



BAR COMMUNITY

BOARD OF GOVERNORS OCTOBER MEETING REVIEW

Below are highlights from the Oct. 20, 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 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 10:00 a.m.
- ▶ Randy Howe, Chair of the Committee on Persons with Disabilities in the Legal Profession, presented information on the Hon. John R. Sticht Excellence in Disabilities Accessibility Awards. The board unanimously voted to allow the awards to continue to be presented in conjunction with the anniversary and celebration of the Americans With Disabilities Act at the State Capital each July, with an announcement of the nominees for the awards made at the State Bar Convention each June.
- ▶ Probate and Trust Section—Roger Curley presented to the board recommendations for amendments to A.R.S. § 46-456, which sets forth the duties to an incapacitated or vulnerable adult, defines financial exploitation and sets forth civil and criminal penalties for violations of the statute. The Probate and Trust Section asks the board to support this legislation. This will be voted upon at the November meeting.
- ▶ Discipline Oversight Committee—Dan McAuliffe, Chair, gave an overview of: (1) the Supreme Court parameters concerning the time within which it expects the State Bar's Discipline Department to resolve ethical complaints against lawyers, and (2) the proposed Rule 28 Petition containing amendments to the Rules governing procedure in disciplinary cases that have

been developed by a working group acting under the direction of the Discipline Oversight Committee.

- The board voted to approve the filing of the Rule 28 Petition, as amended, containing amendments to the Rules governing procedure in disciplinary cases.
- ▶ Appointments Committee—The board unanimously voted to forward the following five names to the Court for its consideration and ultimate selection for the opening on the Arizona Supreme Court's Committee on Examinations: Jeff T. Bergin, Rodney Galarza, Tajudeen O. Oladiran, Sharmila Roy, Deann L. Sandry.
- ▶ ABA House of Delegates Report—Brad Vynalek gave a report.
- ▶ Professional Liability Insurance Committee—John Furlong, General Counsel, reported on the recommendation of the Insurance Committee to endorse a malpractice insurance broker to help members locate affordable insurance.
 - The board unanimously passed the motion to recommend to members that the State Bar of Arizona endorse Ahern Insurance Agency as the endorsed broker.
- ▶ Consent Agenda—The board voted unanimously to approve the Consent Agenda to include the following: approval of the September minutes; approval of resignations of members in good standing; approval of the Section of Internet, E-Commerce & Technology bylaw amendments and name change; ratify Scope and Operations actions on board policies regarding investitures and convention number of nights stay; and 2006 sponsorship at the AZFLS&E "Night for Justice."

- ▶ Executive Director Report—Teresa Schmid called attention to her written report in the Board's materials. Ms. Schmid also reported that a petition had been filed with the Supreme Court proposing adoption of the recommendations of the Arizona Multijurisdictional Task Force. More information will be provided next month.
- ▶ Larry McVey, Chief Financial Officer, stated that his summaries for the August financial information were written and included in the materials. He entertained questions from the Board.

- ▶ Finance Committee—Alan Bayham, Jr., Chair, reported that the Finance Committee recommends the increase of the late-penalty fees on dues, which has not been modified since 1991. The recommendation would be to increase late fees as follows: \$75 first month (Feb. 1 deadline); and \$150 second month (Mar. 1 deadline). The motion passed with two opposed.
- ▶ Meeting Schedule—The next board meeting is November 17. The full schedule is posted on the Board's page on the Bar's Web site.
- ▶ Meeting adjourned.

NEWS FOR MEMBERS

X Mark Your Calendar
CLE OPPORTUNITIES ABOUND

Feb. 6 11:00 a.m. to Noon
(1 MCLE hour)
An Estate Plan for Personal Residences
Telephone seminar

Feb. 7 9:00 a.m. to 12:15 p.m.
(3 MCLE hours, including 1 hour ethics)
Probate and Estate Planning
Webcast, State Bar Boardroom, Phoenix

Feb. 8 12:15 p.m. to 2:30 p.m.
(2 MCLE hours)
Poisoned Pen Event—Dr. William Bass,
author of *Death's Acre* and *Inside the Body Farm*
Bentley Projects, Phoenix

Feb. 9 9:00 a.m. to 12:15 p.m.
(3 MCLE hours, including 3 hour sethics)
E-Filing
ASU at the Mercado, Phoenix

Feb. 13 11:00 a.m. to Noon
(1 MCLE hour)
Life Insurance in Business Planning
Telephone seminar

Visit 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.

PROFESSIONAL VOLUNTEER OPPORTUNITIES

The State Bar Appointments Committee is currently accepting applications from *active members in good standing* to fill the following upcoming vacancies. Application forms are due at the State Bar office by **Monday, March 5, 2007**, and can be obtained by calling Carrie Sherman at the State Bar's office at (602) 340-7201 or Amy Ihrke at the Bar's Tucson office at (520) 623-9944. An application also can be downloaded from the Bar's Web site (www.myazbar.org – refer to *Appointment Committee News*).

City of Mesa Judicial Advisory Board

Application Deadline: Monday, March 5, 2007

Purpose: The Judicial Advisory Board recommends to the Mesa City Council the best-qualified persons to become city magistrates and evaluates the performance of, and advises regarding the retention of, current appointed magistrates.

Openings: One. Joan G. Ruffennach (U.S. Attorney's Office) is completing her second three-year term and is ineligible for reappointment. One appointment will be made by the Mayor of Mesa from a list of three nominations submitted by the State Bar's Board of Governors. In addition to one active member of the State Bar, the other Board members are: the Presiding Judge of the Maricopa County Superior Court (or designee); an Appellate Court Judge (appointed by the Chief Justice of the Arizona Supreme Court); and the following who reside in the City of Mesa: a member of the Maricopa County Bar Association (appointed by the Mayor from among three nominees), and three public members who are not city employees (appointed by the Mayor subject to the approval of the City Council).

Criteria/Qualifications: Applicants must be active members of, and in good standing with, the State Bar of Arizona and reside in the City of Mesa.

Term: Three years beginning June 2007.

Conflict Case Committee

Application Deadline: Monday, March 5, 2007

Purpose: Conflict Case Committee members timely process, investigate and prosecute all aspects of disciplinary cases involving a member of the State Bar's Board of Governors, State Bar staff, a Supreme Court Disciplinary Hearing Officer or a member of the Court's Disciplinary Commission. Although the committee consists of 11 members, each member works independently on the matter(s) to which he/she is assigned.

Openings: Five appointments will be made by the Board of Governors. Committee members Timothy J. Burke (Fennemore Craig PC), Thomas M. Ryan (Leonard Clancy & McGovern PC), and Gary L. Stuart (Gary L. Stuart PC) are completing their second terms and are ineligible for reappointment. Commissioner Wesley E. Peterson (Maricopa County Superior Court) is completing two years of an unexpired term and is eligible for, and is seeking, reappointment to a full three-year term. David L. Sandweiss has resigned from the Committee, having accepted a position in the Lawyer Regulation Department of the State Bar of Arizona. The successful candidate will complete Mr. Sandweiss's term through March 2009.

Criteria/Qualifications: Applicants must be active members of, and in good standing with, the State Bar of Arizona. Judicial members are eligible for appointment to serve on the Committee. Former members of the Board of Governors, Supreme Court Disciplinary Hearing Officer panel and Disciplinary Commission shall be eligible for appointment only after a four-year absence from the Board, Court position or Commission. Newly appointed committee members attend an orientation/training session.

Terms: Four (4) three-year appointments and one (1) two-year appointment. Terms begin in April 2007.

City of Phoenix Judicial Selection Advisory Board

Application Deadline: Monday, March 5, 2007

Purpose: The Judicial Selection Advisory Board seeks out and encourages qualified individuals to apply for the office of Judge of the Phoenix City Court; conducts investigations into the background and qualifications of said individuals/applicants; and submits recommendations regarding candidates for appointment or reappointment to the office of Judge of the City Court or Chief Presiding Judge to the Mayor, who thereafter shall convene the City Council for the purpose of interviewing all candidates recommended.

Openings: One. Lawrence E. Palles (Fennemore Craig PC), who filled an unexpired term and was then reappointed to a full three-year term, is completing his service and is ineligible for reappointment. One appointment will be made by the Mayor of Phoenix from a list of three nominations submitted by the State Bar's Board of Governors. In addition to one active member of the State Bar, the other Board members are: the Presiding Judge of the Maricopa County Superior Court (or designee); an Appellate Court Judge (appointed by the Chief Justice of the Arizona Supreme Court); and the following who reside in the City of Phoenix — a member of the Maricopa County Bar Association (appointed by the Mayor from among three nominees), and three public members who are not city employees (appointed by the Mayor subject to the approval of the City Council).

Criteria/Qualifications: Applicants must be active members of, and in good standing with, the State Bar of Arizona and reside in the City of Phoenix.

Term: Three years beginning May 2007.

MEMBERSHIP DIRECTORY CORRECTIONS

Information on the following attorneys or judges is listed incorrectly or missing in the 2006–2007 State Bar Membership Directory. The information provided here is the correct version. The State Bar apologizes for the errors.

We inadvertently omitted some members from the list of Certified Specialists:

- Robert Mallin, Family Law Certified Specialist
- David Ball, Injury & Wrongful Death Litigation Certified Specialist

The Tucson law firm **Bache & Lynch** has moved its office to 6831 N. Oracle Road, Suite 145, Tucson, AZ 85704.

Brandon S. Kinsey has joined the Yuma firm **Byrne Benesch & Villarreal PC** as an associate and practices general business law and civil litigation.

Jamie A. Brown has joined **Fennemore Craig** as an associate in the firm's commercial litigation practice.



Meyer Hendricks PLLC announced that **Marc Kalish** joined the firm as Of Counsel and concentrates on ADR and motion and appellate practice in commercial and tort cases.

Neil Singh has joined **Meagher & Geer PLLP** and focuses his practice on insurance coverage and commercial litigation.

Morris Hall & Kinghorn PLCC announced that **Ronald G. Wilson** and **Keith Lyman** have joined the firm. Wilson joins as Attorney at Law, and Lyman as an associate in the firm's estate planning practice.

Stephen B. Mosier has joined **Hayes Soloway** as chair of litigation, and focuses on commercial and business tort litigation.



Associate Kimberly A. Case has joined the real estate practice at **Gust Rosenfeld PLC**.

Jennings Strouss & Salmon PLC announced that registered patent attorney **Christine Meis McAuliffe** has become a partner in the firm.

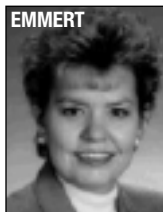


Michael J. Lehet has joined **Littler Mendelson** as an associate and focuses his practice on employment matters and labor law.



Udall Shumway & Lyons has announced that three new attorneys have joined the firm. **Bret A. Maidman** is senior counsel and practices bankruptcy and finance law. **Erin H. Walz** joins the commercial litigation practice, and **Bert D. Millett** focuses on real estate and business law.

Quarles & Brady Streich Lang LLP announced that **Melody A. Emmert** has rejoined the firm as Of Counsel in the Health Law group.



Bruce Martin is the new associate director of the **University of Arizona Foundation Office of Planned Giving**.

Anderson Brody Buchalter Nemer has changed its name to **Buchalter Nemer** and continues to offer clients business, financial, real estate, land use, construction law and tax services.

Fennemore Craig has expanded its intellectual property practice by opening an office in Denver.

Minneapolis-based **Gurstel Staloch & Chargo PA** has opened an office in Phoenix under the direction of managing attorney **Jeno M. Berta**. The office is located at 64 E. Broadway Road, Tempe.

Atlanta-based labor and employment firm **Ford & Harrison LLP** has opened an office in Phoenix, with partners **Richard S. Cohen**, **Stephanie M. Cerasano** and **Troy P. Foster**.



Quarles & Brady Streich Lang LLP employment attorneys **Sandra J. Creta** and **Timothy Medcoff** have been elected to the firm's partnership.

Stinson Morrison Hecker LLP has named **Bradley P. Hartman** chair of the business department for the firm's Phoenix office.

HONORS & AWARDS

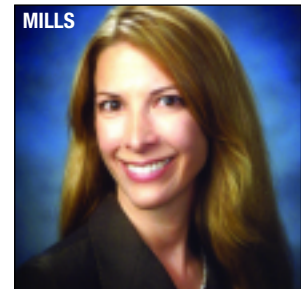
Tucson attorney **Richard J. Gonzales** was one of eight recipients of the national Trial Lawyer of the Year Award for 2006, given by **Trial Lawyers for Public Justice**.

Daniel E. Garrison, a shareholder with **Gallagher & Kennedy**, received the Turnaround of the Year award from the Arizona chapter of the **Turnaround Management Association**.



Janna B. Day, an attorney with **Fennemore Craig**, has been elected treasurer and member of the board of the **State Capitol Global Law Firm Group**, an international association of independent law firms.

Attorney **Jerome Allan Landau** was named co-chair of the **Advanced Commercial Mediation Institute**, a program of the International Association for Conflict Resolution, of which Landau is chair.



Marcy E. Mills, an attorney with **Greenberg Traurig**, has been appointed to a three-year term as lawyer representative to the **Ninth Circuit Judicial Conference**. She also has been appointed to serve on the advisory board of **Phoenix Woman** magazine.



State Rep. **Krysten Sinema** and **K Royal**, director of pro bono programs at ASU's Sandra Day O'Connor College of Law, are

IN MEMORIAM



Royanna Lebrecht Moore

Royanna Lebrecht Moore, 63, of Tucson, passed away on October 14, 2006. She was born on May 26, 1943, in San Angelo, Texas, and moved to Tucson in 1944.

Royanna was a 1961 graduate of Rincon High School. She graduated from the University of Arizona College of Law in 1981. She loved having her daughters, Annalisa Moore Masunas and Angela C. Moore, as her partners in the law firm she started in 1982, Moore Masunas & Moore, P.L.L.C. Royanna was an incredible mother, role model, mentor and friend for her daughters. The relationship she had with them was always loving and happy, with a bond that will continue to infinity.

Royanna was married to Walter, the love of her life, soul mate and best friend. Royanna's joys and happiest moments in life were the times she spent with Walter, her daughters and her family. Her grandchildren brought daily smiles to her face and constant laughter. She loved to travel around the world. She loved her practice of law, where she could help people so much. She had a heart of gold, and when others needed her help, she was always there. Royanna made an impact on the lives of so many, and everyone who knew her will forever treasure all the wonderful memories.

C. Kimball Rose

Judge C. Kimball Rose, who in his 24-year judicial career served as Presiding Judge of Superior Court in Maricopa County (1990-1995) and 11 years as Presiding Juvenile Court Judge (1978-1989), passed away on November 28, 2006. Services were held on December 2 at the First Baptist Church in Scottsdale.

During his years in juvenile court, he worked to improve the lives of the children who came to the court. To that end, he "activated and organized the Court Appointed Special Advocates (CASA) program in the state of Arizona," his wife Carol Rose explained. In 1989 he was the first recipient of the National Court Appointed Special Advocate Association's Judge of the Year Award.

Judge Rose also is credited for the creation of a program to assist individuals representing themselves in family law matters. The court's Self-Service Center, which opened on Oct. 5, 1995, is recognized as one of the first and most innovative programs in the nation that in its 10 years has served as the model for similar centers created by courts around the country. He was specially recognized at the Self-Service Center's 10th anniversary.

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among 11 local leaders named to the **YWCA Tribute to Women Class of 2007**. Sinema will receive the Emerging Leader Award, and Royal will be honored with the Education Leader Award.

Jones Skelton & Hochuli PLC partner **Georgia Staton** received the 2006 **Arizona Women Lawyers Association** President's Award for her contributions to the advancement of women in the legal profession.

Paul E. Burns, an attorney with Steptoe & Johnson LLP, was elected to the board of the **Arizona Technology Council**.

Judge Rose was a 1957 graduate from Arizona State College (now ASU) with a bachelor of arts degree in secondary education who went on to study law and receive his law degree at the University of Arizona College of Law in 1962. He worked in private practice in the Valley until his appointment to the bench in 1972.

He is survived by his wife, Carol, and his daughter Laura Kathleen Smith of Colorado and son Grant Kimball Rose of Phoenix. His daughter Linda Ann White died suddenly in 2002.

Contributions in his memory may be made to Rainbow Acres, P.O. Box 1326, Camp Verde, Arizona 86322.

The following words are excerpts from longer comments, sent to us upon Judge Rose's death. They come to us from Stephen A. Gerst, formerly a judge of the Maricopa County Superior Court, and now an associate professor at the Phoenix School of Law.

How does one describe a humble and modest man whose values started and ended with his family, and then extended to the institutions made of people who served the community?

When Kim's term as presiding judge of the Superior Court in Maricopa County ended, he assigned himself to a family court calendar in the Southeast Division of the court, located in Mesa, for his remaining days as a judge. He never said why he did this, but everyone who knew him knew why. It was "his time to be movin' on," and it would model for the entire court that no assignment or location was more important than any other in serving our community.

Kim was a private man in a public role. As presiding special assignment judge at the time, I told him we wanted to plan a retirement event. He specifically and emphatically said, No! He wanted no events to "honor" him or mark the end of his judicial career or service to the courts and the community. This required a different approach. I came back into his chambers and told him that a retirement event was not for him. It was for the people who worked hard every day in our court system, from the clerks, bailiffs, administrators, secretaries, security personnel, court reporters, judicial officers and everyone else who worked with pride under his leadership. I promised him it would be modest and there would be no speeches. He stared back at me for what seemed like a long time.

The gathering took place in the Board of Supervisor's auditorium. It was filled to capacity, and more. There didn't need to be any speeches or words spoken. The room was filled with gratitude, respect and honor. The court family, including the Supreme Court of Arizona, Court of Appeals, Superior Court, Municipal Court, Justices of the Peace, the Board of Supervisors, the Clerk's Office, Sheriff's Office, and lawyers, public and private, were there. Kim was presented with a simple but elegant wooden chair that had been part of the original furniture from the Old Courthouse

Building. It had been lovingly restored with its original inventory number still on it.

I remember no words from that day—only images. The strongest image was of a man who stood up for the values we commonly shared in service to our community and maintenance of our families.

RECENTLY DECEASED

William J. Foley, Phoenix
Royanna Lebrecht Moore, Tucson
C. Kimball Rose, Scottsdale
Michael C. Young, Tucson
