

# BAR COMMUNITY

## BOARD OF GOVERNORS SEPTEMBER MEETING REVIEW

Below are highlights from the September 22, 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 Jim Smith called the meeting to order at 8:30 a.m., and the Board went into Executive Session until 9:10 a.m.
- ▶ The Discipline Oversight Committee presented information on proposed changes to the Discipline Rules by Dan McAuliffe, Chair, and Robert Van Wyck, Chief Bar Counsel.
- ▶ Guest speakers on the proposed Discipline Rule changes included members Mark Harrison and Nancy Greenlee.
- ▶ ABA House of Delegates Report—Ernest Calderón, ABA Delegate, provided the official ABA *Daily Journal* from the August Assembly held in Honolulu and summarized its content.
- ▶ Arizona College of Trial Advocacy—Peter Collins, Jr., Chair of the Trial Practice Section Executive Council, summarized the 2006 Arizona College of Trial Advocacy and the plan for the 2007 program to be held July 24-28 at the Black Canyon Conference Center in Phoenix.
- ▶ Appointments Committee—Ray Hanna, Chair, summarized the current openings and provided the recommendations of the Appointments Committee to the Board for the following:
  - Arizona Supreme Court Committee on Character and Fitness (Public Member Openings)—The board voted to forward the names and applications of the following public members to the Arizona Supreme Court for its consideration to fill the two non-lawyer positions on the

committee: Michael Boyd, Kristina Fredericksen, Harold Holmes, Wanda Moore, Ben Tously.

- Arizona Supreme Court Committee on Character and Fitness (Lawyer Openings)—The board voted to submit the names and applications of the following members to the Arizona Supreme Court for its consideration to fill the three lawyer positions on the committee: Richard Gordon, Ms. Frankie Jones, Patricia Nigro, Kathryn Pierce, Viola Romero-Wright, Mr. Cary Sandman, John Tuchi, Christopher Whitten, Ms. Laura Zeman.
- Arizona Supreme Court Committee on Examinations (Lawyer Opening)—The board voted to refer this matter back to the Appointments Committee, directing that the process be reopened and the vacancy be re-advertised. The Appointments Committee report on this matter is calendared for the board's October 20 meeting.
- Client Protection Fund Board of Trustees (Lawyer Opening)—The board voted to reappoint Geoffrey Sturr to the Client Protection Fund Board of Trustees to serve a second, but final, term.
- ▶ Consent Agenda—The board approved the Consent Agenda consisting of the Revised June Minutes, July Minutes, Resignations of Members in Good Standing, Alternative Dispute Resolution Section Bylaws, Updated lists of MCLE Suspensions, and Reinstatements of members suspended for non-compliance with Rule 45, ARIZ.R.S.Ct. Arizona Civil Rule 74(a) was removed from the Consent

Agenda.

- ▶ Teresa Schmid, Executive Director, gave highlights from her ED Report.
- ▶ Larry McVey, Chief Financial Officer, stated that his summaries for June and July financial information were written and asked for questions from the Board.
- ▶ The Finance Committee recommended and the board approved the 2007 Budget Guidelines for staff as directed from the Financial Policies Manual, p. 5, paragraph (h).
- ▶ Rules Committee—The Board unanimously approved the recommendations of the Rules Committee and the Civil Practice and Procedure Committee that the Petition to Amend ARIZ.R.Civ.P. 7.1(e), governing motions for recon-

sideration, be filed with the Supreme Court as distributed to the Board.

- ▶ Lunch Presentation—Juan Carlos Flamand was presented a gift from the board for his accomplishment of receiving the high score on the May 2006 Bar Exam.
- ▶ Special Recognition—The board presented a gift of appreciation to Matthew Silverman, Senior Director of Communications, who after eight years of dedication and service to the Bar will be leaving to take another position.
- ▶ Meeting Schedule—The next board meeting is October 20. The full schedule is posted on the Bar's Web site, [www.myazbar.org/AZBarInfo/BOG/BoardofGovernors.cfm](http://www.myazbar.org/AZBarInfo/BOG/BoardofGovernors.cfm)
- ▶ Meeting adjourned.

### BOARD OF GOVERNORS

SEPTEMBER 2006

## MEETING HIGHLIGHTS

### Discipline Rules Changes Proposed

The Discipline Oversight Committee presented information on proposed changes to the Discipline Rules by Dan McAuliffe, Chair, and Robert Van Wyck, Chief Bar Counsel. Guest speakers on the topic included members Mark Harrison and Nancy Greenlee.

For more details on the proposals that were voted on at the October Board of Governors meeting, see the President's Message on p. 6.

Beginning in late December, the public comment period begins; the proposals and a comment forum are provided on the Supreme Court's Web site. (Go to [www.supreme.state.az.us](http://www.supreme.state.az.us) and click on "Court Rules Forum.")

### Arizona College of Trial Advocacy

The 2007 program will be held on July 24-28 at the Black Canyon Conference Center in Phoenix.

### Appointments Committee

The Appointments Committee made recommendations on appointments to the following committees and boards: Arizona Supreme Court Committee on Character and Fitness, Arizona Supreme Court Committee on Examinations, and the Client Protection Fund Board of Trustees. The board voted on the recommendations (see above for details).

### Rules Petition

The board unanimously approved the recommendations of the Rules Committee and the Civil Practice and Procedure Committees that the Petition to Amend ARIZ.R.Civ.P. 7.1(e), governing motions for reconsideration, be filed with the Supreme Court.

**X** Mark Your  
Calendar

**CLE OPPORTUNITIES AROUND**

**Dec. 1 . . . . . 9:00 a.m. to 12:15 p.m.**

*(3 hours ethics credits)*

**Ethical Morning at the Movies**  
Chaparral Suites Resort, Scottsdale

**Dec. 5 . . . . . 11:00 a.m. to Noon**

*(1 MCLE hour)*

**Sales, Exchanges & Transfers of  
Partnership Interests**  
Telephone seminar

**Dec. 6 . . . . . 9:00 a.m. to 12:15 p.m**

*(3 MCLE hours)*

**Personal Injury and the  
Spanish Speaking Client**  
Phoenix & Webcast

**Dec. 7 . . . . . 11:00 a.m. to Noon**

*(1 MCLE hour)*

**Business Finance: What Attorneys Should  
Know before Advising Clients**  
Telephone seminar

**Dec. 12 & 13 . . . . . 11:00 a.m. to Noon**

*(1 MCLE hour each)*

**Estate Planning for Family Businesses  
Parts 1 & 2**  
Telephone seminar

**Dec. 13 . . . . . 1:00 p.m. to 4:15 p.m.**

*(3 hours ethics credits)*

**Project Balance: Time and Life  
Management for Lawyers**  
Phoenix & Webcast

**Dec. 13 . . . . . 3:00 p.m. to 5:00 p.m.**

*(2 hours ethics credits)*

**Bench and Bar Holiday Reception**  
DoubleTree Hotel at Reid Park, Tucson

**Dec. 15 . . . . . 9:00 a.m. to 4:00 p.m.**

*(5.5 MCLE hours, including 1 hour ethics)*

*Pre-Trial Motions*

Orange Tree Golf Resort, Scottsdale

**Dec. 19 . . . . . 11:00 a.m. to Noon**

*(1 MCLE hour)*

**Family Feuds: Planning to  
Avoid Estate Litigation**  
Telephone seminar

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. Times are subject to change, so check online for details.



KLEINDIENST

**Anne Kleindienst**, an attorney with Fennemore Craig, was appointed general counsel of the **Greater Phoenix Chamber of Commerce**.

**Matthew B. Meaker**, an attorney with Stinson Morrison Hecker LLP, was named to the **EMPACT-Suicide Prevention Center's** board of directors.

**Keri Silvyn**, an attorney in the Tucson office of Lewis and Roca, has been selected for the grants award committee for the **Tucson Medical Center Foundation**.

**Paula Kulahjian**, administrator of Lewis and Roca's Tucson office, has been named chair of the Tucson Leadership Council of the **American Diabetes Association**.

Governor Janet Napolitano has appointed attorney **Barry Wong** to the **Arizona Corporation Commission**.

The **Arizona Prosecuting Attorneys' Advisory Council** honored several Arizona attorneys. **Sylvia Lafferty**, deputy Pinal County attorney, **Richard Platt**, chief criminal deputy Pinal County attorney, and **Donald Conrad**, assistant Attorney General and chief criminal counsel, were named **Felony Prosecutors of the Year**. **Steven Sisneros**, deputy Yavapai County attorney, was named **Misdemeanor Prosecutor of the Year**. **Michael Lessler**, deputy Coconino County attorney, **Kathleen Mayer**, deputy Pima County attorney, and **Vince Imbordino**, deputy Maricopa County attorney, received **Prosecutor Lifetime Achievement Awards**. **Monica Klapper**, assistant Attorney General, received the **David M. White Excellence in Victim Advocacy Award**.



SHIELDS

**Dennis Shields**, dean and professor at the Phoenix School of Law, was appointed to the American Bar Association's **Legal Opportunity Scholarship Fund Selection Commission** and to the State Bar of Arizona's **Task Force on Diversity in the Legal Profession**.

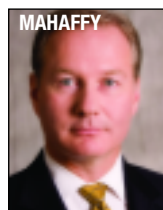
**Todd E. Hale**, a partner in Lewis and Roca's Tucson office, has been elected chair of the board of the Southern Arizona Chapter of the **American Red Cross**.



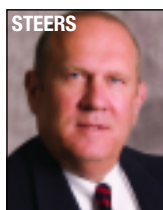
HALE



EICHMAN



MAHAFFY



STEERS



TOLENO



KIDO



PEW

**Winsor Law Firm PLC** announced that **Andrew Briggs**, **David W. Eichman**, **Steven C. Mahaffy** and **R. Lee Steers Jr.**, have joined the firm as partners, **Jonah A. Toleno** joined as junior partner, and **Liane C. Kido** and **Lawrence D. Pew** joined as associates.

**Fennemore Craig** announced that **Todd C. Wiley** joined the firm as director, and he focuses on natural resources, utilities and construction law.

**Richard Herold** has joined the Phoenix office of **Hinshaw & Culbertson LLP** as partner in the firm's commercial litigation practice.

**Mark S. Dickemper** has joined **Lang & Baker PLC** as of counsel and practices insurance defense and commercial litigation.

**Ogletree Deakins Nash Smoak & Stewart PC** announced that six attorneys have joined the labor and employment firm. **David Selden**, **Julie Pace** and **Sharon Jutila** have joined as partners, and **Shayna Balch**, **Eva Herrera** and **Heidi Nunn-Gilman** are new associates.



PACK

**Engelman Berger PC** announced that **Bradley D. Pack** has joined the firm and practices in bankruptcy and litigation.

**Cyrus B. Martinez** has joined **Littler Mendelson** as an associate, and focuses his practice on labor law, collective bargaining and employment matters.



KJOS

**Victoria Kjos** has joined **Sacks Tierney PA** as a shareholder and practices family law, civil litigation and probate law.

**Liam Harrison** has been appointed director of research compliance at the **University of Southern Maine** in Portland, Maine.



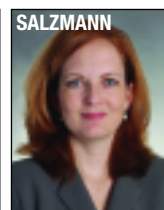
MILLER



WOODLEY



PIERCE



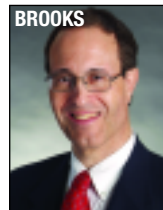
SALZMANN



SCHMIDT



JOHNSON



BROOKS



SHELY

The **Phoenix School of Law** has announced several new additions to its faculty and administration: **Tedd Miller**, dean of students; **Ann Woodley**, associate professor; **Julie Carroll**, director of the center for professional development; **MaryAnn Pierce**, director of clinical programs and associate professor; **Victoria Salzmänn**, assistant professor; **Karol Schmidt**, director of the academic success program; **Ryan Johnson**, lawyering process instructor; and adjuncts **Mark Armstrong**, **Richard L. Brooks**, **Hon. David R. Cole** and **Lynda C. Shely**.



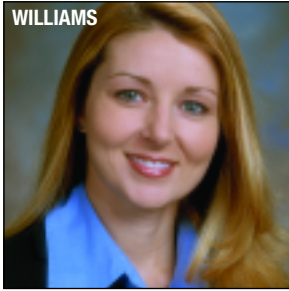
COLLINS



SEARLE

**Gust Rosenfeld PLC** announced that **Mark L. Collins** has joined

the firm as a member, practicing in complex commercial litigation and real estate transactions, and that **Blaine M. Searle** joined as an associate and practices probate and tax law.



**J o n e s  
S k e l t o n &  
H o c h u l i  
P L C**  
announced that **Jamie D. Williams** joined the firm as an associate and practices in

commercial litigation, and governmental and product liability.

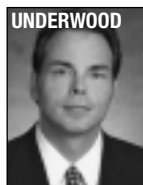
**Frank W. Busch III** has founded **Thomas Title & Escrow** in Scottsdale, a provider of title insurance, real estate settlement and escrow services.

Real estate attorney **Stephen Traverse** has joined **Shughart Thomson & Kilroy**.



**Douglas A. Schwab** has joined **Maasen & Associates** in Scottsdale as managing attorney and focuses on DUI and criminal defense.

**Rose Law Group** announced that **Clint Bolick** has joined the firm as Of Counsel and practices in constitutional law claims. **Suraj Bhakta** has joined the firm and focuses on complex real estate and business transactions.



**Gallagher & Kennedy PA** attorneys **Bryan S. Bailey**, **Joseph M. Parker** and **William C. B. Underwood** have been elected shareholders.



## HONORS & AWARDS

Attorney **Fred Reish** of the Los Angeles-based firm Reish Luftman Reicher & Cohen has received a lifetime achievement award from *PLANSPONSOR Magazine*, recognizing contributions to the field of employee benefit plans.

The **Black Board of Directors Project** has selected Snell & Wilmer partner **Dustin C. Jones** for the Dr. Charles R. Campbell Outstanding Alumnus Award.



**Neal Kurn**, an attorney with Fennemore Craig, has received the Outstanding Volunteer Fundraiser award from the Greater Arizona Chapter of the **Association of Fundraising Professionals**.



**W. LaNelle Owens**, an associate with Quarles & Brady Streich Lang LLP, was elected to the board of directors for **NPower Arizona**.

**Kristen B. Rosati**, a partner with Coppersmith Gordon Schermer Owens & Nelson PLC, was elected to the **American Health Lawyers Board of Directors**.

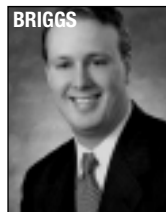


Fennemore Craig attorney **Larry J. Caster** was elected chair of the American Bar Association's **Section of Environment, Energy and Resources**.

**Tim Delaney**, president and founder of the Phoenix-based Center for Leadership, Ethics and Public Service, was named one of 10 Training Fellows of the **Center for Lobbying in the Public Interest**.

Bryan Cave LLP partner **Pamela Gates** is one of 10 finalists for the **2006 Athena Businesswoman of the Year Award**, honoring women for their excellence in business, leadership and dedication to the community.

**Linda R. Parkis**, a partner with Lewis and Roca, was appointed to the board of directors for the **Arizona Humane Society**.



Quarles & Brady Streich Lang LLP partner **Mark Briggs** has been appointed to serve on the **Phoenix Historic Preservation Commission**. In addition, partner **Charles W. Jirauch** has been elected president of the **Arizona Business and Education Coalition Board**.

North Valley Justice of the Peace **Gerald A. Williams** was promoted to Lieutenant Colonel in the **Air Force Reserve**.



**James Nesci** of the Tucson firm Nesci, St. Louis and West PLLC has been elected to the Board of Regents of the **National College for DUI Defense**. In addition, Nesci's book *Arizona DUI Defense: The Law and Practice* has recently been published by **Lawyers & Judges Publishing Co.**

**Richard J. Pocker**, a partner with Boies Schiller & Flexner LLP in Las Vegas, has been honored as a Patron of the **Nevada Law Foundation**.

**Bahar Schippel**, a partner in the Phoenix office of Snell & Wilmer, has been appointed by the **ABA Tax Section Committee on Partnerships & LLCs** to serve as Chair of the Subcommittee on LLCs and LLPs.

Maricopa County Superior Court Presiding Family Court **Judge Norman Davis** received the 2006 Award of Excellence from the **Arizona Courts Association**. The award recognized sweeping changes

in family cases so there is the least financial and emotional damage done to spouses and their children.

**Rebecca Lynne Burnham**, a shareholder in the Phoenix office of Greenberg Traurig, has been elected to serve a two-year term on the Board of Directors of **Teach For America**, Phoenix region.

## VLP NEWS

Three attorneys were selected as Maricopa County's Outstanding Pro Bono Attorneys of the month in mid-2006. They are **Daniel P. J. Miller** (March), **Lisa Maggiore-Conner** (April) and **Timothy R. Hyland** (May).

## IN MEMORIAM

*Michael John "Mike" Brophy*

Mike Brophy died unexpectedly on September 18, 2006, of complications from his successful battle with cancer.

He was born May 8, 1949, in Bisbee, Arizona, to James E. and Maggie Lu Brophy. Mike leaves behind his wife of 32 years, Marilyn Pritchard Brophy, and two sons, Tom (Luz) and Matt.

Mike, a third-generation Arizonan, graduated with highest honors from the University of Arizona in 1971. In 1977 he received his law degree from Arizona State University and joined the Ryley Carlock & Applewhite law firm. He built the firm's natural resources practice, was the longtime practice group leader, and served as the firm's managing partner in 2003 and 2004.

He was a nationally renowned water and environmental lawyer with many professional achievements. He served as the Arizona Representative to the Western States Water Council from 1991 to 2002, and was elected Chairman from 2000 to 2002. Mike was also the Chairman of the Water Policy Committee for the Greater Phoenix Chamber of Commerce. He was perhaps most proud of his work in connection with negotiating and securing the enactment of legislation by the U.S. Congress involving water rights and settlements for the Gila River, Salt River Pima-Maricopa, Fort McDowell and Ak-Chin Indian Communities, and the San Carlos Apache Tribe.

Mike was a man of few words and great heart who valued honesty, courage and loyalty above all other traits. He profoundly believed in service and commitment to others. Mike was a member of the United Way Tocqueville Society and a great supporter of Brophy College Preparatory. He was devoted to his family, friends and Catholic faith. Mike's passion for reading, art, travel, fishing, hunting and hiking yielded many friends and admirers. He was a quiet, gentle man and a fierce advocate who never did anything by halves. He will be deeply missed by those who knew and loved him.



## RECENTLY DECEASED

*William T. Birmingham, Phoenix  
Normand F. Birtcher, Phoenix  
Michael J. Brophy, Phoenix  
John David Harris, Phoenix*

*Walter W. Hochuli, Eagar, Ariz.  
Joyce E. Holsey, Tucson  
Mark Lazell, Phoenix  
Chester J. Peterson, Phoenix*