



# BAR COMMUNITY

## BOARD OF GOVERNORS OCTOBER MEETING REVIEW

Below are highlights from the October 21, 2005, 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 Helen Perry Grimwood called the meeting to order.
- ▶ President Grimwood reported on the Arizona Judicial Counsel and monthly meetings with the court. Ms. Grimwood reported on the Family Law Rules going into effect and the request for a task force to monitor the changes.
- ▶ Teresa Schmid, Executive Director, reviewed with the board the Executive Director's Report. In addition, Ms. Schmid reviewed the "On the Horizon" portion of the report, which is dedicated to giving the board advance notice of emerging issues that may become significant to the Bar in the future but do not yet require action by the board.
- ▶ President Grimwood reported that she has continued to meet with bar leaders to raise awareness of the mounting threats to the judicial branch, highlighting why judicial impartiality is vital to all citizens and fundamental to the integrity of our court system.
- ▶ Appointments Committee—The board voted to reappoint Matthew P. Feeney (Snell & Wilmer) and Joseph C. Kreamer (Hopkins & Kreamer) to a second and final three-year term on the Arizona Foundation for Legal Services & Education Board of Directors.
- ▶ The board voted unanimously to accept the recommendations of the Appointments Committee to appoint John S. Perlman to a three-year term on the Southern Arizona Legal Aid Inc. (SALA) Board of Directors. Ed Novak, Chair of the Appointments Committee, reviewed the qualifications for the following upcoming vacancies: Arizona Commission on Appellate Court Appointments; Maricopa County Commission on Trial Court Appointments; and Pima County Commission on Trial Court Appointments. The deadline for applications was November 18, 2005.
- ▶ The board voted in favor of filing an Amicus Curiae Brief with the Supreme Court, opposing Lee Keller King's application to become a member of the State Bar of Arizona.
- ▶ Paige Martin appeared for the Arizona Women Lawyers Association (AWLA) and gave an update on the activities of the organization. Ms. Martin also noted that the bylaws were amended so that members need only be admitted in some jurisdiction and not only in Arizona and that men be allowed as members, as well. The AWLA is co-sponsoring the nomination of Roxana Bacon for the ABA Margaret Brent Award.
- ▶ Jeff Jacobson, President of the Young Lawyers Division, reported on the success of the Wills for Heroes Program and related activities.
- ▶ ABA Delegate Report—Jeff Willis reported on the ABA Delegates summary and discussed ABA President Mike Greco's priorities for the upcoming year.
- ▶ The board voted to approve the change in benefits of the HMO and the long-term disability buy-up being covered by the State Bar under the negotiated three-year rate.
- ▶ The board voted unanimously to approve the Finance Committee's recommendation to provide a sponsorship of \$1,000 to the Arizona Foundation for Legal Services & Education; the board voted unanimously to approve sponsoring the Asian American Bar Event to be held in March 2006 for \$1,000.
- ▶ The board voted unanimously to authorize the expenditure of approximately \$30,000 to recognize 12 staff members for their special performance rendered in connection with the relocation of the Bar offices in March 2005. It was noted that the project was completed for approximately \$190,000 under budget.
- ▶ Independent Auditor's Report—Frank Barriga, Chair, reported that the firm hired to conduct the annual independent audit of the Bar's finances gave the Bar a clean audit report, known as an unqualified opinion. The audit firm did not find any deficiencies in Bar practices. Additional information will be available at the next meeting regarding the bid for the audit firm for next year.
- ▶ Amelia Craig Cramer, Chair of the Tucson Building Task Force, reported that the current lease of the property will expire in March 2006. The task force is considering all options, including leasing or buying a new building.
- ▶ The board recognized Justice Andrew Hurwitz and presented him with a plaque in appreciation for all his efforts as liaison to the board from the Supreme Court.
- ▶ Chief Bar Counsel Report—Robert Van Wyck reported on the status of the Ethics Department and reviewed the overall status of the Discipline Department.
- ▶ Alan Bayham, Chair of the Insurance Task Force, reported that the court had entered its order concerning insurance disclosure and that the order indicated that disclosure would be made available on the Bar Web site. The rule becomes effective January 1, 2007 (see accompanying story on page 40).
- ▶ Committee on Procedures for Judicial Performance Review—Chas Wirken, Chair, reported that two petitions are pending to amend the Rules of Procedure for Judicial Performance Review. Mr. Wirken gave an overview of both petitions. This matter will be voted on in December.
- ▶ Client Protection Fund—John Balentine, Chair, reported on the request to modify the Client Protection Fund Declaration of Trust. The trustees would like to increase the per-lawyer limit to \$150,000. This was informational only this month.
- ▶ Legislative Update—Teresa Schmid, Executive Director, on behalf of Christine Thompson, Director of Government Relations, reported on two pieces of legislation that were a part of the 2005 State Bar Legislative Agenda, including: (1) Revised Uniform Arbitration Act as proposed by the Alternative Dispute Resolution (ADR) section; (2) Indigent Legal Services; Filing Fee (\$5 increase in civil filing fees for legal services for the poor). These items are informational only this month and will be voted on at the November meeting of the board to determine if the State Bar should

again endorse these legislative pieces for the upcoming session.

- ▶ Larry McVey, Chief Financial Officer, reported on the August 2005 financial statements and reviewed with the board the beginning of the upcoming budget process.
- ▶ Report on Pending Rule Petition re: Professionalism Rule Comment—The board discussed this topic at length and considered a proposed amendment. The board decided to continue this matter and take it up again at the next meeting.
- ▶ The board unanimously approved the Consent Agenda: September minutes; approval of reinstatements (ARIZ.R.S.CT. 32(32)(9) and/or Rule 43 for annual membership dues and trust account compliance) and Notice of Deceased Members.

#### **Standing Committee Reports**

- ▶ Discipline Oversight—No report.
- ▶ Human Resources—Ben Click, Chair, stated that the Executive Director search was extensive and we are very fortunate to have Teresa Schmid and she has done an exceptional job. Mr. Click reviewed the fact that Ms. Schmid had been with the Bar for two years without a raise in salary and currently has an ED Employment Agreement pending. Mr. Click reported that the Human Resources Committee recommended a five percent Performance Bonus to be paid to Teresa Schmid. The board voted unanimously to approve that bonus.
- ▶ Member Services—Whitney Cunningham reported the committee had met on October 21 and finalized plans for the Bar Leadership Institute that would follow immediately after the November meeting of the board.
- ▶ Long Range Plan—Steve Sherick, Chair, reported that the committee will meet in December.
- ▶ Rules Committee—No report.

#### **Liaison Reports**

- ▶ Arizona Foundation for Legal Services & Education—No report.
- ▶ Federal Bar Association—No report.
- ▶ Arizona Judicial Counsel—No report.
- ▶ The meeting adjourned.

## COURT ORDERS MANDATORY INSURANCE DISCLOSURE

Beginning January 1, 2007, all Arizona-admitted lawyers in private practice must disclose to the State Bar whether they have professional liability insurance. That information will then be made available to the public.

That action is the result of a September 22, 2005, order of the Supreme Court of Arizona. The order amended Rule 32(c), ARIZ.R.S.Ct., and the result will be that the State Bar will publish the

information to the public via its Web site.


The Rule is effective January 1, 2007. Read the order and rule change at [www.supreme.state.az.us/rules/ramd\\_pdf/R-04-0025.pdf](http://www.supreme.state.az.us/rules/ramd_pdf/R-04-0025.pdf).

Historically, the subject of mandatory insurance disclosure has been controversial within the Bar. Over the years, the Board of Governors has reviewed, discussed and—on closely divided votes—rejected various mandatory insur-

ance disclosure proposals.

In 2005, the American Bar Association directly petitioned the Arizona Supreme Court to adopt the ABA model insurance disclosure rule. After determining it would adopt such a rule, the Court sought input from the State Bar Board of Governors regarding implementation. The Board successfully argued that the implementation be delayed until 2007, so attorneys who wish to find insur-

ance have ample time to do so.

It was the Court's determination that mandatory insurance disclosure is in the best interest of the public. Accordingly, the Bar will now do its part to comply fully with the Court's rule change. In addition, the Bar's Insurance Committee will continue to seek a variety of options and recommendations on professional liability insurance carriers that can serve its members. 

## Mark Your Calendar

**Jan. 11-12, two-day program**  
*(may qualify for 15 MCLE hours, including 3 ethics hours)*  
**Build Your Arizona Practice**  
OrangeTree Resort,  
Scottsdale

**Jan. 13, 1:00 p.m. to 4:15 p.m.**  
*(3 MCLE hours, including 3 ethics hours)*  
**Ethics: 20 Ways To Avoid a Bar Complaint**  
DoubleTree Hotel  
at  
Reid Park, Tucson

**Jan. 18, Noon to 2:00 p.m.**  
*(2 MCLE hours, including 2 hours recertification toward PHR and SPHR through the Human Resource Certification Institute)*  
**Harassment: Avoiding It, Preventing It and Litigating It**  
(Live Webcast)

**Jan. 19, 9:00 a.m. to 3:00 p.m.**  
*(4.5 MCLE hours)*  
**Open Meetings and Public Records**  
ASU Downtown Center,  
Phoenix

**Jan. 20, 8:45 a.m. to 4:45 p.m.**  
**(6 MCLE hours, including 1.5 ethics hours)**  
**Advanced Family Law**  
Arizona Biltmore, Phoenix

**Jan. 26, 9:00 a.m. to 4:00 p.m.**  
**(5.5 MCLE hours)**  
**Trying a Civil Case**  
ASU Downtown Center, Phoenix

**Feb. 2, 1:00 p.m. to 4:15 p.m.**  
*(3 MCLE hours, including 3 hours recertification toward PHR and SPHR through the Human Resource Certification Institute)*  
**Disability Law for Employers**  
(Live Webcast)

## CLE OPPORTUNITIES ABOUND

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.

## MEMBERSHIP DIRECTORY CORRECTIONS

Information on the following attorneys is listed incorrectly or missing in the 2005-2006 Bar Membership Directory. The information provided here is the correct version. The State Bar apologizes for the errors.

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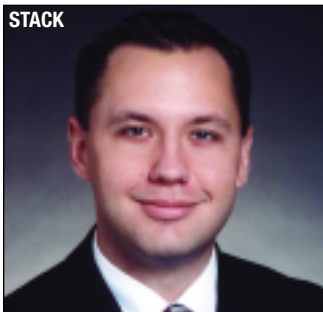
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**Lawrence C. Wright**  
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Ryley Carlock & Applewhite announced that four new associates have joined the firm. **Danny Sims** and **Rhett Billingsley** practice in the firm's natural resources group. **Tom Stack** joined the firm's litigation group, and **Caroline Tweeton** joined the real estate and lending practice.

**Luis R. Mejia** was named chief litigation counsel for the **United States Securities and Exchange Commission** in Washington, DC.



**David Klein** has joined Atlanta-based **NYLO Hotels** as general counsel.



Three associates have joined **Jones Skelton & Hochuli PLC**. **Melissa Even** and **Sherry Leckrone** joined the firm's employment law practice, and **Russell Yurk** practices in general civil litigation, personal injury and insurance law.

**Meagher & Geer PLLP** has announced that **Kevin Minchey** has joined the firm's

insurance coverage practice.



Bankruptcy attorney **Peter Gennrich** was recently named a partner at **Jaburg & Wilk PC**.



**Feldman Brown Wala Hall and Agena PLC** as a partner, and practices in corporate transactions and securities regulation.

**Kelley L. Cathie** and **Timothy E. Clements II** have joined **Titus Brueckner & Berry PC** as associates.



Family law attorney **Melissa E. Kleminski** has joined **Nirenstein Ruotolo & Gonzalez PLC**. She focuses her practice on divorce and child custody matters.

**Michael Smalley** has joined the **Rose Law Group PC** and practices in transactional real estate and tax law matters.



**William F. Allison**, **Shannon L. Clark**, **Judith K. Gargiulo** and **David W. Lunn**, associates with **Gallagher & Kennedy PA**, have been elected to be shareholders in the firm.

The East Valley firm **Hoopes & Adams PLC** has opened new offices in Chandler at 2410 W. Ray Road.

**Johnny J. Sorenson** has opened the **Sorenson Law Firm LLC** at 2177 E. Warner Rd., Suite 107, Tempe, AZ 85284.

NOTRICA



WALDRON



Gallagher & Kennedy PA has announced that **Michelle R. Notrica** and **Travis J. Waldron** have joined the firm as associates. Notrica practices in the corporate group, and Waldron practices in environmental and natural resources law.



### People Item Submissions

Members are invited to send items for the People column to [Tim.Eigo@staff.azbar.org](mailto:Tim.Eigo@staff.azbar.org) or to Tim Eigo, Arizona Attorney, 4201 N. 24th St., Ste. 200, Phoenix, AZ 85016.

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, we try to use it, depending on that month's space and the photo quality (high-resolution required). If you need to guarantee when your item is published and how it appears, please contact Kate Cortez ([Kate.Cortez@staff.azbar.org](mailto:Kate.Cortez@staff.azbar.org)) about paid advertisement at member rates.



HONORS AND AWARDS

Hon. Louraine Arkfeld of the Tempe Municipal Court received the William H. Rehnquist Award for Judicial Excellence from the National Center for State Courts. The honor was bestowed at the United States Supreme Court.

Phoenix attorney Jill A. Herman was inducted into fellowship in the American College of Trial Lawyers.

The Phoenix Municipal Court announced that Hon. Carol Scott Barry received the Thurgood Marshall Award of Merit for her work in the areas of justice, diversity, equal rights and education, and that Hon. Richard Garcia was recognized at the Governor's Highway Safety DUI Conference for his judicial commitment to making Arizona's roads safer.

Hon. John Burkholder, as

well as attorneys David Postal, Troy McNemar and Sandra Etherton, have been named to the board of directors of the St. Mary's/Westside Food Bank Alliance.

Israel G. Torres has received the Area Agency on Aging's 2005 Dr. R. Alice Drought Caring Spirit Community Award of Excellence for developing programs that provide assistance to older adults. Torres is Director of the State

of Arizona Registrar of Contractors.

Rose Law Group PC attorney Jordan Rose has been elected to the board of directors for the Phoenix Symphony, and attorney Ken Frakes has been appointed to the Governor's Council in Small Business.

RECENTLY DECEASED

Frank Haze Burch, Scottsdale