



BAR COMMUNITY

BOARD OF GOVERNORS OCTOBER MEETING REVIEW

The State Bar of Arizona Board of Governors held its regular meeting Oct. 21, 2016, in Phoenix. To see the complete minutes go to www.azbar.org/aboutus/leadership/boardofgovernors2015-2016/minutes.

- ▶ President Lisa Loo called the board meeting to order at 8:35 a.m.
- ▶ **President's Report**—Lisa Loo:
 - ▶ Attended Chief Justice Scott Bales' presentation in Globe to the Gila County Bar Association. Southern Arizona Legal Aid sponsored the event, which was well attended, including attorneys traveling from Payson to participate. Chief Justice Bales spoke about the State Bar's new mission. Ms. Loo thanked board member Hector Figueroa and Judge Bryan Chambers, a past president, for the invitation to attend.
 - ▶ Reminded board members to look for opportunities for her to visit their local bar associations.
 - ▶ William E. Morris Institute for Justice honored Steve Hirsch, a founding member, as it celebrated its 20th anniversary.
 - ▶ Attended the Arizona Black Bar Annual Awards Dinner; Ray Anderson, ASU's Athletic Director, was the keynote speaker.
 - ▶ Convention planning is ongoing.
 - ▶ Standing Bar Committee assignments are complete.
 - ▶ Thanked board members for service on Standing Board Committees, especially those who have been given two assignments.
- ▶ **CEO/ED Report**—John Phelps:
 - ▶ Employee of the Quarter—Noemi Lopez, Administrative Assistant III, who joined the staff in April 2015. Nominated by co-workers, she made an immediate impact by quickly analyzing what the Legal Services Department does within the organization and made suggestions to improve processes.
 - ▶ 2017 budget—First draft completed and presented to Finance

& Audit Committee. The final proposed 2017 draft budget will be presented to the board in November with a vote at the December 9 board meeting.

- ▶ Presented at the Conference of the Maricopa County Chapter of the Paralegals Association, where he: discussed ethical obligations; learned of paralegals' pro bono aspirational goals; and learned about paralegals' interest in being more connected with the State Bar of Arizona.
- ▶ **Wellness Program at the Bar:**
 - ▶ Wellness Week included a wellness fair, financial wellness presentation, mindfulness/meditation instruction and an early morning walk.
 - ▶ Arizona Wellness Council recognized the SBA for the fourth year in a row. Staff's benefits of greater wellness equates to a reduction in insurance premiums.
- ▶ **New Business**
 - ▶ Question from a Board member—Has the Bar received many complaints regarding the elimination of the printed membership directory?
 - ▶ Received fewer than 40 comments from members; half supportive.
 - ▶ The Find-a-Lawyer search mechanism has been enhanced to make it easier to find a lawyer including lawyers who are certified specialists.
 - ▶ Every December ARIZONA ATTORNEY MAGAZINE will include a special list (insert) of the certified specialists.
 - ▶ Call to the Public—President Loo announced that each speaker would be limited to three minutes.
 - ▶ Mo Hernandez—Concerned about the proposed Public Service Center but in the absence of hearing the facts, it is hard to make a comment. If this is lawyer referral service, are there *Keller* implications? Is it a benefit to the members? What is the impact to members of the \$200,000 cost?

- ▶ Tyler Carrell—Maricopa County Bar Association Board member stated his concern over how the proposed Center might affect the MCBA's Lawyer Referral Service.
- ▶ Call to Public concluded. President Loo encouraged those interested to submit written comments for consideration.
- ▶ **Challenges Facing Young Lawyers**—YLD President Alexia Peterson:
 - ▶ Presentation on "Why is their practice reality different?"
 - ▶ Ms. Peterson reviewed several real-life scenarios of the challenges facing young attorneys including their financial pressures, work-life and family situations.
 - ▶ Pressures include:
 - ▶ Insurmountable debt—undergraduate and law school loans. Facing debt that will never be paid off is a significant burden.
 - ▶ Recession job market—lack of choice
 - ▶ Lack of retirement options
 - ▶ More and more transplants—no meaningful built in networks, external support
 - ▶ Lack of partnership opportunity—perpetual associate v. solo practitioner
 - ▶ Unanticipated realities:
 - ▶ No leisure/early burn-out—Less than two weeks' vacation per year, paid; no disposable income for vacation; fear of job security preventing vacation from being used
 - ▶ Delayed family life—waiting for marriage & children for financial reasons
 - ▶ Delayed or prevented home purchases
 - ▶ Lack of flexibility seen in other professions—telecommuting, pressures for face time, rigid schedule
 - ▶ Unique contributions:
 - ▶ Different focus on entry to law school: more focus on desire and public service

- ▶ rather than "default career"
- ▶ Gravitation to public service for loan-reduction benefits
- ▶ Active and engaged in practice—reported that this brings more job satisfaction and is necessary to move career forward
- ▶ Ethics and professionalism focused—result of strong (reactionary) emphasis on professionalism in law schools
- ▶ Collegiality—Many feel "stuck" in the profession and have this idea that we're "in it together"
- ▶ Collaboration/egalitarianism—fewer staff, modernized workflow leads to open, more casual work environment
- ▶ Solutions? To be determined
- ▶ **Public Service Center (PSC)**—Presentation by John Phelps:
 - ▶ Staff tasked by board to develop concept for an internal unit within the Bar to focus on increasing pro bono service and access to legal services
 - ▶ PSC concept developed to: (1) connect those needing legal services with lawyers willing and able to meet needs; (2) create awareness of volunteer opportunities across broad spectrum for members; (3) create statewide awareness of legal service options for the public; (4) provide safe harbor mobile online system to connect lawyers with consumers and vice versa; (5) identify and reduce obstacles to providing pro bono service; and (6) partner with existing legal service providers to increase visibility.
 - ▶ Mobile online technology demonstration by Legal Services Link LLC—Matt Horn and Ryan Caltagirone
 - ▶ Presentation demonstrated how a current online platform works in linking those seeking legal services with members of the Bar offering services, and how the platform could be expanded to incorporate volunteer service opportunities
 - ▶ Discussion ensued among Board members:
 - ▶ Concerns raised about

impact to Pima County Bar Association's lawyer referral service

- ▶ ASU legal service triage center may provide opportunity to work together with the Bar and advance the work of the law school's efforts.
- ▶ Concerns raised about people in rural districts who are un- or underserved; many living at or below poverty level with no referral services or accessible legal aid
- ▶ 13 counties in the state have no lawyer referral programs
- ▶ Program Review Committee—ranked this proposed program high with regard to mission alignment (“protect and serve the public”)
- ▶ Public Service Center (PSC):
 - ▶ **Motion:** Diane Drain moved and Geoff Trachtenberg seconded the motion to approve the ongoing development of a Public Service Center and include the anticipated costs in the proposed 2017 budget for discussion at the December meeting.
 - ▶ **Motion:** Richard Coffinger moved and Sam Saks seconded the motion to table for one month.
 - ▶ Discussion regarding Roberts Rules—General Counsel John Furlong stated according to the bylaws they are only used at the annual meeting in June; at all other board meetings the President is the Parliamentarian; therefore the president can reject the motion to table.
 - ▶ The concept for this proposal was raised during last year's presidency, again at the Board of Governors' retreat and now.
 - ▶ Finance & Audit Committee reviewed proposed costs; \$180,000 to \$300,000, around one percent of the entire budget, depending on a final plan for the Center. Mr. Trachtenberg stated that what is ultimately approved is static and can change over time. It is an evolutionary program.
 - ▶ **Amended motion:** Patrick

Greene moved to amend the original motion to move the vote from October 21 to December 9 in lieu of the Motion to Table, which would stop the proposal where it stands without further investigation.

- ▶ **Motion:** Brian Furuya moved and Alex Vakula seconded the motion to direct Finance and staff to find \$300,000 to be a new line item, to be designated for this purpose and further discussion on how it is to be spent.
- ▶ Reiterate the original motion: Geoffrey Trachtenberg moved to continue to develop and put together the PSC so that it appears on the 2017 proposed budget for consideration. **Vote:** 15 Yes—7 No
- ▶ **Motion:** Richard Coffinger moved and Sam Saks seconded the motion to ask Finance and staff to prepare two budgets, one with the PSC and one without. No motion necessary; operational (budget) procedure; request so noted.
- ▶ **Motion:** Dave Derickson moved and Dick Coffinger seconded that a notice be published to the membership about the proposed PSC. No motion necessary; operational step; staff asked to handle request.
- ▶ **Strategic Planning Committee Report**—Alex Vakula:
 - ▶ Held first meeting of the year.
 - ▶ Agreed that the current Strategic Plan still reflects the Bar's new mission; however, the plan will be rearranged to more closely align with the Court's construct of the mission and vision.
- ▶ **Finance and Audit Committee**—Jeff Willis:
 - ▶ The State Bar is ahead of budget and included in the materials is a dashboard that summarizes year-to-date revenue and expenses and Q3 financial reports.
- ▶ **Appointments Committee**—Chair Steve Hirsch:
 - ▶ **Arizona Commission on Judicial Conduct (ACJC)**

- ▶ One opening on the ACJC—term is six years
- ▶ Appointments Committee screened four new applications and seven previous applications.
- ▶ After due diligence on all applicants, the committee agreed unanimously that the incumbent, J. Tyrrell “Ty” Taber, was the most exceptional candidate; however noted other highly qualified candidates in a slate for consideration:
 - ▶ J. Tyrrell “Ty” Taber, Aiken Schenk Hawkins & Ricciardi PC, Phoenix
 - ▶ Keith Swisher, Swisher PC, Scottsdale
 - ▶ Hesam “Sam” Alagha, Herman Goldstein Law Firm, Phoenix
 - ▶ Karen Clark, Adams & Clark PC, Phoenix
- ▶ **Motion:** Coming as a motion from the Appointments Committee, no second required, recommended the reappointment of Tyrell Taber to a second term on the ACJC. Motion carried unanimously.

DNA-People's Legal Services, Inc. Board of Directors

- ▶ One opening on the Board of Directors—term is four years
- ▶ Appointments Committee screened five previous applications. No new applications were received for this position.
- ▶ After receiving due diligence on all applicants, the committee unanimously agreed to recommend to the board that it reappoint John C. Sledd (Kanji & Katzen PLLC), the incumbent, to a full four-year term on DNA's Board of Directors. Mr. Sledd was completing a one-year unexpired term.
- ▶ **Motion:** Coming as a motion from the Appointments Committee, no second required, recommended the reappointment of incumbent John C. Sledd to a full four-year term on DNA's Board of Directors. Motion carried unanimously.
- ▶ **Legislative Report**—Lobbyist Janna Day:
 - ▶ Elections are the top priority with all 90 members up for re-election.
 - ▶ It is expected that Representative J. D. Mesnard from Chandler will become the Speaker of

the House. It was also reported that Representative Mesnard recently toured the Bar offices and met with the CEO and CCO.

- ▶ Senate President is expected to be Steve Yarbrough
- ▶ Referenced forms in the board materials and requested the members' respective legislative districts information and whether they know or have a relationship with an elected official(s).
- ▶ Encouraged board members to reach out to their representatives and establish a relationship.
- ▶ It is anticipated that another round of bills designed to eliminate the integrated bar will be introduced in the upcoming legislative session.
- ▶ **Consent Agenda**—President Loo:
 - a) Approval of Sept. 30, 2016, board meeting minutes
 - b) Approval of Resignations in Good Standing
 - c) Approval of Reinstatement of Member(s) Suspended for Non-Compliance with Annual Membership Dues and/or Trust Account Compliance. Rule 32(c)(10) and/or Rule 43, ARIZ.R.S.C.T.
 - d) Proposed Change to Policy Regarding Member Surveys
 - ▶ **Motion:** Patrick Greene moved, Geoffrey Trachtenberg seconded, and the motion carried unanimously to approve the Consent Agenda as presented above.
- ▶ **Fastcase 7.0 Demonstration**—Richard Coffinger:
 - ▶ Board member Dick Coffinger gave a comprehensive presentation on how to use Fastcase for research and the new features of the 7.0 upgrade.
- ▶ **Adjournment**—12:40 p.m.
- ▶ **Obituaries**
 - To honor our members who have passed, a webpage has been created and will be posted at www.azbar.org/NewsEvents/InMemoriam.
- ▶ **Meeting Schedule**—The board meeting schedule is posted on the Bar's website: <http://www.azbar.org/aboutus/leadership/boardofgovernors/meetingschedule/>

PEOPLE, PLACES, HONORS & AWARDS



Joel Fugate joined **Sanders & Parks PC**, Phoenix, as an associate. He focuses his practice on complex civil litigation, including business and intellectual property litigation, tort liability, and insurance disputes.



Andrew S. Lishko joined **May Potenza Baran & Gillespie PC**, Phoenix, as an associate. His practice includes all aspects of commercial litigation, employment law, corporate law, and appellate advocacy. Previously, he was a law clerk with Hon. Kent E. Cattani of the Arizona Court of Appeals.



Corporate and M&A attorney **May Lu** was elected a shareholder at Phoenix-based **Tiffany & Bosco PA**. Her legal practice encompasses entity formation, owner agreements, joint ventures, commercial transactions, succession strategies, and general business planning. Among other honors, she is co-chair of the State Bar of Arizona 2017 convention.

Joining the firm as an associate is **Michelle M. Buckley**. She concentrates her commercial litigation practice in construction, product liability, catastrophic injury, general business torts, and contract-related disputes. She also has experience in the areas of toxic tort/asbestos, real estate, employment, and professional liability.



Education and employment attorney **Ernest Calderón** joined **Frazer Ryan Goldberg & Arnold LLP**, Phoenix, as a partner.

He is a past president of the State Bar of Arizona and president emeritus of the Arizona Board of Regents, which governs the state's university system. He has served as president of the Grand Canyon Council of the Boy Scouts of America and chair of the Catholic Community Foundation for the Diocese of Phoenix.



In October, Quarles & Brady LLP announced that nine of its associates in Phoenix had been admitted as partners: Sarah R. Anchors, Krystal Aspey Fleischmann, and Andrea S. Tazioli (Litigation & Dispute Resolution Team); Simone Colgan Dunlap (Health Law Team); Jonathan G. Howard (Business Law Team); Darrell S. Husband and Stuart V. Warren (Real Estate Practice Group); Andrea M. Palmer (Bankruptcy, Restructuring, and Creditor's Rights Team); and Robert G. Vaught (Labor & Employment Team).



Coppersmith Brockelman, Phoenix, announced the addition of Vidula Patki as an associate. A member of the commercial litigation and elections and political law practice areas, she assists clients in complex commercial disputes, appeals, and election-related matters.

Previously she clerked for the former Chief Judge of the Arizona Court of Appeals and then practiced for nearly three years at a large national law firm.

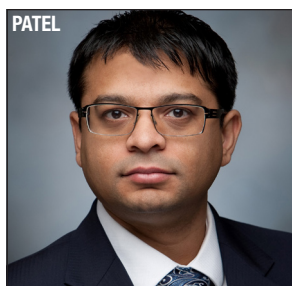
Norman S. Fulton III joined Jaburg Wilk, Phoenix, as an associate in the construction defect litigation group. Before joining the firm, he represented clients in construction defect defense litigation, and prior to law school, he worked as an electrician and owned an electrical contracting company. While in law school, he was the legal clinic director for the Disabled American Veterans of Arizona.



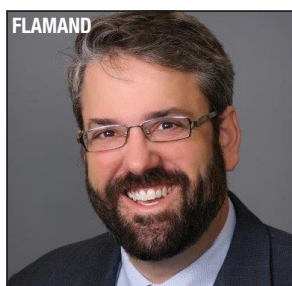
Jennifer Lee-Cota joined the Phoenix office of Lewis Roca Rothgerber Christie LLP as an associate in the Litigation practice group.

Prior to joining the firm, she completed a clerkship with Arizona Court of Appeals Judge Diane M. Johnsen and an externship with U.S. District Judge David G. Campbell.

Gov. Doug Ducey appointed Michael Blair as a Maricopa County Superior Court judge. The former partner and trial attorney at Baird Williams & Greer, Phoenix, had practiced commercial, real estate and construction litigation since 2000.



Ravi V. Patel joined Jones Skelton & Hochuli PLC, Phoenix, as an associate in the Governmental Liability Group.



In August, Juan Carlos Flamand joined the Phoenix office of Hammond Law Group PLLC. He manages the firm's Phoenix office. He represents employers and foreign nationals in immigration matters. Flamand is a graduate of the State Bar of Arizona Bar Leadership Institute and former Chair of the Bar's Immigration Section.

Danielle M. Hazeltine joined Gallagher & Kennedy, Phoenix, as an associate in the environmental practice group.

PEOPLE



Josh Bendor, an attorney whose practice focuses on litigation, joined **Osborn Maledon PA**, Phoenix.

He previously clerked for Ninth Circuit Judge Andrew D. Hurwitz and for U.S. District Court Judge Paul A. Engelmayer in the Southern District of New York. He is the former Limon Legal Fellow for the ACLU of Arizona.

HONORS AND AWARDS



Frank X. Curci, an intellectual property and business attorney and a partner in Ater Wynne LLP, Portland, Ore., was re-elected to the Board of Directors of **Cancer Research and Biostatistics Institute (CRAB)**, a Seattle-based nonprofit bioscience organization that designs and conducts cancer clinical trials throughout the United States. He is also the chair of CRAB's Strategic Planning Committee. Curci, also an Arizona-admitted attorney, focuses his practice in intellectual property, bioscience, and technology law. He represents clients in Arizona, Oregon, and Washington State in the bioscience and high technology industries.



Kyle Bate was elected to the **Friendly House** Board of Directors. Established in 1920, the Friendly House assists lower-income families and communities in Arizona by empowering them through education and human services.

At Gust Rosenfeld, Bate practices in the areas of business, nonprofit and corporate law, taxation, wills, probate, trusts and estates.



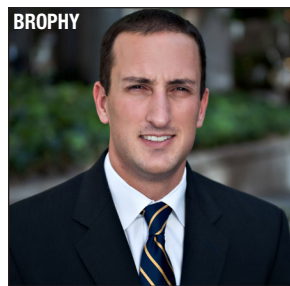
Kimberly A. Demarchi, a partner in the Litigation practice group at Lewis Roca Rothgerber Christie LLP, was elected to membership in the **American Academy of Appellate Lawyers**.

She represents public, private and non-profit clients, and her practice also includes government law, representing state, local and tribal governments. She also advises on campaign finance, election and lobbying laws.



The **Arizona City Attorneys Association** announced that Gust Rosenfeld attorney **Phyllis Smiley** was elected as its President. She began her one-year term in September.

At the firm, her practice is focused on all aspects of municipal law. She serves as City/Town Attorney for multiple Arizona cities and towns and provides support for other municipalities represented by the firm.



Joseph Brophy was selected as a 2016 cohort of the **Flinn-Brown Civic Leadership Academy**. The independent, nonpartisan Arizona Center for Civic Leadership launched the academy in 2010 to strengthen civic leadership throughout Arizona.

He is a partner with Jennings Haug & Cunningham, Phoenix, in its commercial litigation practice, focusing on complex business disputes, creditors' rights, fidelity and surety law, bankruptcy and insurance defense.

On Sept. 1, 2016, the **Florence Immigrant and Refugee Rights Project** named **Lewis Roca Rothgerber Christie LLP** as its Law Firm

Partner of the Year in recognition of the firm's longstanding pro bono support.

The Florence Project also presented firm attorney **Brian Kim** with the Children's Program Pro Bono of the Year award for persevering through difficult cases.



Phil Guttilla was elected to the **Greater Phoenix Chamber of Commerce** board of directors. He is a shareholder and vice chair of the corporate and transactional practice group at Polsinelli, Phoenix. Besides being a business attorney, he is a CPA and a chartered financial analyst. He focuses his practice in the areas of mergers and acquisitions, capital formation, VC and private equity fund formation, and business transactions.



Two attorneys recently were appointed by Phoenix Mayor Greg Stanton and the City Council to the **Phoenix IDA**, an industrial development authority. Fennemore Craig attorney **Darcy Renfro** is the Senior Director of The Arizona We Want at the Center for the Future of Arizona. **Lawrence Robinson** is the Director of the Maricopa Community College District's Center for Civic Participation; he also serves on the Roosevelt School District Governing Board and the Executive Committee of the Arizona School Boards Association.

The following pro bono attorneys were honored by the **Maricopa County Volunteer Lawyers Program** as "Attorney of the Month": **Peggy**

LeMoine (May 2016); **Sarah M. Glover** (June); **Scott R. Ferris** (July); **Donald W. Powell** (August); and **J. Robert Walston** and **Jennifer L. Walston** (September).



Kevin J. Walsh was elected to the **Hon Kachina Council**, a nonprofit organization of professional men and women who are dedicated to promoting volunteerism in Arizona.

He is an attorney in the Phoenix office of Quarles & Brady LLP, where he is a member of the Business Law Practice Group. He concentrates his practice in the areas of mergers and acquisitions, venture capital, private equity, early-stage and emerging growth companies, equity and debt financing, crowdfunding, and general business counseling.

Katie Callaway, an attorney in the estate planning and probate practice of Fennemore Craig, Phoenix, was appointed to the Board of Trustees for the **Phoenix Boys Choir**.

She practices in the area of estate planning and probate law. Prior to joining the firm, she worked as Associate Editor for *Wealth Strategies Journal*.

Jeff Brodin of Brodin HR Law, Phoenix, was elected as a Fellow by The **College of Labor and Employment Lawyers** of the American Bar Association. He joins 14 other Fellows in the state of Arizona in the field of labor and employment law.



Gallagher & Kennedy shareholder **Kevin Neal** was appointed to the Board of Directors for **Maricopa Health Foundation**, a nonprofit organization supporting Maricopa Integrated Health System, Arizona's only public health care system.

He practices in civil litigation, with an emphasis on aviation law, commercial litigation, medical malpractice, product liability, wrongful death and personal injury.

Steven A. Hirsch, Phoenix
Steve Kosteck, Tucson
Paul A. Relich, Tucson
Douglas J. Wall,
 Prescott Valley, Ariz.

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).