



BAR COMMUNITY

BOARD OF GOVERNORS

JUNE MEETING REVIEW

Below are highlights from the June 21, 2011, meeting of the State Bar Board of Governors, held at its annual meeting in Tucson. To see the complete minutes, go to www.azbar.org/aboutus/leadership/boardofgovernors/minutes.

- ▶ **President's Report**—President Alan P. Bayham called the meeting to order and welcomed the newly elected members of the Board of Governors, as well as Tony Finley and Audrey Jennings, the newest public members.

President Bayham reported that the Missouri Bar is hosting the National Summit on Defending Merit Selection, and all bars are invited to participate. The keynote speaker is Former U.S. Supreme Court Justice Sandra Day O'Connor. Board Officer Whitney Cunningham will participate on behalf of the State Bar.

President Bayham reminded everyone about the free convention CLE seminar on the new Medical Marijuana Law and its effect on criminal and labor law.

- ▶ **CEO/Executive Director Report**—CEO/Executive Director John Phelps thanked everyone who has served on the board and bid farewell to those that are leaving. He reported that the new board members had already participated in an orientation program.
- ▶ **Rules Committee Report**—Chair Bryan Chambers reported on the three items requiring action:
 - ▶ **R-11-0009**—Proposed reply to comment received in response to the State Bar's rule petition R-11-0009, which proposes amendments to Rules 5(c) and 6(e) of the Arizona Rules of Civil Procedure to authorize electronic service of post-complaint filings in civil actions. It came as a motion from the Rules Committee, and the board voted unanimously to submit to the Supreme Court for its consideration the proposed reply to the comment to the rule petition.
 - ▶ **R-11-0012**—Proposed State Bar comment to Amended Rule Petition

R-11-0012, which revises a petition filed in January 2011 to amend Supreme Court Rule 124 to accommodate the implementation of AZTurboCourt, a statewide electronic filing system. It came as a motion from the Rules Committee, and the board voted to submit to the Supreme Court for its consideration the proposed comment to the amended rule petition.

- ▶ **R-11-0001**—Proposed State Bar comment to Rule Petition R-11-0001 (Petition to Amend Rule 31(d), ARIZ.R.S.C.T.) Mr. Chambers reviewed the history indicating that two extensions had been filed previously. Mr. Ed Novak and Mr. Edward Parker presented opposing views. The Rules Committee voted unanimously to recommend that the Board of Governors file a comment in opposition to the Petitioners' Compromise Language for Petition to Amend Rule 31(d). The board voted in favor of filing the comment supporting the Rules Committee's recommendation.

- ▶ **Receipt and Certification of Election Tellers Report**—The board voted unanimously to receive and certify the 2011 Election Tellers Report.

The newly elected Board members are: District 2 (Yavapai County)—Alex B. Vakula; District 6 (Maricopa County)—Richard D. Coffinger (incumbent); Tom Crowe (incumbent); Diane L. Drain (incumbent); Melissa S. Ho; Jack Levine; Lisa S. Loo (incumbent); Sam Saks; Geoffrey M. Trachtenberg; and District 8 (Pinal County)—Richard T. Platt (incumbent). Sharon Ng will automatically serve as a voting member of the board during her year as president of the Young Lawyers Division.

- ▶ **Election of 2011-2012 Officers**—Pursuant to Rule 32(f)(2), ARIZ.R.S.C.T., The president-elect automatically becomes president, and the first vice president automatically becomes president-elect at the conclusion of the annual meeting. The board congratulated Joseph A. Kanefield on his ascension to the presidency and Amelia Craig Cramer on becoming president-elect of the State Bar of Arizona for the 2011-2012 year. The board then elected Whitney Cunningham as first vice president, Richard T. Platt as second vice president, and Bryan B. Chambers as secretary/treasurer.
- ▶ **Fee Waivers**—Membership Administration

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Services Manager Carolyn de Looper summarized three members' requests for complete waivers of their annual dues for 2011, or a waiver of the late-fee assessment, or both. The board voted unanimously to ratify the action of the board officers granting the three requests.

- ▶ **Chief Bar Counsel Report**—Chief Bar Counsel Maret Vessella reported on the history of Discipline on the Web (DOTW) and staff's recommendation to the Discipline Oversight Committee regarding the modification of information posted on the State Bar's website for the "Find a Lawyer" feature. Proposals were sent out for comment to respondents' counsel (15 that appear regularly). Recommendations regarding DOTW modifications will be presented at the September meeting.

Ms. Vessella reported that on June 10 the Attorney Discipline Probable Cause Committee met and considered 29 matters.

Ms. Vessella announced the hire of Bar Counsel Craig Henley, formerly a sole practitioner.

The 2010 Annual Report of the Office of Lawyer Regulation was previously distributed via email to the board and has been posted on the website.

- ▶ **Finance Committee/CFO Report**—Finance Committee Chair Joe Kanefield reported on the Client Protection Fund Annual Report and the short Finance Committee meeting held prior to the annual meeting.

CFO Tom Johnson reviewed the status of the move of some staff to the first floor: awaiting three construction bids; plans to use Target for the Steelcase contract as a substantial amount of the furniture will be re-used; the addition of an ADA-compliant restroom, an estimated \$8,000 is included in the \$675,000 budget.

- ▶ **Ad Hoc Committee on Coordination and Communication with the Arizona Foundation for Legal Services & Education ("CCCF Committee")**—Amelia Craig Cramer reported the committee will not meet until August 26.

Ms. Cramer stated that a subcommittee is looking at the State Bar's and the Foundation's respective professional liability insurance and health insurance to determine whether joint coverage is possible.

Whitney Cunningham reported on the negotiations of the lease agreement between the two organizations. He reviewed the recommended Third Amendment to Lease Agreement. After discussion, the board voted to approve it.

- ▶ **Human Resources Committee Report**—Chair John Sullivan reviewed the current Deferred Compensation Plan for senior management and the engagement of Marvin

(Buckey) S. Swift, Jr. of Snell & Wilmer (pro bono) to review the plan to determine whether to keep it or write a new plan. The Committee voted to recommend retaining the Deferred Compensation Plan and allowing the CEO to recommend the inclusion of other executive staff. The committee voted to write a new plan, asked Mr. Swift to assist with the drafting of it and the RFP for acquiring a new administrator for the plan. Mr. Sullivan also reviewed the vesting schedule changes. The 401(k) is also being reviewed.

▶ **Liaison Reports**—

- ▶ **Arizona Foundation for Legal Services & Education**—Meredith Peabody gave thanks from Dr. Kevin Ruegg, CEO/ED of the Foundation, and President Christina Urias for the work and considerations on the lease agreement. Ms. Peabody stated that the Foundation is excited to have Joseph Kanefield as the keynote speaker for the Thursday Convention luncheon. Fox Restaurants again will host a fundraiser for the Foundation on June 28 at Stingray Sushi. The lunch is \$10, with all proceeds benefiting the AZFLS&E.

- ▶ **AWLA**—Angela Woolridge reported on: June 15 tour of the Supreme Court for school-age students; June 16 Past President's Reception; June 17 Mary Ann Richey Breakfast during the Convention, at which Paige Martin will receive the Sarah Herring Sorin Award.

- ▶ **Young Lawyers Division**—Maricela Meza reported on the YLD elections, noting that more people ran for election this year.

- ▶ **Arizona Asian American Bar Association**—Lisa Loo reported that Melissa Lin, a member of the Asian Bar's board, was also recently elected as secretary of the Young Lawyers division.

- ▶ **Los Abogados**—Virginia Herrera-Gonzales reported that members recognized former Governor Raul Castro's 95th birthday by celebrating with him.

- ▶ **Native American Bar Association**—NABA-AZ's Annual Meeting will be held on June 17 at noon during the Bar convention; NABA-AZ's Annual Seven Generations Dinner will be held on September 24.

- ▶ **Board Retreat**—All members of the 2011-2012 board are invited to attend the retreat on July 21-22 in Flagstaff.

- ▶ **Recognition of Outgoing Members of the Board**—President Bayham recognized the service performed by public members: Frank Barriga, Alexander B. Jamison; Ex-Officio Member: Dean Paul Schiff Berman; elected members: Ted Campagnolo, Stephen M. Dichter, H. Leslie Hall, Alexander B.

Jamison, Christopher W. Jensen and YLD President Maricela Meza.

- ▶ **Recognition of Outgoing President Alan P. Bayham, Jr.**—Joe Kanefield recognized President Bayham for his accomplishments and outstanding leadership. Gifts were presented from staff and the unified bar membership.

- ▶ **Meeting Schedule**—The full schedule is posted on the Bar's website: www.azbar.org/aboutus/leadership/boardof-governors/meetingschedule

PEOPLE, PLACES, HONORS & AWARDS



John Alan Doran joined the Phoenix office of **Sherman & Howard** as a member in the Labor & Employment practice. He has more than 20 years' experience representing clients, primarily in the areas of labor and employment, appellate and litigation.

Vince Pecora was named corporate counsel for **Viad Corp.** in Phoenix, where he will practice corporate, M&A and securities law.



Kristine Reich joined **Donison Law Firm, PLLC**, Phoenix, as a family law associate attorney focusing on alternative dispute resolution, including mediation and Collaborative Divorce. She received her law degree from ASU's Sandra Day O'Connor College of Law. Prior to joining the firm, she directed and implemented pro bono programs at the law school and catalyzed development of the Diane Halle Center for Family Justice.

Tucson law firm **Munger Chadwick, PLC** has opened a **Phoenix office** at 24th Street & Camelback Road.

Davis Miles, PLLC has merged with **McGuire Gardner PLLC**, which practices in business bankruptcy, commercial litigation, transactional work and consumer practice areas, including Chapter 7 and 13 bankruptcy, criminal defense and domestic relations. Davis Miles now employs 50 attorneys and has offices in Tempe, Prescott and Flagstaff, as well as Albuquerque, N.M.

The Law Office of Maria Jones and Allen, Tunac & Coughlon, PLLC have merged to form the **Maria Jones Law Firm**, 202 E. Earll Drive, Suite 440, Phoenix; phone 602-636-1200. The new firm will include attorneys **Maria V. Jones, Robert Coughlon Jr., Mercedes Ryden, Glenn Allen, Stephanie Corcoran** and **Kirk Lewis**.

The firm will continue to represent clients in removal and other immigration-related cases and will provide criminal defense.

John Helm, Roberta Livesay and **Sally Worthington** announced a new firm name: **Helm, Livesay & Worthington, Ltd.**, formerly known as Helm & Kyle, Ltd. They continue to be located at 1619 E. Guadalupe Rd., Suite One, Tempe, 480-345-9500.

Polsinelli Shughart added a **Los Angeles office** with its acquisition of Quateman LLP, California's largest women-owned municipal bond counsel firm, effective July 1. The firm also launched a **Dallas office**, and shareholders **Jonathan K. Henderson** and **William E. Swart** and associate **Chad K. Knight** joined the firm's transactional practice.

HONORS AND AWARDS



Kerrie Droban announced the hardback release of her second true-crime book, *Prodigal Father Pagan Son*, from St. Martin's Press.

ASU Professor Myles V. Lynk, the national Secretary of the Fellows of the **American Bar Foundation** and a member of the Foundation's Board of Directors, was elected Chair of the Audit Committee of the Board of Directors.



Steven Biddle was elected as a Fellow of the **College of Labor & Employment Lawyers**. He is a shareholder in the Phoenix office of Littler Mendelson PC.

West McDowell Justice of the Peace **Judge Rachel Carrillo** received a 2011 NACo Achievement Award from the **National Association of Counties** for her continuing efforts in protecting victims of domestic violence.



GRANVILLE

Kolby W. Granville of Mariscal, Weeks, McIntyre & Friedlander PA was selected to serve on the Board of Trustees for the **Phoenix Boys Choir**.



BUNTROCK

Shane Buntrock, a shareholder with Rowley Chapman Barney &

Buntrock, Ltd. in Mesa, was elected to serve on the board of the **Foundation for Burns and Trauma, Inc.**



AKBAR

Wendy Kemp Akbar, an attorney in the Phoenix office of Quarles & Brady LLP, was selected as a **“Forty Under 40”** honoree by the *Phoenix Business Journal*.

Bryan Cave partner **Steven A. Hirsch** was re-elected as President of the **Wildlife for Tomorrow** Foundation Board of Directors for 2011-2012. He has served as President of the organization since 2004 and has been a Director since 1999.



ROSENFELD

Lawrence J. Rosenfeld, a shareholder in the Phoenix office of Greenberg Traurig, LLP, was elected as a Fellow of the **College of Labor & Employment Lawyers**.

Beer & Toone PC congratulates **Steven A. LaMar** on his re-election as **Cave Creek Town Councilman**.

Gallagher & Kennedy PA received top honors at an awards ceremony held in April for its philanthropic fundraising efforts on behalf of the **Valley of the Sun United Way**. The firm came in fourth for Top Campaigns 2010 in the 100-249

employees category, with a campaign total of \$105,454. It was the highest-ranking law firm in the category.



REIMER

The **Arizona Commission on Judicial Conduct** has named **George A. Riemer** as its new executive director, following the retirement of E. Keith Stott, Jr.

Gallagher & Kennedy attorney **James G. Derouin** received the annual **Michael J. Brophy Distinguished Service Award** at the State Bar of Arizona Environmental and Natural Resources Law banquet, held at the Phoenix Zoo.



PEOPLE ITEM SUBMISSIONS

Send items for the People column to arizona.attorney@azbar.org.

Items run free of charge, but because we receive many submissions, we cannot guarantee when an item will run. If you also send a photo with the item, we try to use it, depending on that month's space and the photo quality (high-resolution required).