

BOARD OF GOVERNORS DECEMBER MEETING REVIEW

Below are highlights from the Dec. 18, 2009, meeting of the State Bar Board of Governors. To see the complete minutes, go to www.myazbar.org/AZBarInfo/BOG/BoGMinutes.cfm.

- ▶ **President's Report**—President Ray Hanna reported that he attended the Bench & Bar event in Tucson and met with the current and future presidents of the Pima County Bar Association. He noted that 150 judicial officers will be attending the 2010 State Bar of Arizona Convention. On December 17, he sent an electronic request to all members to donate funds to Legal Services. Funds may be donated via the check-off box on the annual dues statements or as further instructed in the request.
- ▶ **Legislative Update**—Janna Day, Bar lobbyist, facilitated discussion on proposed revisions to Arizona's mediation confidentiality statute, A.R.S. § 12-2338, that would clarify that an agreement reached in mediation, while generally confidential, is no longer treated as confidential when parties must involve the court after the mediation to obtain compliance with the agreement reached. The board approved the proposal.

Ms. Day also recapped a proposal from the Elder Law & Mental Health Section to sup-

port the enactment of the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA) in Arizona. The board unanimously supported the enactment of the act and authorized Ms. Day to actively lobby for its enactment with help from members of the Elder Law & Mental Health Section if needed.

- ▶ **Chief Executive Officer's Report**—John Phelps introduced Sat Patel, 2009 Employee of the Year, and Rick DeBruhl, Chief Communications Officer. Mr. Phelps announced that the 2009-2010 Membership Directory was delivered on time and under budget, the Diversity Pipeline Project was featured on Channel 12, a second town hall meeting was held with respondents' counsel and the Bar filed an amicus curiae brief in the Matter of the Application of Alejandro Lazcano; the Arizona Supreme Court's ruling was consistent with the brief.
- ▶ **Liaison Reports**—Pamela Donison, president of AWLA Board of Directors, announced the new officers of AWLA chapters: Danielle Janitch, Maricopa Chapter President; Colleen Auer, Northern Arizona Chapter President; and Ana Perez-Arrieta, Southern Arizona Chapter President. In January the chapters and state board will hold their retreat.

On February 17, AWLA is co-sponsoring a breast cancer advocacy program with the ABA's Health Law Section.

Ted Campagnolo, board liaison to the Native American Bar Association, filed a full report describing the membership, activities, scholarships and community service projects of the organization.

- ▶ **Chief Bar Counsel Report**—Maret Vessella reported on her intention to make the current reporting of dismissed cases consistent with the retention policy set by Arizona Supreme Court Rule 71, which directs the destruction of records of dismissal three years from the date of the disposition. The electronic data of the dismissal is maintained in the State Bar database. Currently, a lawyer's disciplinary history includes a record of all dismissed matters even after the physical record is expunged. In order to make the reporting policy consistent with the retention policy, the dismissals will no longer be reported as part of the lawyer's history when the physical record has been expunged. This change should be effective in January 2010.

The accessibility of discipline information also will be enhanced in early 2010. Currently, the discipline imposed by the probable cause panelist is not accessible to the

public unless they are requesting review of a specific file. Once the data have been compiled the State Bar will include on its Web site a link to view all informal reprimands, with or without probation, and probation orders. The information will be shown by year and file number. The information however, will not be part of the "Find a Lawyer" feature on the State Bar's website.

Almost all charges of lawyer misconduct are processed through the Attorney Consumer Assistance Program (A/CAP) division. A/CAP serves the intake function for lawyer regulation. In order to properly evaluate charges of lawyer misconduct A/CAP may request a written response to the charges. Often times this allows the A/CAP lawyers to obtain sufficient information to evaluate whether the charges should be sent on for formal investigation or whether the matter can be resolved or dismissed in A/CAP. Earlier this year, the A/CAP attorneys began using telephonic conferences in place of requesting informal responses to charges of misconduct in some cases. The use of the telephonic conference has received overwhelming positive response. A/CAP will continue the use of the conference and will seek ways to use it in greater degree.

Over the course of the past

PEOPLE, PLACES,
HONORS & AWARDS



Commercial litigation attorney **André H. Merrett** has joined the Phoenix law firm **Aiken Schenk Hawkins & Ricciardi PC**.



Zachary D. Cain was elected to shareholder at **Polsinelli Shughart PC**. The trial lawyer practices primarily in the firm's government investigations and white collar criminal defense area. He also counsels clients in professional licensing matters.



Snell & Wilmer LLP expanded its water law practice with the addition of **William Staudenmaier**, partner, and **Michael Kafka**, counsel, to its Real Estate, Environmental, Energy & Finance Practice Group.

Vicki Lopez joined the firm of **Marc J. Victor, PC**, Chandler. She practices in personal injury, wrongful death and civil litigation, and is a Certified Specialist in Criminal Law.

Gallagher & Kennedy, PA, announced the

election of new shareholders: **Raymond K. Ramella** (commercial litigation), **Donna H. Catalfo** (intellectual property) and **Kelly C. Mooney** (tax).

Fennemore Craig elected seven new shareholders: **Jamie Brown**, **J. Christopher Gooch**, **Nicolas Hoskins**, **Todd Kartchner**, **Matt Martinez**, **Christopher Raddatz** and **Scott Shelley** from the firm's commercial litigation, bankruptcy, immigration, and real estate practices.

The firm also hired shareholder **Dawn Meidinger** (environmental and natural resources, mining and

real estate law) and associate **Jimmy Dahu** (bankruptcy, creditors' rights and restructuring).



Randy Papetti has been named Litigation Practice Group Leader at **Lewis and Roca**.

Christina Rubalcava joined **Osborn Maledon, PA**, as an associate (alternative dispute resolution, criminal law, employment law and litigation); she formerly clerked with U.S. District Court Judge David Campbell.



Kevin M. Drucker, an Arizona-licensed patent attorney, has joined the Philadelphia-based intellectual property firm **Mendelsohn & Associates, PC** as a shareholder; the firm name is now **Mendelsohn, Drucker, & Associates, PC**. His practice includes patent and trademark prosecution and patent, trademark, and copyright licensing and litigation. Contact at (215) 557-6659; www.mendelip.com.

RECENTLY DECEASED

John J. Dawson, Phoenix
John H. Dick, Chandler
Patricia A. Whitehead, Phoenix