



MORE ON IMMIGRATION

Roxie Bacon's column in the November 2004 issue ("The Last Word") is simply outstanding. Thank you for expressing so well what I too believe. The rich tapestry of America was crafted by people from everywhere. The greatness of America is that each of us will have an honored place within the fabric of that tapestry. The route to such a place in society starts, as she points out, with education. Respect, simple courtesy and the ability to listen are important to understanding also. No one is born a bigot; it is a learned behavior. It can be unlearned as well.

The National Conference for Community and Justice (NCCJ) has a simple slogan that I have adopted for myself: "The promise of America is for all of us, not just some of us."

Best wishes in all that you do.

—*R. Craig Wilson*
Rogers & Theobald LLP
Phoenix

This is just a brief note to thank Roxie Bacon for her thoughtful and eloquent column in the November issue. Your words so accurately captured my feelings, and those of so many immigrant children and grandchildren.

Our public discourse has become so aggressive, so mean-spirited, so, as you said, ugly. I was becoming increasingly disenchanted with the direction of our state and our country. In fact, lately I'd felt such despair that I wondered whether this was the right place to raise my family. And I felt so alone. I try to speak out when I have the opportunity; I think that's our duty as lawyers. But sometimes it seems that many perceive such opinions from "minority-Americans" as just whining. It's as though some perceive us to be mere "guests" in America without any right to complain about our "host" or "adopted" country—even though we may be second-, third- or, as in my case, fourth-generation Americans.

It was refreshing to hear a voice from outside the Asian community express the feelings many of us have lived with for generations, and live with every day. One small voice ... it's a start. But yours brought hope to me and surely to many others that this country, our country, may someday live up to its promise after all. Thanks again.

—*Bob Yen*
Yen Pilch & Komadina, P.C.

A parsing of the recent sophomoric letters attacking Roxie Bacon ineluctably leads to the question: What happened to critical thinking in this country?

Andrea De La Cerda states in her recent letter to ARIZONA ATTORNEY, "I am afraid that my children and grandchildren will inherit the debt our nation is creating to care for illegal immigrants' health care, education, incarceration in prison and lowered wages that they bring."

Chump change. Federal Reserve Chairman Alan Greenspan warned that the persistence of U.S. trade deficits over time can pose a risk to the U.S. economy. The current account deficit swelled to an all-time high of \$166.2 billion in the second quarter of this year. Foreign

investors are losing interest in holding dollar-denominated investments because of the sliding value of the U.S. dollar. On Oct. 14, 2004, the federal government reached its debt limit of \$7.4 trillion. CNN reports that Congress is raising the limit to \$8.18 trillion, an increase of more than \$600 million. Are you going to blame the immigrants for this debt?

I applaud Roxie Bacon for having the courage to stand up to the nativists and jingoists in her fight against the rampant xenophobia so evident in this state and the rest of the country. It is obvious that these individuals are using immigrants as scapegoats for this country's systemic and endemic problems of which they are ignorant or that they deliberately choose to ignore.

—*Larry J. Rubl, Esq.*
Phoenix

Let's ignore Ms. Bacon's conflict of interest and the failure to disclose the possible pecuniary role of practicing immigration law in her views. But, citing John Maynard Keynes is a bit over the top. Even liberals stopped citing Keynes some time during the sweater-wearing, stagflation days of the Carter administration when interest rates hovered at around 18 percent for home mortgages. Keynesian economics is dead, and it is a bit passé to cite a man whose theories have been so wrong on virtually everything for the proposition that open immigration does nothing but good for a society. The man hasn't been right about a single thing when it comes to economics. Let's try Milton Friedman, whom even the Swedes conceded had an idea or two when they awarded him a Nobel: You can't have open immigration in a welfare state.

The concept is just plain nutty. You have to control one or the other, and her piece fails to acknowledge that reality. Of course, such thoughts are perfectly consistent with the la-la theme of her "I have a dream of world peace" piece.

Finally, what a statement for a trained lawyer to make: "Our Patriot Act has not caught a single terrorist." Actually, if Ms. Bacon would take the time to research

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before writing, she would find that the FBI and Justice Department estimate that they have been able to thwart hundreds of activities, arrest (along with other countries' help) fully two-thirds of the al Qaeda network, and accomplish all manner of national security with the powers the act provides, and all without affecting any of us or our God-given freedoms. For example, using the tools under the act, federal authorities were able to locate a shipping crate that had living quarters and a terrorist who was entering the United States via cargo ship and who had credentials to serve as a groundworker at Kennedy in New York. Ms. Bacon does not know how close we have come to a second 9-11-01. But, she feels the way she feels, and with good reason for her firm's practice. Surely ARIZONA ATTORNEY could have given equal time for a response.

—*Marianne Jennings*

REPORTER CHANGES AFOOT

The right of Arizona attorneys to the most accurate record of legal proceedings is in great danger. This will affect you, your clients and your revenues. Your voice must be heard.

The Keeping the Record Committee, a subgroup of the Arizona Supreme Court and Arizona Judicial Council, has been meeting this year to discuss potential changes to statutes and court rules concerning the reporting of all proceedings in Arizona, whether in depositions, court hearings or any other legal proceeding. Many changes are being considered by the Committee that could eliminate your right to a trained, certified and impartial court reporter.

Among these proposed changes is one that would amend the language of Rule 30(b) in such a way that court reporters would no longer be required in depositions. Also, a statutory change is being considered to A.R.S. § 38-424 that would eliminate the right of a party to have a court reporter present in any court proceeding.

The Arizona Court Reporters Association has been an active participant in these discussions and is fighting hard to help maintain the standard of an accurate, timely, complete and impartial record. But we desperately need your help.

The Keeping the Record Committee has received almost no input from private trial attorneys, one of the groups most severely impacted by these potential changes. Judges, court administrators, and others are making these decisions without your comment. This must change.

We urge you to contact the committee and insist that it solicit responsible input from the private bar before making any of these major decisions. Only by hearing your voice—from the “real world” of litigation—will these potential amendments be considered in the proper context. We recommend you contact the committee's staff counsel, Jennifer Greene, by e-mail at jgreene@supreme.sp.state.az.us.

Visit the Keeping the Record Committee Web site at www.supreme.state.az.us/ktr.

—*Leslie Foldy*

President, Arizona Court Reporters Association