark L. Derrick  
Alfred S. Donau  
Bruce Feder  
Carmen L. Fischer  
Michael L. Freeman  
Stacey F. Gottlieb  
Thomas M. Hoidal  
Barbara L. Hull  
Lynn Krabbe  
Gregory J. Kuykendall  
James Logan  
Paul J. Mattern  
Raymond V. Panzarella  
Stephen G. Ralls  
Anders V. Rosenquist  
John M. Sears  
Joseph P. St Louis  
Michael Terribile  
Marc J. Victor

**Estate & Trust Law**

*Initial Certification*

Michelle M. Tran  
Michael J. Tucker

*Recertification*

James G. Knollmiller  
Timothy A. Olcott  
Jonathan P. Schubert

**Family Law**

*Initial Certification*

Lisa B. Johnson  
*Recertification*  
Annette T. Burns  
Bruce K. Childers  
Marjorie Fisher  
Cunningham  
DeeAn Gillespie Strub  
Pamela A. Liberty  
Leonard J. Mark  
Suzan V. Pearlstein  
Stephen Roy Smith  
John R. Zarzynski

**Injury & Wrongful Death Litigation**

*Initial*

Mark P. Breyer  
Charles E. Buri  
Kathleen M. Kassmann

*Recertification*

James R. Broening  
John A. Elardo  
Thomas P. Gannon  
Michael W. Herzog  
Harry L. Howe  
John H. Ishikawa  
Peter C. Kelly

Jeffrey Boyd Miller  
Dorothy Q. Paine  
Lloyd L. Rabb  
Louis T. Seletos  
W. Daniel Shelton  
Neal S. Sundeen  
Terry P. Thompson  
Nicholas E. Vakula

**Real Estate Law**

*Initial Certification*

Scott B. Carpenter

*Recertification*

Clare H. Abel  
Andrew Abraham  
Robert G. Anderson  
Michael J. Brown  
James F. Byrne  
Larry J. Dahl  
Gary A. Drummond  
Paul D. Ellsworth  
George M. Esahak-Gage  
James C. Frisch  
Mary Z. Horton  
Craig T. Irish  
Robert J. Itkin  
James W. Johnson  
Barrett L. Kime  
Charles M. King  
Daniel L. Kloberdanz  
Jay S. Kramer  
J. Gregory Lake  
Richard V. Mack  
Sharon J. Oscar  
Deborah Oseran  
Thomas M. Pace  
Dale S. Zeitlin  
Lynn T. Ziolk

**Tax Law**

*Initial Certification*

John A. Beaver

John G. Pattullo

*Recertification*

Barry C. Becker  
Gerald F. Ehrlich  
Guadalupe Iniguez  
Ilene L. McCauley  
Richard Onsager  
Gregory A. Robinson  
Marc L. Spitzer  
Henry W. Tom

**Workers' Compensation Law**

*Initial*

Steven J. Messer

*Recertification*

Trace A. Bartlett  
Brian I. Clymer  
Avery N. Crossman  
Harlan J. Crossman  
Julie A. Doherty  
Don A. Fendon  
Scott M. Finical  
Arthur V. Gage  
Ellen E. Hendrickson  
Scott H. Houston  
Sam Insana  
R. Kent Klein  
Dennis R. Kurth  
K. Casey Kurth  
Terrence Kurth  
Mark S. Lucas  
John W. Main  
Stephen W. Pogson  
Melinda K. Poppe  
Armando Rivera  
Diane L. Silver  
Thomas R. Stillwell  
Walter R. Ulman  
Thomas C. Whitley  
Charles M. Wilmer

## Legislative Updates

### Bar Monitored Bills

Search Bar Monitored Bills by:

area of interest



bill number



bill title



[Click here to go to advanced options](#)

[search tips](#)

## Legislative News

### Weekly Legislative Update:

[Legislature Sine Die - 05/28/2004](#)

### [Legislative Headlines](#)

### TRACKING LEGISLATION ONLINE

On January 10, Arizona legislators begin the important job of writing new laws and changing existing ones. This year it'll be easier than ever to stay current on all bills that affect the legal profession, because the State Bar's new legislative tracking system is up and running on [www.myazbar.org](http://www.myazbar.org).

Through the Bar's Web site, you can select the bill that you want to follow. You can track bills by area of interest, bill number or bill title. The Web page also includes the latest news stories about activity at the Capitol. Just look for "Legislative Updates" halfway down the home page on

the left side.

Another feature of the site is the weekly report from the State Bar's Government Relations Director, Christine Thompson. Her report summarizes key legislative activity and alerts you to important issues in the coming week.

Also, if you or your State Bar Section need more information or legislative assistance, Christine Thompson will be happy to consult with you personally.

For more information, check out [www.myazbar.org](http://www.myazbar.org) or contact Thompson at Christine.Thompson@staff.azbar.org.

### LAUGHING FOR A GOOD CAUSE

Los Abogados, the Hispanic Bar Association of Maricopa County, hosted its Second Annual Los Abogados Laugh Fest at the Kerr Cultural Center in Scottsdale on October 28. The comedy show featured three Latino comedians direct from Hollywood: Rudy Moreno, Charles Sanchez and Gilbert Esquivel.

Headliner Rudy Moreno recently was crowned the Latino Comedian of the Year by *Billboard Magazine*, *Variety Magazine* and the Laugh Factory. Much of the crowd was familiar with him and his work, having seen his television appearances on *Everybody Loves Raymond*, *Kingpin*, *E.R.*, *Judging Amy* and *The Shield*, as well as numerous comedy shows including HBO's *Loco Comedy Jam*, *Showtime's Latino Laugh Festival*, *Comedy Central*, *¡Qué Locos!* and the *Latino Showcase*.

Among the approximately 180 people in attendance were Congressman Ed Pastor and his wife Verma. Once the show ended, the comedians mingled with attendees during a post-show reception.

The event's primary sponsors included Arizona Public Service Company, Fennemore Craig, Arizona State University College of Law, and Roush, McCracken, Guerrero, Miller & Ortega. The Laugh Fest raised more than \$10,000, which will benefit the Valdemar A. Cordova Scholarship Fund at ASU College of Law.

### BETTER LONG-DISTANCE SERVICE AVAILABLE

State Bar of Arizona members can now receive discounted rates on long-distance, Internet access and other telecommunications services from Andiamo Telecom. If you are paying more than 3.9 cents per minute for interstate or intrastate long-distance service, then you should consider signing up with Andiamo, the State Bar's newest member benefit sponsor.

This past fall, the Andiamo system has been carrying the long-distance calls for the State Bar of Arizona. The service has been good, and the Bar has saved several hundred dollars a month compared with its previous low-cost provider. To receive more information from Andiamo, visit [www.andiamousa.com/azbar](http://www.andiamousa.com/azbar) or call its representative, Ben Elkins, at 1-800-318-5773.

Saving money on long-distance service is just one of the benefits of belonging to the State Bar of Arizona. If you would like to find out about other discounts and programs available to members, visit the Bar on the Web: [www.myazbar.org/Members/mem\\_ben.jsp](http://www.myazbar.org/Members/mem_ben.jsp)

### ADMISSION ON MOTION MAY CHANGE

The November Board of Governors meeting saw a proposal by the Legal Services Committee to alter the rules governing limited admission on motion. The committee seeks to increase the number of lawyers willing to work for legal service providers and to accept pro bono assignments, and it concluded that a form of limited admission would increase their ranks. The Board of Governors approved the petition, which would require changes to Rules 33, 39 and 40, ARIZ.R.S.CT.

The changes, if implemented by the Supreme Court, would make it easier for out-of-state lawyers to offer free legal services in Arizona. Those changes include redefining the limits on who's eligible to participate in such a program, and provisions for waiving pro hac vice application fees. The co-chairs of the Legal Services Committee are Commissioner Hugh Hegy and Todd Lang.

For more information, contact Christine.Thompson@staff.azbar.org.

### LAW SCHOOL FOR LEGISLATORS EXPANDS

The State Bar is expanding its next "Law School for Legislators," to be held on Jan. 5. This program enables the Bar to educate lawmakers about key law-related issues. The nonpartisan event allows legislators to avail themselves of the informational resources the Bar has to offer. This year, it expands from a half-day to a full-day program. For more information, contact Christine.Thompson@staff.azbar.org.

**DRAW ON THE OPINION BANK**

In the past year, the Business Law Section has worked tirelessly to update a valuable resource for members: Model Legal Opinions for Business Transactions.

Last created in 1989, the document is an aid to lawyers who are asked to provide an opinion in response to due diligence inquiries or to confirm aspects of a business or real estate transaction. The document updates and summarizes customary practices and recommends that Arizona practitioners “understand and adhere to these ... practices when requesting or rendering such opinions.”

The report is the work of the Section’s Committee on Rendering Opinions in Business Transactions, whose chair is Judith Gargiulo. The committee found no need for major revisions from the 1989 report, but found that a new report was needed due to the use of new entities such as the limited liability company and limited liability partnership, and the increasing use of bankruptcy-remote entities, among other legal developments.

The document is available online at the Section’s Web page. Go to [www.myazbar.org/SecComm/Sections/BS](http://www.myazbar.org/SecComm/Sections/BS) and then click on “Model Legal Opinion.”

**COMING UP**

IN FUTURE ISSUES OF

ARIZONA  
**ATTORNEY**  
MAGAZINE

Court of Appeals  
40th Anniversary

Expert Witness Guide

Writing Competition Winners

Judges: A Users Guide

American Jury Project  
Update

Member-to-Member  
Referral Guide

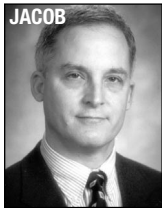
State Bar Committee  
Nominations

If you have questions on articles or  
submissions, contact the editor:  
[Tim.Eigo@staff.azbar.org](mailto:Tim.Eigo@staff.azbar.org)



Emily Cates, Katosha Nakai and Jeffrey Wutzke have joined Lewis and Roca as associates.

Cates practices in business litigation, Nakai practices in government relations and Wutzke focuses his practice on municipal finance and real estate.

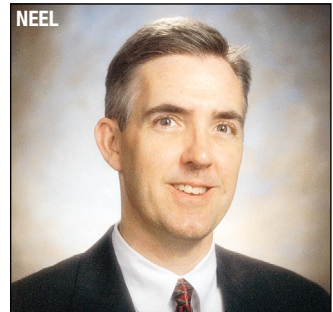


Shughart Thomson & Kilroy PC announced that three new attorneys have joined the firm as associates. Andrew Jacob and Stephen Benedetto practice in the firm's medical malpractice defense group, and Brian Flaherty practices in commercial litigation and construction law.



Gallagher & Kennedy PA announced that three associates have joined the firm. Kaare D. Larson practices in intellectual property, Kiersten A. Murphy practices in litigation and Tyler R. Stradling practices in environmental and natural resources.

Fennemore Craig announced that Anthony V. Ehmann and Neil H. Hiller have joined the firm as shareholders. Ehmann's practice focuses on estate planning and tax matters, and Hiller focuses on employee benefits and structuring corporations. In addition, real estate/tax attorney John F. Daniels III has joined the firm as Of Counsel.



Bruce T. Neel has joined Greenberg Traurig as patent law Of Counsel in the firm's intellectual property department.

**HONORS & AWARDS**

Patricia A. Green, an attorney with Waterfall Economidis Caldwell Hinshaw & Villamana PC, received a 2004 Outstanding Alumni Achiever award from the University of Arizona Black Alumni Club.

Gerald A. Williams was recently re-elected Justice of the Peace for the North Valley Justice Court, serving Anthem, New River and sections of Glendale and Phoenix.

Quarles & Brady Streich Lang attorney L a S h a w n Jenkins has been appointed to the City of Mesa Housing and Human Services Advisory Board by Mayor Keno Hawker.



Anoma Phanthourath, an associate with Shughart Thomson & Kilroy PC, has been named one of the "Best Lawyers Under 40" by the National Asian Pacific American

Bar Association.

Scottsdale attorney Jerome Allan Landau has been elected co-chair of the Commercial Section of the Association for Conflict Resolution.

Mark K. Briggs, a partner with Quarles & Brady Streich Lang LLP, was named vice president of the board of directors for the Phoenix Theatre.



Joseph Kanefield, state election director for the Arizona Secretary of State's office, was named to the board of trustees of the Phoenix Boys Choir.



Doug Christian, a partner with Meagher & Geer PLLP, was recently elected to membership in the American Law Institute.

Quarles & Brady Streich Lang LLP has been honored with a Workplace Diversity Award for its commitment to diversity and inclusion in the workplace. The award in the small company category was bestowed by the Society for Human Resource Management—SHRM—at the 2004 Arizona Diversity Leadership Alliance Diversity Expo.

QBSL was recognized for its aid to minority law students at Arizona State University and the University of Arizona every year. The firm sponsors two scholarships of \$5,000 annually. The State Bar Committee on Minorities and Women in the Law also has benefited by the commitment of the law firm, which has lent its efforts to the committee for the past 10 years.

SHRM also looked favorably on the firm's benefits programs, which include domestic partner benefits, leave for new mothers and fathers, flex and part-time schedules, and a "new parent package." The firm also has an emergency child care center and a room for nursing mothers on-site.

QBSL also hired a consultant, Hattie Hill, to develop a comprehensive diversity program. She sought employee input through conversations, focus groups and panel discussions. Hill then conducted firm-wide training, and she continues to do so as the program evolves.

SHRM also acknowledged the firm's work in strengthening community relationships through its volunteer efforts and donations to Capitol Elementary School in Phoenix and its pro bono efforts, among others.

**VOLUNTEER LAWYERS PROGRAM**



Tucson attorney Tim Medcoff was selected as Pima County's Outstanding Pro Bono Attorney for November 2004. He practices in the areas of product liability, labor and insurance coverage.

**RECENTLY DECEASED**

- Jaime A. Brody, Phoenix
- Atrell Leah D. Davis, Phoenix
- Kathleen DelaRosa, Phoenix
- Murray Vincent Dolan, Lake Havasu City
- Rulon A. Earl, Las Vegas, NV
- Reginald R. Kiefer, Phoenix
- Henry G. Ladendorff, Dayton, OH
- Linwood C. Perkins, Corte Madera, CA
- Donald B. Shortridge, Phoenix
- Thomas Arthur Thinnes, Phoenix
- Conrad Darrel Wilson, Tucson