



presidential memories

70 YEARS OF

1956-1957

KEITH F. QUAIL

I was admitted to practice in Kansas in 1937, in New Mexico in 1939 and then admitted in Arizona in 1947 as the very last attorney to be admitted in Arizona under the expiring reciprocity rule.

In 1956 and 1957, when I was president of the State Bar, there were less lawyers in the state of Arizona than exist today in Maricopa County alone.

There were two matters of importance to the state that took place during my term that I believe are worthy of

remembering.

First, the Client Security Fund was proposed by the Board of Governors and was thus started on its way to be officially established in 1961. Second, the Arizona-California litigation over use of Colorado River water was under way, and the State Bar worked with the then-state governor in the selection of an attorney to take charge of the litigation. Mark Wilmer was selected, and we all know he very successfully conducted the litigation for the



benefit of Arizona before the United States Supreme Court.

My term was very interesting and educational. I have certainly been pleased and gratified that I was given the opportunity to be a part of the State Bar of Arizona, which has had an outstanding record

through the years.

70 YEARS OF SERVICE
1933-2003

STATE BAR
of ARIZONA



An organization's evolution is a complex combination of people, events, adversity and success. In recognition of the 70th anniversary of the State Bar of Arizona, ARIZONA ATTORNEY asked past Bar Presidents to recall their terms and the events that defined them. Some spoke of Bar events and history, others of national events that had reverberations in the state and in the Bar. And others remembered most vividly those people who made their tenure exhilarating—or amusing. Here are the Presidents, in their own words...

LEADERSHIP

1965-1966

NORVAL W. JASPER

As brief biography, I practiced in Tucson 1951–2000. I am still on active status with the State Bar but am retired and living in Phoenix. Age 84.

1965–66 was my year as President of the State Bar of Arizona. In the turmoil of the mid-60s it was not yet clear that President Lyndon B. Johnson's War on Poverty was going to fall victim to the war on Viet Nam.

One of the focal points of the War on Poverty was what came to be known as

legal aid, to be created and administered by the organized bar. After two days of a superbly presented "educational" conference of state bar presidents and directors in Washington, DC, I came away convinced that our participation in the legal content of the War on Poverty was almost mandatory. The question was, how to convince the Board of Governors to support the proposals. Arizona was no more receptive to new ideas in 1966 than it is



today, and the Board reflected the state.

One of the mantras of the program was "maximum feasible participation of the poor." By definition, this meant that not only would the Bar be giving free legal service but would be including nonlawyers in the operation of whatever programs resulted. The

potential problem of persuading the Board of Governors seemed obvious.

One of the members of the Board was Mark Wilmer, then and later perhaps the

most influential member of the State Bar. The solution of the problem of persuasion seemed as obvious as the problem: Get Mark's vote and most of the rest of the Board would go along. A brief conference with Mark indicated that he was already familiar with the proposals and was prepared to support them. The outcome was that after due discussion, the program was unanimously adopted by the Board of Governors.

Poverty is still with us, but so is legal aid.

1971-1972

HOWARD H. KARMAN

In the fall of my year as Bar President, I was invited to play in a golf tournament at

the San Francisco Giants spring training headquarters here near Casa Grande. Other players included Richard Kleindienst, then the Deputy U.S. Attorney General in the Nixon administration, Charles Feeney, then president of the National League, and Paul Fannin, the United States Senator from Arizona.

After golf one afternoon, Kleindienst challenged me to play gin rummy. I accepted the challenge and asked about the stakes of the game. He suggested that we play for a nickel a point, far larger than my usual game of a quarter-of-a-cent. Not wishing to appear miserly, I agreed with great trepidation. However, I won about \$90 in an hour. Richard then collected money from both Feeney and Fannin, added some of his own, and paid me. When I asked why they had contributed,

he said, "Do you think I am a fool? I don't play for a nickel. They each had part of my action."

In the spring of 1972, I was on my way to the State Bar Office for my weekly meeting with the Bar Executive when I heard on the car radio that the President had nominated William Rehnquist to the United States Supreme Court. When I arrived at Bar headquarters, I received a call from Kleindienst requesting that I come to Washington to testify in aid of the Rehnquist nomination. I agreed to travel, and kept an appointment at the Justice Department the following Monday.

After a morning of preparation for my testimony, I was rushed to lunch by Richard in his chauffeur-driven limousine—one martini, lobster salad—back to



Justice in about 30 minutes. I thought to myself, "He's a busy man and can't spend too much time with this 'hick from the stix.'" To my surprise, we went back to his office in the private elevator, he pushed the papers from the corner of his desk, and said, "Sit down, you SOB, I want a chance to get my money back."

He didn't.

1973-1974

RICHARD A. SEGAL

By early 1974, the nation was consumed by Watergate. Wouldn't you know it? Right in the middle of my term. Lawyers were getting even more than their usual negative attention as schemers and scum-

bags. Certain Board of Governors members wanted to increase our public relations program and hire a PR consultant to improve our image. I had little faith in these efforts. After all, what kind of image did PR consultants have?

My approach was to encourage lawyers to do good work and return clients' calls. I declined the formation of a PR committee and it died on the vine. If it was ever revived, I did not hear of it.

Progress must be made in small steps. My contribution was to kill the Public Relations Committee. (I was also out to get the Long-Range Planning Committee, but it was more than I could overcome.)

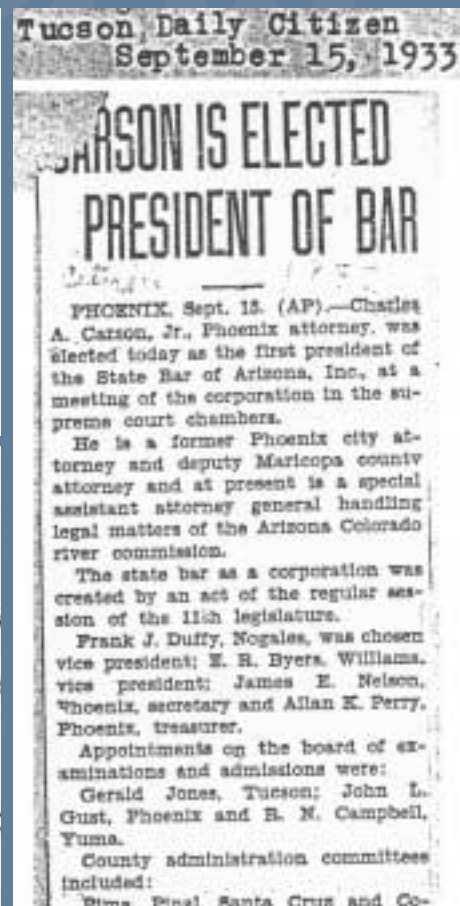
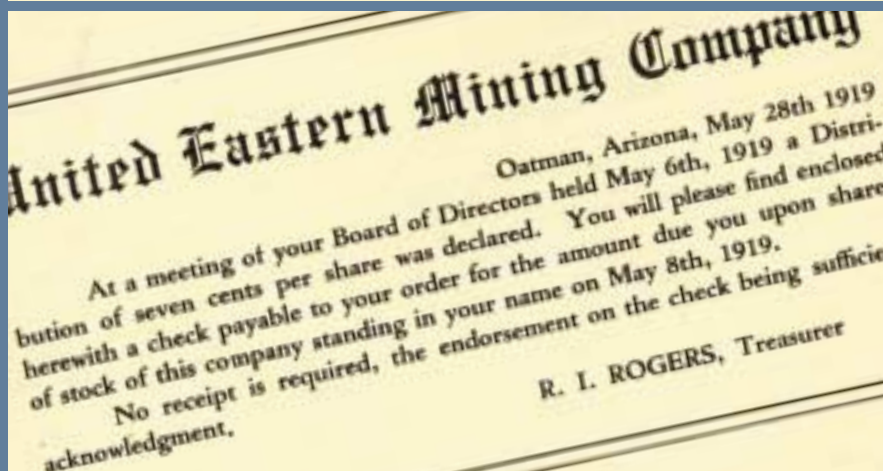
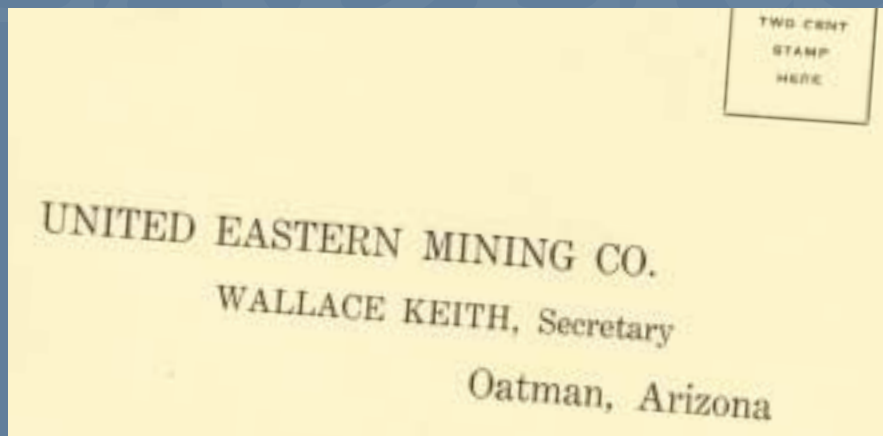
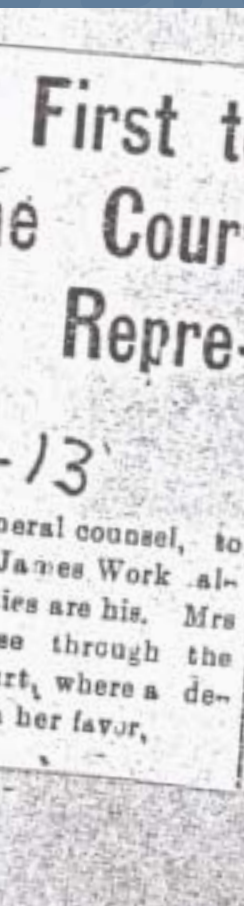
As strange as it may seem now, another major concern of Bar leadership in 1973-74 was the "explosion" in the num-



ber of practicing attorneys in Arizona. We recognized that law schools do not teach how to practice law and that a de-

facto apprenticeship was essential to the development of competent practitioners. The concern was that there were not enough old lawyers to break in the new ones.

One of my themes was to encourage established lawyers to help the newer ones—even if they were not associates and





even if they were adversaries. How was that for a quaint idea?

1975-1976

MARK I. HARRISON

In the summer of 1975, in the aftermath of Watergate, the confidence of the public in lawyers was at an all-time low. In an effort to enhance the image and public trust in Arizona lawyers, I decided to be proactive with the media, and shortly after assuming office as President of the State Bar, I held a press conference at which I proposed several new programs. These initiatives included:

- Separation of the disciplinary and political functions of the Board of Governors by the creation of a separate Disciplinary Commission;
- The inclusion of public members on the Disciplinary Commission;
- The inclusion of public members in the fee arbitration process;
- The random audit of lawyer trust accounts;
- The establishment of a discrete fee, separate from the regular Bar dues, to be paid by all lawyers to fund the Client Security Fund so that neither the sufficiency of the Client Security Fund nor the integrity of ongoing Bar programs (e.g., CLE and discipline) would be materially impaired by claims against the Fund; and
- A Short Course in the Law for Journalists designed to familiarize reporters with basic concepts, principles and terminology in the subject-matter areas that are most frequently covered by the media.

More than 25 years later, it is gratifying to know that several of the programs initiated during my term as President have served the public and profession well: an effective Disciplinary Commission with public members; a widely utilized fee arbitration process that includes public members; and a stable, solvent Client Protection Fund that is not subject to the

vagaries of the fluctuating financial demands imposed by other Bar programs.

1977-1978

WILLIAM E. PLATT, JR.

I became President of the State Bar in October of 1977 and served until May of 1978. The Bar office was then in the Security Building at 234 North Central Ave. At that time, the Board of Governors heard all of the disciplinary actions and then made a recommendation to the Supreme Court. We held some of our Board of Governors' meetings in various locations around the state with the local county bar associations. We considered implementing mandatory continuing legal education for the members of the State Bar, which was later adopted.

The Supreme Court of the United States rendered its decision allowing lawyers to advertise in July of 1977 in the case of *John R. Bates and Van O'Steen v. State Bar of Arizona*. This was a shock and a complete change in the thinking and philosophy of the legal profession. We were then quite busy changing our rules of conduct and ethics to conform to this decision.

One of the highlights of my term as President was that I signed the Articles of Incorporation that helped form and organize the Arizona Bar Foundation.

I very much enjoyed serving as President of the State Bar of Arizona, and I will forever be grateful to have had that privilege. I am still practicing law in Coolidge, Ariz., and have been a member of the State Bar for more than 51 years.

1979-1980

TOM SLUTES

I was President of the State Bar some years ago. Consequently, my memory is a bit hazy on some of the issues that were facing us, but I do recall that many of us

thought that President Truman should not have been sending troops to Korea (this may actually have occurred a year or two before my term).

I do recall that a year or two before I became President, I was mildly biding my time as a junior member of the Board of Governors when there was a push by senior members of the Board to build a new building for the State Bar. That raised a hue and cry among the loyal members of the State Bar, and it resulted in all of the members of the Board from Phoenix being thrown out of their jobs. That cleared the way for Dan Stoops and myself to push forward “into the chairs,” and it was not long before he and I made it to the presidency, where we served the members with a benevolent form of despotism.

I do recall that when I was President, Jack Redhair was a member of the Board of Governors and we would engage in a battle of wits over the gin runny table during breaks in the action, recesses, overnight, etc. For that reason, I tried to string the meetings out as long as I could because playing Redhair in gin rummy was an excellent way to supplement my income. For that matter, it still is.

I also recall that when I used to write my President’s Messages, I thought I would make them humorous. That may have been a minority position. If I recall correctly, at least two people did not find my comments amusing and threatened to sue the State Bar for libel, which made Eldon Husted, the executive director of the State Bar, suggest that I cut my term short and retire. I could not do that, of course, because the mileage I was being paid to drive to Phoenix and back a couple of times a month exceeded my income from my law practice.

I am afraid I cannot remember too many burning issues that we faced. Normally, the discussion at our meetings revolved around whether or not the State Bar should buy a new stapler, who we could get for a speaker at the convention, and where we should hold our next retreat.

WILLIAM F. HAUG

Although I was the Bar President in 1982-83, in some ways I felt I had been President for three years. My predecessors were from out of Maricopa County, so I was almost always called upon for the ceremonial function of President, like greeting the incoming bar class. Just becoming the leader of the Bar was a daunting task. While I was elected to the Board of Governors in 1975, the fresh air group, with the exception of Tom Tang, ran me and my fellow board members from Maricopa County out of office in 1977. In 1979, however, it was a different story, as I was reelected to the Board in the greatest landslide victory ever recorded in a

Board of Governors race. No member of the fresh air group was reelected.

Seldom does a Bar President accomplish what he starts during his year as President. It is those who come after him that finish the job. I remember when Dan Stoops was Bar President; he set out to modernize the Supreme Court Rules relating to the practice of law. It was only during my term two years later that the task was finally accomplished.

It was Dan who almost cost me the opportunity of becoming a President of the Bar. During his term as president, he appointed me to chair a committee to see how the Board of Governors could be redistricted, so as to have fairer representation for the lawyers.

This was a daunting and unpopular

task. One-man-one-vote at that time would virtually result in almost all Board members coming from Maricopa County. The outlying counties were vehemently opposed to any such proposal, and I could appreciate their concern. Yet Maricopa County needed more representation on the Board.

In order to solve this dilemma, I proposed that Maricopa County be redistricted to give it three new board members, one each from Southeast, Northeast and West Maricopa County. The existing six members would come from downtown Phoenix. I did it through ZIP codes so each area would have approximately the same number of lawyers per board member. I felt this would be equitable, as I knew the outlying areas of Maricopa

RULES PERTAINING TO ADMISSION
OF APPLICANTS TO THE STATE
BAR OF ARIZONA



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Phoenix, Arizona
1959

applicant has never become a resident of Arizona shall so state and give the reason therefor.
receipt from the Treasurer of the State Bar of Arizona showing payment by the applicant of the examination fee of twenty-five Dollars (\$25.00).
Unless the applicant has been an Arizona resident of Arizona for at least five (5) years immediately preceding application, or has engaged in the study of law at the College of Law of the University of Arizona for the two (2) years immediately preceding the examination, the applicant must pay, in addition to the above required fee of Twenty-five Dollars (\$25.00), a registration and investigation fee of Seventy-five Dollars (\$75.00).
Notwithstanding the foregoing provisions, an applicant who has been admitted to practice in any other state or states at any time shall pay the additional investigation fee regardless of length of residence in Arizona or resident study at the College of Law of the University of Arizona. Applicants domiciled in Arizona shall not lose their residence by attending school without the State.

7. Certificate of a physician licensed to practice in Arizona that the applicant is mentally and physically able to engage in the active and continuous practice of law.
B. At a time within twenty (20) days preceding the date of the examination applicant shall file with the Committee letters from three disinterested residents of Arizona verifying the fact that applicant has been a resident of the state during the prescribed period. Each letter should state the place, or places, of residence of the applicant during the period, to be based upon the knowledge of the writer of the letter; and the writer should give the names of the places or addresses during the same

Committee until his application is acted upon and passed to the Committee to take No such permission will be established to the Committee:

1. That the applicant file the examination will be held twenty-one (21) years

2. (a) That he be continuously an active member of the State of Arizona immediately prior to the month of the examination shall have been practicing in the State of Arizona said six-month period

(b) That he be a member of the College of Law of Arizona and has been in the practice of law in such College of Law immediately preceding the examination

(c) That he be a member of the College of Law of Arizona who entered the practice of law in one year or more within one year of the date of the examination military or naval service

(d) That he be continuously a resident of Arizona for one year immediately preceding the month of the examination but has not been a resident of the state for 25% of the time because of military or naval service

ORME LEWIS

ANNOUNCE T

AND

FOR

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CHARLES A

JULY 1, 1950

County felt the same way toward downtown Phoenix lawyers as lawyers from outside Maricopa County felt toward those representing Maricopa County.

My proposal went over like a lead balloon. Even my constituents from Maricopa County would not support my proposal. I offered to reduce it to add two additional board members, then to one, but to no avail. Most of the Board liked the way it was and didn't want to change the representation.

It was my turn to become President-Elect of the Bar, but it seemed as though there were many who felt threatened by my proposal and they did not want me to become Bar President. They wanted a commitment not to raise the issue during my term as President. Although I did not

intend to carry the matter further, I refused to give such a commitment. Finally, with pressure from my fellow District 6 Board members, the opposition decided that I could become President-Elect. Eventually, District 6 was given additional seats on the board without any redistricting.

I had more important issues to pursue. I was concerned over the desire of President Reagan and others to eliminate or reduce the funding for legal aid. I was aware of the IOLTA program in Florida, which was producing considerable income for that state's legal services program. I wanted to see that Arizona adopted such a program, which could direct the interest going to the banks from lawyers trust accounts to the Bar Foundation to help

fund the cost of legal services for the poor. I appointed a committee to study the issue and to come up with a rule to accomplish this goal. Like most things, it took longer than I anticipated, and the goal wasn't completed until John Bouma took over as my successor in office.

Although the program has been in serious jeopardy through court challenges, I consider laying the groundwork for this to be the greatest achievement of my term as Bar President.

1985-1986

KENNETH J. SHERK

In 1985-1986 when I was privileged to serve as State Bar President, I was a civil

PAUL M. ROCA & HAROLD R. SCOVILLE

THE CONSOLIDATION OF THEIR LAW OFFICES

THE FORMATION OF A PARTNERSHIP

FOR THE GENERAL PRACTICE OF LAW

UNDER THE FIRM NAME OF

LEWIS, ROCA AND SCOVILLE

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CONTINUING AS ASSOCIATES

919 TITLE & TRUST BUILDING

PHOENIX, ARIZONA

FRED HARVEY

SUNSHINE TOWER SUITE
LOS ANGELES, CALIF.

Arizona Minimum Wage Law for Women,

Los Angeles, California,

January 20, 1919.

Keener, Chalmers, Stahl, Fennimore & Langan,
Attorneys and Counselors at Law,
205-208 Fleming Block,
Phoenix, Arizona.

Gentlemen:

Reg to acknowledge receipt of your letter of January 17th, enclosing copy of House Bill No. 5, introduced in the State Legislature, amending present law relative to minimum wage for women and providing for a minimum wage of \$20 per week.

I thank you very kindly for having sent me the advice. Our Mr. Reed will be in Phoenix within the next day or two, to consult you further.

Very truly yours,

JTS:C

trial lawyer here at Fennemore Craig. I still am. And just as my law practice (primarily representing lawyers) has remained the same, so have the problems affecting our great profession.

A cursory review of my six BAR JOURNAL

messages to the membership in that period reflects that we were then dealing with the malpractice insurance crisis, trying to improve



relations with the legislature, including resisting attempts to abolish the merit selection of judges and appropriation of IOLTA funds, urging increased use of alternative dispute resolution procedures, providing assistance to impaired lawyers and taking positions on various tort reform measures.

Many of these issues are still with us today and likely will be for some time to come. All of which goes to show that there is still plenty of work to do within the framework of the organized Bar as well as in our daily practices. And that's not so bad because I continue to believe that, despite all of our problems, especially those of image, the public still looks to us for leadership in solving the problems of the day. That's quite enough for me to continue to enjoy helping solve those problems whenever asked.

In short, nothing has changed my outlook on the great opportunities and responsibilities we have as members of our profession. It's still fun and challenging for me.

1987-1988

SELMER D. LUTEY

Upon reflection, the issues facing current Boards are not much different than those addressed by the Boards I served on—the issues of lawyer discipline, unauthorized

practice of law, professional liability insurance, etc., seem ever present.

The Mecham impeachment was, perhaps, the most unique thing that occurred during my year as President. I recall that then-Chief Justice Gordon presided with great skill and dignity and made us all proud.

I have good memories of those years and the people I met and served with. But, as most past Presidents would say, I'm honored to have served, but it's not something I would soon sign up for again.

1990-1991

FREDERICK M. "FRITZ" ASPEY

I had the pleasure of serving as State Bar President from June 1990 to June 1991. My term was busy, very interesting and at times quite challenging.

As you may recall, the Persian Gulf War erupted in 1991. The Arizona Supreme Court, along with the State Bar, adopted Operation Legal Shield, which was designed to provide armed forces and their families with legal advice concerning the often serious legal problems that develop when our fellow Americans are called for service in war.

Under the able leadership of Justice Zlaket, the Special Committee to Study Civil Litigation Abuse, Cost and Delay, the so-called "Zlaket Committee," submitted its recommendations concerning various reforms to the discovery and related civil rules, which were subsequently adopted by the Supreme Court. The Professionalism Committee also made its recommendations regarding a Professionalism Program, which were thereafter adopted by the Supreme Court. This program, which has since been expanded, is a model for similar programs across the country.

The State Bar worked cooperatively throughout the year with Justice Gordon to implement many of the recommendations of the Commission on the Courts to improve our justice system.

The new Courts Building, which was

spearheaded by Justice Cameron, was dedicated and continues today to be one of the finest facilities in the country.

1991 was also the 200th anniversary of the Bill of Rights. The Arizona Commission on the Bicentennial of the United States Constitution worked with the State Bar, the Arizona Bar Foundation and the Arizona Supreme Court to celebrate this most important event.

Significantly, and long overdue, our first woman State Bar President, Roxana Bacon, was installed at the annual convention following the completion of my term.

Looking back, I think the most enjoyable aspect was working with members of the Supreme Court, Board of Governors, Arizona Bar Foundation, State Bar staff and other talented lawyers and individuals who were dedicated to improving our profession—an experience I will not soon forget.

1992-1993

ROBERT E. SCHMITT

In an attempt to put together something regarding my year as President, which, if not seen as being “words of wisdom,” would at least be reasonably intelligible and not viewed as pure “gibberish,” I reviewed those issues of ARIZONA ATTORNEY published from July of 1992 through May of 1993. Actually, for the most part, this exercise was quite enjoyable, as it evoked many pleasant memories, and in particular two things jumped out at me.

First, a review of the names of the members of the Board of Governors at that time, along with the names of key staff members, brought home to me just how many good people were involved in the business of the Arizona State Bar at that point in time. Not only was the Board made up of a group of exceptionally bright, successful lawyers, who did not exhibit any “personal agendas,” they were exceptional people as well, and the same was true as to the Bar staff and the public members of the Board. In addition to

being hard working, they also knew how to have a good time, and I believe that they were appropriately described as a bunch of “characters” with “character.”

Secondly, I was struck by my realization that the old adage that “the more things change, the more they remain the same” is certainly applicable to our Bar. “Hot topics” during my year as President included attorney discipline, how to effectively and inexpensively provide CLE to attorneys practicing in the outlying areas, merit selection of judges, and attorney advertising. Interestingly, and either fortunately or unfortunately, good or bad, those issues are still “hot topics” today and will probably continue to be in the future.

I think that it is only fitting to close

these brief remarks with a quote from the last “President’s Message” that I wrote for ARIZONA ATTORNEY, which I think fittingly reflects my thoughts on my year as President:

Thanks for a great year. I have greatly enjoyed serving as your president; however, after a year spent trying to be as accessible as possible to everyone about everything, let me close with the words of the inimitable Jimmy Buffett—“If the phone doesn’t ring, it’s me.”

1993-1994

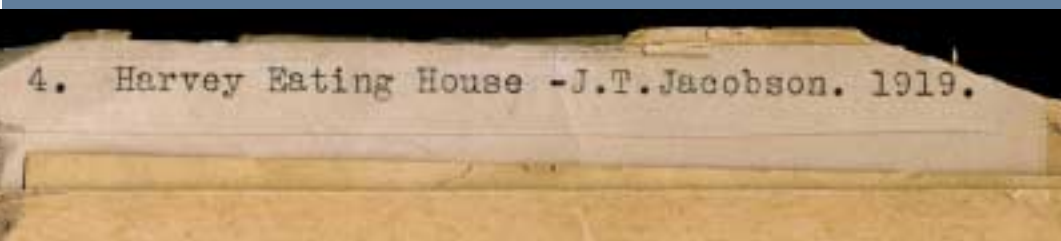
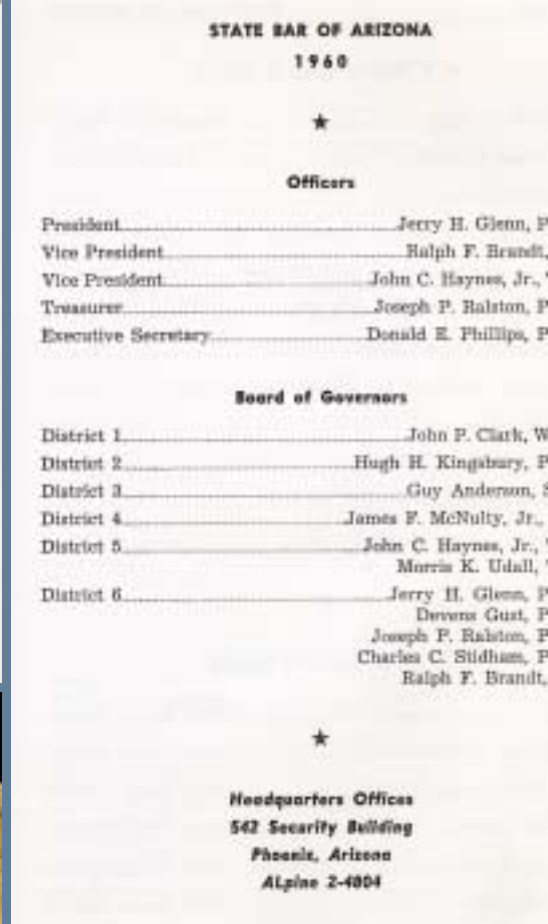
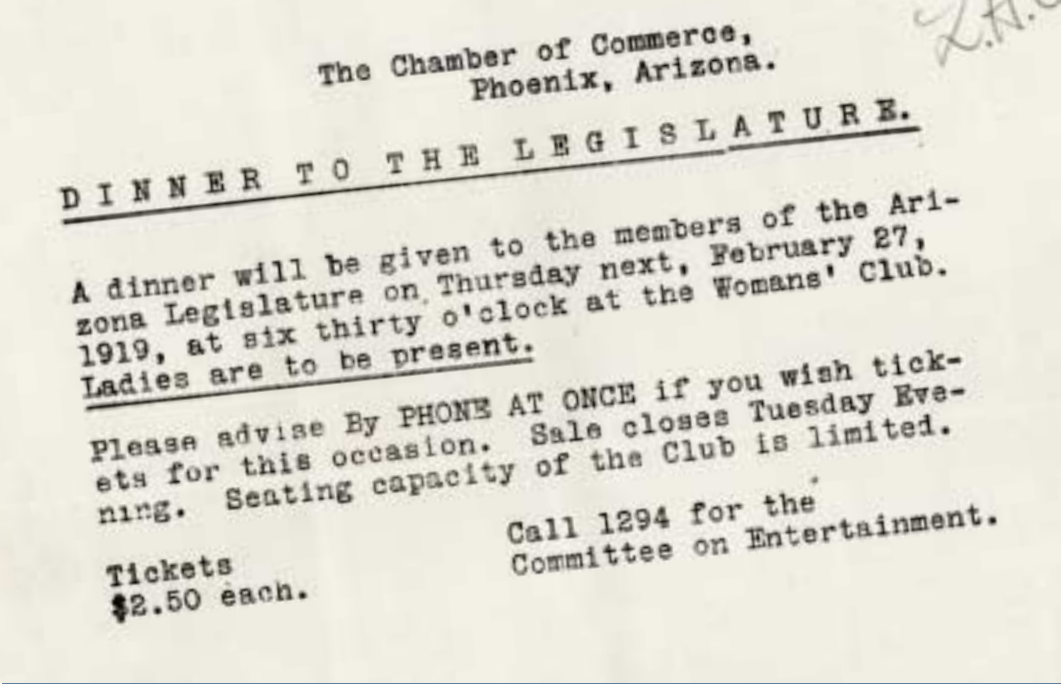
SALLY SIMMONS

Nine years ago, the unauthorized practice

of law was a major issue for the Board of Governors. After two years of study and much debate, the Board submitted a proposal to the Supreme Court to regulate nonlawyer practice. The Court chose not to circulate the proposal at that time.

During my term, the Bar moved to its present offices. Justice Sandra Day O’Connor presided over the dedication in October 1993.

Outreach was a major theme during this year. We voted to make changes in the Southern Arizona office. We established systematic communication with sections and committees. We started a joint Quality of Life Committee with the Maricopa County Bar Association. We revised Board of Governor election procedures to allow candidates to submit biog-



raphical information to the voters and to run as "slates." The Electronic Bulletin Board, precursor to our Web site, was up and running.

The routine but vital work of rule changes, legislative issues and budgets occupied much time.

I especially enjoyed the visits with lawyers from across the state: in Gila, Cochise, Santa Cruz, Pinal and Graham Counties. I was fortunate to meet with members or leaders from Los Abogados, the Hayzel B. Daniels Bar Association, the Asian-American Bar Association, the Arizona Minority Bar Association and Arizona Women Lawyers Association. I confirmed that lawyers are mostly good people who do good work and good works.

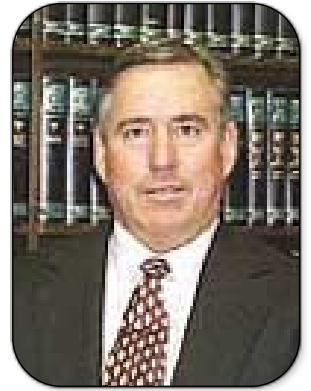
I was at Brown and Bain in 1993-94. I am now a partner at Lewis and Roca.

1994-1995

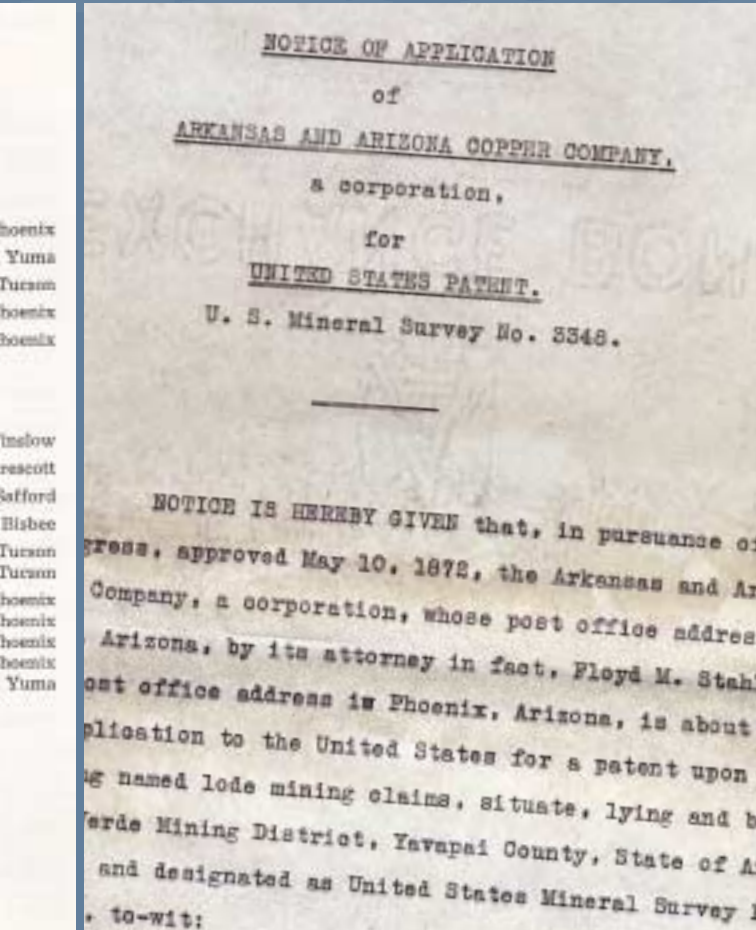
MICHAEL R. MURPHY

As I reflect on the year of my presidency and compare important issues then with the business of the Bar today, I am reminded that not much has changed. In reading the condensed minutes for our Board of Governors today and talking with Bar leaders, I see that we still struggle with issues of lawyer discipline, stretching of dues dollars and providing effective service and assistance to our membership. In the year of my presidency, we were struggling with a new discovery

concept in the Rules of Civil Procedure known as the "Zlaket Rules." As a trial lawyer, I am still struggling with those rules today.



After spending numerous hours at the state legislature trying to implement legislation to address the problem of unauthorized practice of law, I am quite happy to see that our Supreme Court, with considerable assistance from the Bar, has now adopted rules that balance public protec-



tion along with the idea that not all services need be performed by a licensed attorney.

I am proud to have helped set up the mentor program for young lawyers and am happy to see that it is alive and well today. I have many fond memories of the people whom I dealt with during my presidency. The Bar has and continues to have committees, sections and suborganizations that make us all proud.

1995-1996

MICHAEL D. KIMERER

My presidential term can be described as “Dickensesque.” It was “the best of times, the worst of times,” but probably not the “age of wisdom.”



During the years prior to my presidency, the State Bar had emphasized and made significant strides in protecting the public and

reacting to the public’s perception of lawyers. In the process, we became less concerned about the needs of practicing lawyers. Solo practitioners and public lawyers perceived that the Bar was not giving them the special support they needed, and to a large extent those lawyers were right.

Part of my mission was to reach out to the solo practitioners and public lawyers and give them the support and recognition they deserved. The Sections of the State Bar also felt slighted and needed recognition for the valuable contributions they made to the profession. I like to think we made some headway in addressing these issues.

With no knowledge and little inclination to have any, I recognized that technology was going to become a significant part of our profession and how it operates. I set up a technological task force plan for technolo-

gy’s role in our future. I also set up task forces on indigent representation and legal economics and pushed for the State Bar to have more of a presence in the legislature. A staff person was hired to work with our volunteer lobbyists, who has historically saved the Bar year after year from “draconian” regulations by the legislature.

My year passed quickly, and the continuing disputes of mandatory legal education, the unauthorized practice of law, IOLTA funding and discipline issues were ever present. When I was finally ready to escape, issues concerning our executive director at that time surfaced and needed to be addressed.

It was both a wonderful and a stressful time, but I’m glad I did it, and I would encourage others to become involved with State Bar activities. I am still in private practice as a full-time criminal defense lawyer with Kimerer & Derrick. It’s rewarding to think that a few of the things that were done during my tenure led to the excellent Bar leadership we have today.

1997-1998

ROBERT B. VAN WYCK

I have many fond memories of my term as President of the State Bar and my time on the Board of Governors. I saw what good lawyers can do to make change and to help others. I saw how they can be role models. I have a particular memory that illustrates the profound effect that lawyers have on others.

I brought one of my daughters, Rebecca, about age 12 at the time, to a meeting of the Board of Governors. Roxie Bacon was President, and Sally Simmons was an officer. I thought it would be a good opportunity to show Rebecca various role models.

It was a typical meeting, where the Board addressed issues of the budget rule changes and discussed legislative matters. As always that year, the discussion was passionate, eloquent but always professional. As President and Chairman, Roxie presided over this meeting with her remarkable wit



and intelligence. John Frank presented a report on some matter that had constitutional implications. He brought his

great breadth of knowledge and his old-world grace to the discussion.

Appearing by phone, Janet Napolitano gave a report on proposed civil rule changes. At the time, the Clarence Thomas confirmation hearings were taking place; Janet Napolitano was one of the attorneys representing Anita Hill. After Janet presented her report, Roxie asked her about the confirmation hearings. Without revealing any privileged information, Janet spoke at length about the process, giving us great insight about the hearing, including the claims and defenses for sexual harassment presented at the hearing and the political climate in Washington.

After the meeting, Rebecca and I talked about John Frank, the *Miranda* case, sexual harassment, the U.S. Supreme Court, the nomination process and what good lawyers can do to effect change and help others. I told her that I was proud to be a lawyer and proud to serve on the Board of Governors with such extraordinary people.

Rebecca has just graduated from college. She is taking a year off from school to work and plans to enter law school next fall. I would like to think that our day together at the Board of Governors meeting had something to do with her decision to become a lawyer.

1998-1999

DON BIVENS

I drew the short straw. During my term as President, the Bar came to grips with improving our self-discipline process and increasing our dues for the first time in nearly a decade. Arizona’s rapid growth had

outrun us, and we had significant backlogs and complaints in most areas of our disciplinary process. Our financial resources were stretched increasingly thin.



In 1998 we made the first statewide use of e-mail to inform our members about the disciplinary predicament and the Board's recommendations on how best to proceed. I answered over a thousand e-mails and met personally with dozens of attorney groups across the state to discuss the problem, as did many members of the Board. We solicited feedback from members, and I posted examples of the full range of attorney comments in my President's columns. People shared, shall we say, "spirited" views on the subject, but, as I recall, the overwhelming majority of responses essentially told us, "We're behind you. Please fix things."

The Supreme Court, then headed by Chief Justice Zlaket, combined with the Bar in a candid and creative partnership, and we got the job done. I remember feeling proud of our profession for doing the right thing in improving our self-disciplinary program and in providing a sound financial base for future operations.

I was pleased to have played a part in this somewhat historic process, but I will confess, I was equally pleased to step down at the end of my term. My wife and family were positively joyous when the year was over.

Then and now, I am a partner in the litigation law firm Meyer, Hendricks & Bivens, PA, in Phoenix.

1999-2000

DEE-DEE SAMET

I was and think I still am Dee-Dee Samet, sole practitioner.

Being president of the State Bar in the 1999-2000 year was challenging and fun. People were worried about the effect of the turn of the century on everything from computers to clocks. Thank goodness our terrible expectations were not met and things went fairly smoothly. My computer still sends out some e-mails dated 1973, but I can live with that.

The State Bar faced problems with professional liability insurance, unauthorized practice of law, MDP, changes to the discipline system, and finding ways to become a resource to the legislature. Some were solved, others were improved or passed on for future resolution and hopefully none were made worse.

The newfangled Bar E-mail allowed me to correspond with members of the Bar quickly and efficiently. The great staff, Board of Governors, and my friends helped me to complete my term without seeing flashing red lights coming after me, ending up in a padded room without windows, or leaving any detrimental legislation as my legacy.

During the term my office forgot my name and asked me to take a seat and wait when I walked in, but I would not have missed the experience. My theme was exemplified by a quotation from the American Bar Association Young Lawyers Division: "Freedom, Justice and Liberty ... Without Lawyers They Are Only Words."

I believed then and I believe now that the existence of the State Bar ensures that lawyers will continue to function independently for the benefit of the public.

2002-2003

ERNEST CALDERÓN

We focused on accountability and listening. Our Board of Governors (BOG) faced and successfully met significant challenges in (1) circumscribing the unauthorized practice of law without denying the public access to alternative sources of legal information, (2) ensuring

that non-Arizona lawyers meet a threshold accountability level by tightening up the pro hac vice rules, (3) refining the substance criteria for MCLE programs, (4) modifying the ABA's model ethics rules to meet Arizona's higher standards, (5) enhancing "notch group" access to legal services through our Access To Justice task force, (6) focusing on the



nonlegal community through meeting and speaking opportunities and through underwritten commercial advertising,

(7) thwarting legislative efforts to limit judicial independence, (8) lobbying government to reward public lawyers appropriately, (9) better communicating with members through electronic communications and (10) enhancing State Bar budget oversight.

We started critical work to:

- review the relationship of Arizona's paralegals to our Bar,
- study Arizona's "not for profit corporation" laws to ensure accountability to the public,
- ensure our disabled have access to the justice system,
- debate greater multijurisdictional practice of law and
- neutralize the national insurance crisis by seeking minimum malpractice insurance availability through a Bar-endorsed plan and, hopefully, through an Arizona lawyers captive insurance company.

I was continually surprised that no matter how petty one member might be regarding the insignificant, there are nine other members who are twice as generous, understanding and willing to improve our legal profession. ▀