



# BAR TALK

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## “In Her Honor” Event Celebrates Judge Diana Murphy



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By Jeff Justman

On September 15, 2014, Eighth Circuit Court of Appeals Judge Diana E. Murphy was honored for her distinguished career of accomplishments in the law. The dinner honoring Judge Murphy was the first of a series of exciting programs celebrating women and the law hosted by Chief Judge Michael J. Davis and Judge Susan Richard Nelson of the United States District Court for the District of Minnesota, in partnership with Chief Justice Lorie S. Gildea of the Minnesota Supreme Court and Rachel Zimmerman, President of the Minnesota Chapter of the Federal Bar Association.

**PROMINENT JURISTS PRESENT AT THE EVENT HONORING JUDGE MURPHY**

| <b>Eighth Circuit Judges</b> | <b>District Judges</b>       | <b>Magistrate Judges</b>       | <b>Bankruptcy Judges</b>       | <b>Minnesota Supreme Court Justices</b> | <b>Minnesota Court of Appeals Judges</b> |
|------------------------------|------------------------------|--------------------------------|--------------------------------|---|--|
| Judge James B. Loken         | Chief Judge Michael J. Davis | Judge Franklin L. Noel         | Chief Judge Gregory F. Kishel  | Chief Justice Lorie Skjerven Gildea     | Judge Margaret H. Chutich                |
| Judge Diana E. Murphy        | Judge Ann D. Montgomery      | Judge Janie S. Mayeron         | Judge Kathleen H. Sandberg     | Justice Christopher J. Dietzen          | Judge Harriet Lansing (Ret.)             |
| Judge Michael J. Melloy      | Judge Donovan W. Frank       | Judge Steven E. Rau            | Judge Katherine A. Constantine | Justice David R. Stras                  |  |
| Judge Jane L. Kelly          | Judge Joan N. Ericksen       | Judge Tony N. Leung            | Judge Robert J. Kressel        | Justice Wilhemina M. Wright             |  |
|                              | Judge Patrick J. Schiltz     | Judge Leo I. Brisbois          |                                | Justice David L. Lillehaug              |  |
|                              | Judge Susan Richard Nelson   | Judge Hildy Bowbeer            |                                | Former Chief Justice Eric J. Magnuson   |  |
|                              | Senior Judge Donald D. Alsop | Judge Jonathan Lebedoff (Ret.) |                                |   |  |
|                              | Senior Judge David S. Doty   |                                |                                |   |  |

The event included a number of prominent Minnesota jurists and was capped with a keynote address by U.S. Supreme Court Justice Ruth Bader Ginsburg.

The event started with the reading of a letter from U.S. Senator Amy Klobuchar, who was unable to attend in person. Senator

Klobuchar noted that it was fitting that Judge Murphy was the first honoree in the 2014-2015 series, as she has a number of prominent firsts to her name.

Judge Murphy was the first woman to serve as a district judge on a federal court in Minnesota, the first woman to serve as Chief Judge of a district court in the

Eighth Circuit, the first woman appointed to the United States Court of Appeals for the Eighth Circuit, and the first woman to chair the United States Sentencing Commission. Senator Klobuchar praised Judge Murphy as having “blazed countless

## In Her Honor

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trails” and having served Senator Klobuchar as a mentor, role model, and friend.

Lisa Monpetit Brabbit, a Senior Assistant Dean at the University of St. Thomas School of Law, next spoke about Judge Murphy’s mentoring capabilities. Dean Brabbit lauded Judge Murphy’s work as a “consummate professional,” and also noted Judge Murphy’s “four decades of breaking glass ceilings.” This included serving as chair of the Eighth Circuit’s Gender Fairness Task Force and as a director of the Federal Judicial Center. For Dean Brabbit, Judge Murphy’s generosity of heart helped Judge Murphy focus on resolving issues in a “timely and just way.”

U.S. Supreme Court Justice Ruth Bader Ginsburg delivered the keynote address honoring Judge Murphy. Justice Ginsburg spoke eloquently about her decades-long friendship with Judge Murphy, describing her as a “grand human

in all respects.” One theme of Justice Ginsburg’s remarks was Judge Murphy’s ability to perform many duties at once. Justice Ginsburg praised Judge Murphy as having successfully completed the “daunting

### PROMINENT FIRSTS FOR JUDGE MURPHY

FIRST WOMAN TO BE A UNITED STATES DISTRICT JUDGE IN MINNESOTA.

FIRST WOMAN TO BE CHIEF JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA.

FIRST WOMAN TO BE A CHIEF JUDGE IN A COURT IN THE EIGHTH CIRCUIT.

FIRST WOMAN TO BE APPOINTED TO THE UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT.

FIRST WOMAN TO CHAIR THE UNITED STATES SENTENCING COMMISSION.

assignment” of chairing the U.S. Sentencing Commission, “while valiantly still carrying a heavy load on the federal appellate bench.” A particularly poignant moment came when Justice Ginsburg asked the question: “Must a woman who aspires to a career on the bench forsake home and family life?” Judge Mur-

phy’s example answered that question with a definitive “no.”

Justice Ginsburg also described Judge Murphy’s judicial temperament as characterized by fairness and courtesy, intellectual honesty, jurisprudential objectivity, evenhandedness, and bravery in deciding cases even “when the result will not be pleasing to the home crowd.” For Justice Ginsburg, Judge Murphy’s opinions are written in clear language without rhetorical flourishes, and evince Judge Murphy’s bright mind and caring heart.

Justice Ginsburg concluded her remarks by quoting the late Chief Judge of the Court of Appeals for the District of Columbia Circuit, J. Skelly Wright, who often quoted Dr. Seuss in addressing new judges: “A person’s a person, no matter how small.” Justice Ginsburg noted—and those present surely agreed—that Judge Murphy’s career has epitomized that aphorism.

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**Judge Diana E. Murphy and Supreme Court Justice Ruth Bader Ginsburg.**

Judge Murphy concluded the evening with a thoughtful response to the honors bestowed

upon her. Praising Justice Ginsburg, Judge Murphy called her a hero and role model, “like Joan of Arc.” Judge Murphy was appreciative of the praise of everyone who attended, and was quite touched at the kind words she received.

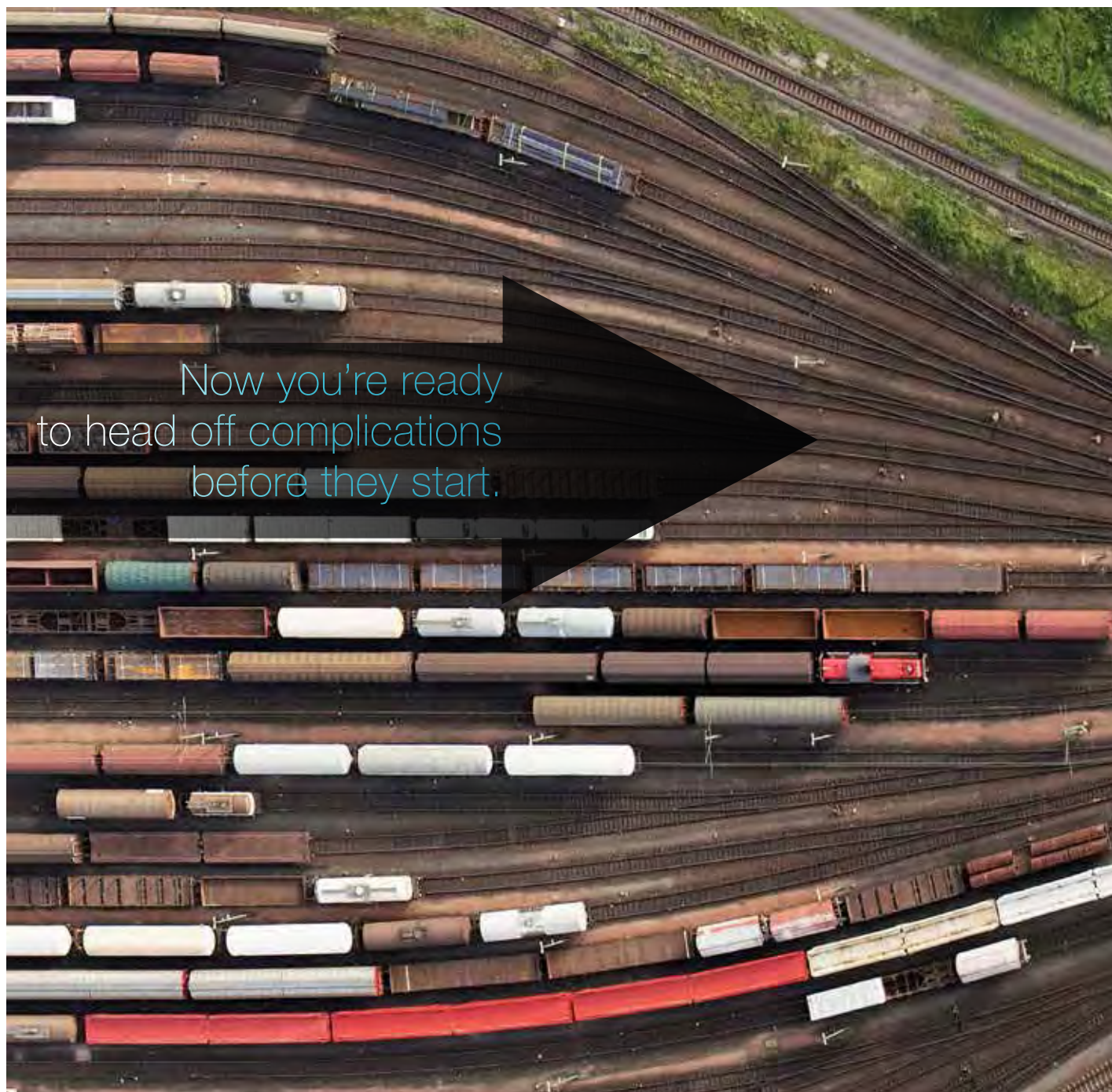


**U.S. Supreme Court Justice Ruth Bader Ginsburg.**

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Photos submitted by **Sheila Ryan**.



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# History of the Minnesota Federal Bar Association

## Reaching Out: Mid-1980s to 2000

By Isabel Levinson, Nathan Louwagie, and Tara Norgard

The Minnesota Chapter of the Federal Bar Association issued a press release in 1985 announcing the election of Judge Ann D. Montgomery as “the first woman president in the chapter’s 24-year history.” Judge Montgomery was a newly appointed judge of the Hennepin County District Court when she took the helm of the Minnesota Chapter. “My being a woman wasn’t what concerned some people,” she remembered. “Rather, it was that I was a judge in *state* rather than a *federal* court.” As the second woman to serve as Assistant

United States Attorney for the District of Minnesota, and a longtime member and leader of the Minnesota Chapter, Judge Montgomery was, of course, well qualified for her dual state and federal roles. And she served as a standard bearer in both capacities for those who followed in her footsteps. Indeed, that very same press release announced Chapter scholarships to local law students, including then-William Mitchell law student and future Hennepin

County Judge, United States Magistrate Judge and Minnesota FBA board member Jeanne J. Graham.

During her tenure as President of the Minnesota Chapter, Judge Montgomery made a point to

“THE SEMINARS, THE MONTHLY LUNCHEONS, AND THE ANNUAL DINNER DANCE WERE ALL IMPORTANT WAYS FOR MEMBERS TO BUILD RELATIONSHIPS AND TO ACQUIRE MORE KNOWLEDGE ABOUT PRACTICING FEDERAL LAW.” - JUDGE ANN D. MONTGOMERY

reach out to the wider legal community, and especially to women lawyers in private practice. She worked to make the organization “user friendly,” emphasizing both the educational and social benefits of being a Chapter member. Judge Montgomery recalled: “The seminars, the monthly luncheons, and the annual dinner dance were all important ways for members to build relationships and to acquire more knowledge about practicing feder-

al law.”

Inclusion of the wider legal community continued to be a priority during Frank Hermann’s presidency in 1986-1987. Hermann noted that during his tenure, “members were starting to come more from private law firms and less from government agencies.” He thought this was valuable because “government people all seemed to know each other, but it was hard to know someone from other law firms unless you were up against them in court.” Approximately 150 people attended the annual dinner dance at Oak Ridge Country Club during Hermann’s presidency,

which he said helped to start many friendships and breaks down many barriers.

Barriers continued to dissolve and friendships continued to grow among members of the bench and the bar as judges became increasingly active in the FBA during this time. Vance Opperman, Chapter president from 1987-1989, used “friendly persuasion” to foster judges’ continued partic-

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## History of the Minnesota Federal Bar Association

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icipation in the organization. According to Opperman, Judges Robert G. Renner, David S. Doty, and James M. Rosenbaum were especially interested in the FBA during this period. The judges' participation in the annual federal practice seminar and as monthly luncheon speakers brought about a feeling of "a federal family," said Opperman, adding that "it wasn't so scary for a young lawyer to plead a case in front of a judge in court after dining with him or her at a monthly luncheon."

As Judge Doty remarked in a recorded interview in 1987, although "[m]ost lawyers who get to federal court know enough to be courteous," many have noted the "extra sense of civility" the Minnesota Chapter has fostered between the bench and bar.

While the Minnesota Chapter grew and diversified, it began to offer more programs and opportunities for its members. For example, during Judge Robert Kressel's presidency in 1989-1990, the federal practice seminar was videotaped for the first time. The tapes were made available for private showings to local law

firms for \$100. The topic for the first taped seminar was "Introduction to the Federal Courts." Perhaps as a reflection of his role presiding over bankruptcy cases, Judge Kressel was also particularly attuned to fiscal responsibility during his tenure as president. He recalls asking board members to bring their own lunches to meetings, although he volunteered to supply the water.

The extra sense of civility and equality among the members drew Linda Holstein to the organization as a young lawyer; she soon learned that these two qualities carried over to her cases in federal court. Holstein said she felt comfortable attending luncheons and seminars, even though she was younger than most of the members and one of the few women at these events. She said Vance Opperman was right when he encouraged her to "not waste time with other organizations – this is where you belong." Holstein worked on several Chapter committees, served as treasurer, and then was elected president for the 1991-1992 term.

The following year, Judge James M. Rosenbaum became the first sitting Article III judge to serve as president of the Chapter. He did

so at the urging of Holstein and his long-time friend Vance Opperman. Judge Rosenbaum said he accepted the position because he believed it would continue to encourage a trusting relationship between the bench and bar. To this day, Rosenbaum refers to the Minnesota Chapter as a "really great club for lawyers."

Judge Rosenbaum and his successor as Chapter president, Paul Floyd, established a tradition that continues today: when a judge is president, the president-elect serves as the judge's "shadow." The benefits of this working relationship go both ways, Floyd explained. The president-elect supports the judge by taking on many of the day-to-day tasks of leading the Chapter and at the same time prepares to take on the role of president the following year by working in close partnership with the judge. Floyd added that his year of shadowing Judge Rosenbaum also began a life-long friendship.

Floyd, like so many other people interviewed for this project, emphasized how impressed he was with the collegiality and mentoring opportunities membership in the Chapter offered: "I hadn't

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clerked for a federal judge after law school, so I had this picture in my mind of judges as oracles in black robes sitting high above me, separated from me by something like an electric fence. I soon learned that, at least in Minnesota, federal judges are human beings who care deeply about their colleagues on and off the bench and about seeing that the court system operates so that justice is available to every citizen.”

When Christine Meuers took the helm of the organization in 1994, one of her first acts as president was to sit down with then-Chief Judge Diana E. Murphy to understand the needs of the bench and ask how the Minnesota Chapter could help. Judge Murphy had a list—and Meuers went to work.

While continuing to foster the tradition of the Chapter as a place for building relationships, she also saw it as a well-spring for ideas. “I wanted the monthly luncheons to be more than just a place to eat and chat but, rather, events members would come away from with new and provocative ideas and knowledge. I wanted members to feel that they were important to

the organization and that the organization was important to them.”

The Chapter golf tournament also gained prominence during this time, becoming “a much-anticipated part of the Chapter’s activities,” according to Keith Halleland, who served as president in 1995-1996. Although a golf tournament was held as early as 1974, it became an established annual event in the mid-1990s. Halleland recalls, “at first I had to beg members to participate, with the incentive that the event would enhance the bench and bar relationship.” He worked hard to ensure that everyone could play, including “anyone who could pick up a club.” In doing so, Halleland leveraged attorneys’ natural tendency to be competitive, along with the notion that golfing with friends is fun. According to Halleland, one of the biggest supporters of the tournament was—and continues to be—Judge Doty, who presided over the Chapter as president in 1996-1997.

During the 1990s, monthly luncheons also saw increased participation. Dan Gustafson, Chapter president in 2002-2003, recalled that at one point “the monthly luncheons almost died”

because of the relatively small attendance and the expenses involved. The luncheon was eventually saved in part by Gustafson’s use of then-modern technology (the fax machine) and marketing (season passes) when he chaired the luncheon committee. The fax machine not only served to broadly disseminate invitations to monthly luncheons, but it was also a tool for communicating Chapter news to members.

Another hallmark of the Minnesota Chapter, which continued through the 1990s, is the commitment to mentoring future leaders. Patrick Williams, Chapter president in 1997-1998, praised Judge Doty for urging his law clerks—including Williams and later president Randy Kahnke (2001-2002)—to become involved by inviting them to attend Chapter events. Patricia Bloodgood also recalls Judge Doty being one of many mentors in the Minnesota Chapter. Bloodgood led numerous Chapter committees and initiatives, such as the *Pro Se* Project, before her election to the role of president in 1999. Keith Halleland remembers the influence of Judges Miles Lord and Judge Paul A. Magnuson in

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## Profile of Bankruptcy Judge Katherine A. Constantine



**Judge Katherine A. Constantine and her family at her investiture ceremony.**

### By Adine Momoh

On May 28, 2013, the Honorable William Jay Riley, Chief Judge of the United States Court of Appeals for the Eighth Circuit, announced that the court appointed Katherine A. Constantine as a United States Bankruptcy Judge for the District of Minnesota. Judge Constantine has joined Chief Judge Gregory Kishel and Judges Kathleen Hvas Sanberg, Michael E.

Ridgway, and Robert J. Kressel on Minnesota's bankruptcy bench. She replaced Judge Dennis O'Brien, who retired in June 2013, and chambers in the Warren E. Burger Federal Building and U.S. Courthouse in St. Paul. On July 1, 2013, Eighth Circuit Judge Diana E. Murphy administered the oath of office to Judge Constantine.

### A Native Minnesotan

Born of "self-made" parents who

immigrated to the United States from Canada in the 1940s for business opportunities, Judge Constantine is a native of Minnesota. She grew up in Minneapolis with her parents and older brother. Judge Constantine's parents instilled in her a strong work ethic and appreciation for education. Unlike most children her age at the time, Judge Constantine grew up in a home

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## Judge Katherine A. Constantine

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where both of her parents worked. They had started a family business that consisted of printing and mailing. Judge Constantine worked in the business's factory over the course of many summers. All the while, her parents told her that she could be anything that she wanted to be. They never discouraged her from reading books, going to school, or taking any classes.

### Bankruptcy Law Finds Judge Constantine

Judge Constantine began practicing law, generally, in 1980 and began practicing bankruptcy law, specifically, in 1983. She did not always intend, however, to become an attorney, much less a bankruptcy attorney. Hoping to work in the foreign service and effectuate change in international policy upon graduation, Judge Constantine enrolled in the Georgetown University School of Foreign Service in 1973. However, she decided during her junior year of college that she

wanted to become an attorney. Judge Constantine graduated from Georgetown University, *magna cum laude*, in 1977 and from the Georgetown Law Center in 1980.

After graduating from law school, Judge Constantine primarily practiced civil litigation. Then, in the early to mid-1980s, the farm crisis hit the United States. "The combination of high debt, plunging land values, drought, low farm prices, and generally poor national and international conditions [ ] threatened the solvency of the U.S. farmer."<sup>1</sup>

Judge Constantine began working at the Fabyanske law firm and found herself representing these farmers as debtors, many of whom had highly mortgaged farms that were being threatened by foreclosure actions. Having taken no bankruptcy law classes while in law school and before the creation of Chapter 12 (which was specifically developed in 1986 to provide farmers with adequate rehabilitative debt relief), Judge Constantine was thrown into "bankruptcy boot

camp." It was here that Judge Constantine would handle one of the largest farmer debtor cases in the state and, as a fifth-year attorney, argue a case before the Eighth Circuit. At the same time, she continued to represent debtors as well as creditors. She also started attending the Minnesota State Bar Association's Bankruptcy Section meetings on a monthly basis and began meeting judges and fellow practitioners in the bankruptcy community.

In 1986, Judge Constantine joined Dorsey & Whitney LLP, where she began to represent banks and other financial institutions as creditors. When she joined, she brought a unique perspective as the only attorney then at the firm with significant experience representing debtors. She immediately inherited a nine-year bankruptcy case that started as a Chapter 11, and later converted to a Chapter 7 case. While working on that case, she recognized the benefits

<sup>1</sup> Judge Nancy C. Dreher et al., *Bankruptcy Law Manual* 982 (5th ed. 2014).

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## Judge Katherine A. Constantine

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of being part of the close bankruptcy bar and learned the importance of collaborating with opposing counsel when trying to resolve bankruptcy disputes.

Over time, Judge Constantine started representing clients in cases across the country, including many cases in Chicago, New York, and Delaware. She recalls representing indenture trustees in many significant cases (including the United Airlines case), secured and unsecured lenders, and a bison coop debtor, among others. Through these travels, Judge Constantine came to know the practice of other jurisdictions and the different local standards. Eventually, Judge Constantine became a partner at Dorsey and later chair of its Bankruptcy and Financial Restructuring Practice Group.

### Transitioning to Life on the Bench and Giving Back to the Community

After practicing law for over thirty years, Judge Constantine

was ready to do something more. She had already served on several boards, including the Georgetown Law Alumni Board and boards of non-profit organizations dedicated to serving needs of people with disabilities. She had also been an active diversity mentor to new attorneys, a frequent lecturer for continuing legal education in the area of bankruptcy, a member of various bankruptcy court-appointed committees, and a contributing author to Minnesota CLE desk books (which she continues to do). She had also received numerous “Best Lawyer” recognitions and other awards for her legal work. When a bankruptcy judgeship became available in the District of Minnesota, she knew what that “something more” was. The timing was perfect. Judge Constantine had always heard the bankruptcy court judges in the District of Minnesota say that their job was a “great” one. She applied, interviewed, and was later appointed.

Since being on the bench for a little over a year, Judge

Constantine enjoys the new work that she is doing. As a judge, she understands the distinction between the business of law and the business of being a judge. She delights in digging into research issues without having to worry about time being spent billing. Now, she can truly be a student of the law. She is able to look beyond the parties’ legal arguments and goals and focus on what should be the right outcome of the case.

Of course, she has also had to adjust. Unlike during private practice where she often went next door to converse and reach a consensus with her colleagues and office neighbors while ruminating on a puzzling subject, Judge Constantine spends more time now deliberating privately. Occasionally, she discusses legal issues with the other bankruptcy judges, but ultimately, she has to decide them on her own. The administrative workings of the court are also new to her and not what she expected.

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## Judge Katherine A. Constantine

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For example, she has since learned the importance, at the conclusion of a motion hearing where the merits remain unresolved, of clearly stating on the record (in a manner understood by all) procedural resolutions and deadlines.

But she continues to enjoy learning new things every day. While on the bench, she is handling consumer bankruptcy cases and related issues for the first time since she dealt primarily with commercial bankruptcies in private practice. Additionally, adjustment has meant “learning to put [herself] first occasionally” by doing little things, such as eating well, exercising, and getting enough sleep. Doing so helps her minimize distractions, focus more on the people before her, and do her job once she “puts her black robe on.”

### Life Outside the Court

Furthermore, putting herself first includes being able to spend time



**Judge Constantine and her family enjoying the slopes in Park City, Utah.**

doing the things that she loves and being with those that she loves the most. She has a husband, Michael, and two children, David and Katie (who is an extreme outdoor sports athlete). Judge Constantine loves to run, bike, read (in particular, fiction), and ski. Every year, she and her family go on a ski trip out west for a week.

### Conclusion

Judge Constantine brings a wealth of knowledge, experience, and perspective to the bankruptcy bench in the District of Minnesota. Having been in private practice the most recently of the judges, Judge Constantine

appreciates what client advocacy means. But she also understands the importance of getting things right. Each day, she reminds herself to try to do the right thing for the right reason.

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**Adine Momoh** is a member of the Communications Committee and an attorney with Stinson Leonard Street LLP, where her practice consists of complex business and commercial litigation, securities litigation, estates and trusts litigation, and banking and financial services representation in the firm’s Business and Commercial Litigation division, with a focus on creditors’ rights and bankruptcy. Ms. Momoh is also the FBA Co-Vice President of the Eighth Circuit, a board member of the National Board of Directors for the FBA Younger Lawyers Division, a member of the Minnesota Chapter’s Board of Directors, and a former law clerk to the Honorable Jeanne J. Graham, United States District Court for the District of Minnesota.

## PRO BONO *Spotlight*



A series of articles highlighting the pro bono work being done by FBA Chapter Members.

### By Nathan Louwagie

**F**ruth, Jamison & Elsass is a Minneapolis business litigation firm that frequently handles complex commercial cases. This firm has used its litigation expertise to make impressive contributions to the FBA's *Pro Se* Project. According to Tiffany Sanders, the *Pro Se* Project Coordinator, they "have beautifully handled a number of difficult *Pro Se* cases, are always willing to help, and have worked on a number of cases outside the firm's areas of practice." Specifically, Adam Gillette, Lori Johnson, and former Minnesota Chapter president Doug Elsass have made impressive contributions.

According to the firm's records, it has been involved in eight *Pro Se* Project cases, an especially impressive record for a smaller firm. Their work has been largely focused on employment and housing discrimination cases. According to Mr. Elsass, work on the *Pro Se* Project is very important because it allows lawyers to provide a service to the court and the community, and it is a

## Fruth, Jamison & Elsass

great way for lawyers to get experience in court—an increasingly difficult task in civil litigation.

Mr. Gillette noted that it is especially interesting and rewarding to be able to help people with mental illness or those who have not been in the United States very long. According to Mr. Gillette, these clients can be suspicious of the legal system, and helping them get their "day in court" adds legitimacy to the process.

In addition to helping clients and serving the court, Ms. Johnson added that the *Pro Se* Project is an excellent way for lawyers to step out of their comfort zone and take on cases outside their normal practice areas, and in so doing, "sharpen their skills."

They have also had the opportunity to help homeless individuals. Mr. Gillette notes that while the damages in these cases are generally not large in the grand scheme of civil litigation, they can result in a resolution which will provide enough money for the individuals to get housing for a year or more. This makes the work with these individuals especially rewarding.

Mr. Elsass also explained that the "Early Settlement Conference Project" is an excellent way to help in a case in which the lawyer cannot guarantee that s/he can

provide the amount of time necessary to take a case all the way through trial. According to Mr. Elsass, the project is valuable because it gives the *pro se* litigant the opportunity to get information about the strengths and weaknesses of his case, and allows him to express his side of the argument.

It is also important to note that the firm's pro bono work goes beyond its involvement in the *Pro Se* Project. For example, Mr. Elsass serves on the Board of Directors for Mid-Minnesota Legal Aid, and the firm has been consistently recognized for achieving 100% participation in Legal Aid's "One Hour of Sharing" campaign. Mr. Elsass also serves on the Governing Council of the Civil Litigation Section for the Minnesota State Bar Association.

As Mr. Gillette stated, "The *Pro Se* Project is an excellent program and we're happy we've been able to participate." By devoting significant time and resources to local pro bono programs, Fruth, Jamison & Elsass is making important contributions to the community.

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**Nathan Louwagie** is a third-year law student at the University Minnesota Law School. He will be joining Carlson, Caspers, Vandenburg, Lindquist & Schuman, P.A. following his graduation in 2015.



Federal Practice Committee

## New Local Rule 12.1 Addresses Criminal Pretrial Motion Practice

By Ryan Schultz and Andrew Mohring

In criminal cases, some of the most important constitutional issues arise, not at trial, but in pretrial litigation. In the litigation of discovery and suppression motions, courts address everything from violations of the Fourth and Fifth Amendments to the due process rights of the accused to be aware of the evidence in the case. Notwithstanding our existence within a unified federal system, the culture and state of practice varies considerably among the 94 districts that make up our federal system. Acknowledging this reality, and recognizing that these variations can strengthen the system as a whole, Federal Practice Committees are created by statute to assist district courts in creating and modifying local rules that enhance the practice within individual districts. Emerging from this background, the District of Minnesota has adopted a local rule that addresses the pretrial motion process in criminal cases.

Local Rule 12.1 went into effect on October 13, 2014.

### Schedule

Local Rule 12.1 outlines a presumptive schedule for the pretrial motions process. The comments reflect a shared understanding that the parties may seek to modify this schedule where appropriate, for example where discovery is voluminous or the al-

legations are complex. Unless changed by the Court, Rule 12.1 provides that discovery is due from the government within 7 days of the arraignment. Any reciprocal discovery is due from the defense 14 days after arraignment. Pretrial motions are due within 21 days of the arraignment. Motions seeking to suppress evidence must identify the evidence subject to suppression and the nature of the challenge. Any responses to pretrial motions are due within 35 days of the arraignment.

If the motions call for a hearing, it is scheduled to happen no sooner than 42 days after the arraignment. The local rule specifically provides that the Court may modify this schedule for good cause.

In the District of Minnesota, the Court maintains a meaningful oversight role over the investigation and discovery processes in criminal cases. It also gives defendants access to the judiciary and the courtroom, usually before final decisions about plea negotiations and trial are made. Local Rule 12.1 is not intended to alter either the culture or the standard of practice regarding the litigation of criminal motions. The rule is intended to maintain the access that defendants and defense counsel have historically had to the bench.

The new rule is also intended to facilitate early and comprehensive disclosures in criminal cases and an

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## Federal Practice Committee

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ongoing exchange of information between the parties, particularly as to discovery and suppression issues to be addressed at pretrial motions hearings. It adopts several practices that promote the efficiency of the pretrial motion process by affording the parties the opportunity to discuss and focus the issues that will be the subject of pretrial motions. The rule also establishes a proposed schedule for pretrial motions proceedings. Efficiency is further promoted by providing magistrate judges with notice about the extent of the pretrial motions proceedings, to facilitate scheduling.

### Requirement to Confer

Before pretrial motions are filed, the rule requires that the parties confer and attempt in good faith to clarify and narrow the issues that will be in dispute. The rule and its commentary allow for the discussion of discovery, such as what material will be disclosed voluntarily and what will not, the evidence that will be the subject of suppression challenges, and the nature of those challenges.

### Notice

Within 35 days of the arraignment, a party who intends to call witnesses at the hearing must file a notice specifying the number of witnesses, the motion or motions about which testimony will be offered, and the estimated duration of the testimony. The rule makes it clear that defendants are exempt

from this notice requirement. That is, the defense is never required to give notice of a defendant's intention to testify at the pretrial motions hearing.

The schedule, conference, and notice requirements are intended to promote efficiency in several ways. Before this rule, magistrate judges were often in the dark about the magnitude of pretrial motions proceedings, making scheduling unnecessarily difficult. The notice requirement is designed to address this concern. In the past, a lack of specificity in pretrial motions would on occasion make preparation for pretrial motions hearings difficult. The rule's requirement that motions specify the evidence that is at issue and the nature of challenges to it and its conference requirement provide opportunities to minimize this uncertainty. Finally, case-to-case inconsistencies in the pretrial schedule of events have in some instances made litigation difficult. It is hoped that the establishment of a presumptive schedule will reduce these problems.

Overall, the rule's objective is to address several specific areas of concern without compromising the real strengths in current practice. It went into effect on October 13, 2014. The Federal Practice Committee and its Criminal Rules Subcommittee welcome feedback from practitioners as they become familiar with its procedures in the weeks and months ahead.

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**Andrew H. Mohring** is the First Assistant Federal Defender for the District of Minnesota and a member of the Federal Practice Committee and Chair of its Criminal Rules Subcommittee.



CLERK'S CORNER

## CM/ECF NextGen and CJA eVoucher to Launch in 2015

By **Tricia Pepin and Lou Jean Gleason**

**I**t has been a busy year for the Court. But we are already ramping up for many changes that are coming in 2015.

### CM/ECF NextGen

The U.S. District Court for the District of Minnesota will be one of the first district courts in the nation to release CM/ECF NextGen in 2015. For the past two years, the District of Minnesota has been preparing to be an “MLO” Court for NextGen. MLO stands for “Monitored Live Operations”—meaning a live pilot-test court.

The first two releases, which will occur in 2015, largely impact internal court users, but external users will immediately notice a difference in how they log into ECF.

The first NextGen release will introduce Central Sign-On. With Central Sign-On, e-filers must log in to PACER, rather than directly into ECF. A PACER account login will store all filing credentials associated with each user. What this means is that as other appellate, district, and bankruptcy courts implement NextGen, attorneys will only need one login and password to file in any federal court in which they have filing privileges.

The Clerk’s Office encourages all ECF account holders to upgrade their PACER accounts now in preparation for NextGen. All ECF account holders will be required to upgrade their PACER accounts *before* the District of Minnesota goes live on NextGen. You may upgrade your PACER account by selecting “Manage My Account” at [www.pacer.gov](http://www.pacer.gov) and selecting any option under the “Settings” or “Maintenance” tab.

More information on NextGen and the Central Sign-On feature will be forthcoming.

### CJA eVoucher

In 2015, the District of Minnesota and the entire Eighth Circuit will implement CJA eVoucher, an electronic voucher processing system for Criminal Justice Act payments. Once implemented, all CJA vouchers will be processed in the CJA eVoucher system, eliminating the current paper-intensive process. More information and training will be provided in the coming months.

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**Tricia Pepin** is the Chief Deputy Clerk for the United States District Court for the District of Minnesota.

**Lou Jean Gleason** is the Operations Manager for the United States District Court for the District of Minnesota.



## THE HAMLINE DIVISION OF THE MINNESOTA CHAPTER HOSTS FEDERAL PRACTITIONER'S NETWORKING RECEPTION

By Gemini Nazareno

On Monday, October 6, 2014, the Hamline Chapter of the Minnesota Chapter of the Federal Bar Association hosted the Federal Practitioner's Networking Reception at the Downtowner Woodfire Grill in Downtown Saint Paul. The Honorable Judge Donovan W. Frank, United States District Judge for the District of Minnesota, spoke about the importance of ethics and professionalism.



L to R: Gemini Nazareno, Anja Sivertson, Hannah Mumm, Stephanie Kinyon, and Tyler Cowart.

His speech even included photographs from when he first started his legal career!

In addition to Judge Frank, local attorneys from around the Twin Cities and Hamline Law faculty gave law students advice and insight on their legal careers. The Hamline Chapter would like to thank all those who came to support the event and the Federal Bar Association.

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**Gemini Nazareno** is a law student at the Hamline University Law School.



L to R: Nancy Lochner, Tyler Cowart, and Anja Sivertson.

## Adine S. Momoh is Appointed Eighth Circuit Co-Vice President

By Lauren D’Cruz

**D**uring the 2014 FBA Annual Meeting and Convention in Providence, Rhode Island, Adine S. Momoh was appointed by FBA President Matthew B. Moreland to serve as the Co-Eighth Circuit Vice President. In this position, Adine will be working with Dan C. Hedlund of Gustafson Gluek PLLC. Adine and Dan will act as liaisons between the Eighth Circuit FBA chapters and the National FBA. The Eighth Circuit includes Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota. The goal is for all states in the Eighth Circuit to have at least one FBA chapter.

As Eighth Circuit Co-Vice President, Adine wants to encourage collaboration between the FBA chapters in the Eighth Circuit. For instance, Adine is a trial attorney specializing in creditors’ rights and bankruptcy (among other areas) at the Minneapolis office of Stinson Leonard Street LLP. The Iowa FBA Chapter is primarily made up of bankruptcy attorneys. Adine would like to connect the respective bankruptcy benches and bankruptcy practitioners in Minnesota and Iowa by planning a FBA-related seminar, webinar, or social gathering that showcases the ways that the two branches can work (and perhaps already are working) together.

Adine has been active in the FBA for several years on both the national and state levels.

Adine currently serves as a member-at-large and Eighth Circuit Liaison on the National Board of Directors for the FBA’s Younger Lawyers Division



**Adine S. Momoh**

(YLD), and has been in that role since 2011. In that capacity, she serves as a Director of the Thurgood Marshall Moot Court Competition (since 2012), Chair of the Robyn J. Spalter Outstanding Achievement Award Committee (since 2013), and assists the FBA YLD with the Summer Law Clerk Program and United States Supreme Court Admissions Ceremony. In 2013, Adine was appointed by then-FBA President Gustavo Gelpi to serve a three-year term on the Membership Committee. Adine is also on the board of the Federal Litigation Section, serving as the liaison to the YLD. On the local level, Adine is a member of

[Continued on page 19]

## Adine S. Momoh

[Continued from page 18]

the Minnesota Chapter's Board of Directors and a member of the Chapter's Communications Committee. In that role, she has written several articles for this publication in this and past issues.

Adine is also Co-Chair of the Minnesota FBA Chapter's Law School Outreach Committee. In her role, she serves as a liaison between the four law schools in Minnesota and the Minnesota FBA Chapter. Her work on the Law School Outreach Committee will be beneficial in her role as Eighth Circuit Co-Vice President as she can encourage more law students in the Eighth Circuit to get involved with the National FBA. Adine became a member of the FBA when she was in law school.

Before joining Stinson Leonard Street, Adine attended the University of St. Thomas, obtaining a Bachelor of Arts degree, *summa cum laude*, in business administration-legal studies, psychology, and pre-law. Adine then received her law degree, *magna cum laude*, from William Mitchell College of Law. Adine clerked for the Honorable Jeanne J. Graham of the United States District Court for the District of Minnesota.

Adine has been recognized for her community involvement, public service, and professional achievements. Most notably, in September 2014, Adine was named an Up & Coming Attorney by Minnesota Lawyer; in April 2014, she received the Minnesota State Bar Association's Outstanding New Lawyer of the Year Award; in 2014, Stinson Leonard Street recognized her by awarding her with the firm's Pro Bono Service to the Indigent Award; and in 2013, she was named a Fellow of the Leadership Council on Legal Diversity, where she was one of 167 attorneys nationwide to be selected for this national leadership development program designed to increase diversity in the legal profession.

Adine looks forward to serving as Eighth Circuit Co-Vice President. She can be contacted at [Adine.Momoh@stinsonleonard.com](mailto:Adine.Momoh@stinsonleonard.com).

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**Lauren D'Cruz** is an attorney with Lind, Jensen, Sullivan & Peterson, P.A. specializing in employment litigation, retail practice, professional liability and ethics, and insurance coverage defense.

## History of the Minnesota Federal Bar Association

[Continued from page 8]

encouraging future Chapter leaders. The importance of mentoring and being mentored was emphasized by every past president who was interviewed for this project.

The increased diversity and involvement of members and the development of young leaders set the stage for the Minnesota Chapter's continued growth in the new millennium, which will be discussed in our next installment.

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**Isabel Levinson** is a writer, editor, and historian.

**Nathan Louwagie** is a third-year law student at the University of Minnesota Law School. He will be joining Carlson Caspers following his graduation in 2015.

**Tara Norgard** is an attorney with Carlson Caspers. Her litigation practice is focused on patents, trademarks, trade secrets, and unfair competition.

## UNIVERSITY OF MINNESOTA LAW SCHOOL HOSTS PANEL ON INTELLECTUAL PROPERTY LAW



L to R: Faegre Baker Daniels attorneys Holly Miller, Tim Sullivan, and Emily Puchalski discuss intellectual property topics at the University of Minnesota Law School.

**By George Ashenmacher**

The University of Minnesota Law School chapter invited attorneys on campus to discuss the ins and outs of intellectual property (IP) law on October 30, 2014. Faegre Baker Daniels attorneys and University of Minnesota Law School alumni Holly Miller ('13), Emily Puchalski ('13), and Tim Sullivan ('10) spoke over the noon hour to approximately sixty students. The idea for the event came after chapter representatives wanted to increase knowledge about intellectual property law and the IP market in the Twin Cities. Many students may not understand what exactly IP is until well into their law school

career—and even then questions can linger.

The panel focused on answering questions including: What is the difference between patent prosecution and patent litigation? Is there really a market for so-called “soft IP?” How are IP practice groups structured within local large firms? What’s the process for taking the patent bar? The attorneys discussed these in an informal atmosphere with a lively Q&A session at the end of the event.

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**George Ashenmacher** is a law student at the University of Minnesota Law School and serves as the President of the University of Minnesota Law School Chapter of the FBA.

## FBA's Labor & Employment Law Section Hosts Half-Day CLE at Faegre Baker Daniels LLP

By Joel Schroeder

On Friday, September 26, 2014, the FBA's Labor & Employment Law Section hosted a half-day CLE at Faegre Baker Daniels LLP. The CLE featured three panels on the following topics: (1) Ethical and Strategic Issues in Employment Law Mediations; (2) Effective Strategies for Working with the EEOC; and (3) Federal Law Clerks' Tips

Labor & Employment Law Section Chair Karleen Green (of Phelps Dunbar in Baton Rouge, LA) welcomed the seminar attendees and encouraged participation in the Section's various activities.



L to R: Panelists Stacey Bolton and Julie Schmid with moderator Joel Schroeder.



L to R: Panelists Jim Ryan, Barb D'Aquila, Honorable Arthur J. Boylan (Ret.) with moderator Corie Tarara.

for Dispositive Motions and Trying Employment Cases. Approximately 40 FBA members and non-members attended the CLE and peppered the panelists with excellent questions.

The CLE was organized by Joel Schroeder (of Faegre Baker Daniels), Corie Tarara (of Seaton Peters Revnew), and Brian Rochel (of Schaefer Halleen). National

employment disputes. Julie Schmid and Stacey Bolton, from the local EEOC office, spoke about the EEOC's strategic initiatives, unique aspects of the Minneapolis

Retired Magistrate Judge Arthur J. Boylan, Jim Ryan, and Barbara D'Aquila discussed ethical issues that arise in mediation and best practices to prepare for and participate in mediation to resolve

EEOC, and tips for working with the EEOC from the charge through conciliation. Federal law clerks Marc Betinsky, Kate Bruce, and Elizabeth Welter offered their insights on successful dispositive motion practice and effective trial methods for employment cases.

**Joel Schroeder** is a partner with Faegre Baker Daniels LLP specializing in employment litigation.

Photos submitted by **Karin Ciano**.



L to R: Panelists Marc Betinsky, Kate Bruce, Elizabeth Welter with moderator Brian Rochel.

## Communications Committee

**Tara Adams**

*Seaton, Peters & Revnew,  
P.A.*

**Ashlee Bekish**

*Ogletree, Deakins, Nash,  
Smoak & Stewart, P.C.*

**Shannon Bjorklund**

*Dorsey & Whitney LLP*

**Kate Buzicky**

*U.S. Attorney's Office*

**Lauren D'Cruz**

*Lind, Jensen, Sullivan &  
Peterson, P.A.*

**Trish Furlong**

*Robins, Kaplan, Miller &  
Ciresi, L.L.P.*

**Vicki Hruby**

*Jardine, Logan & O'Brien,  
PLLP*

**Jeff Justman (Co-chair)**

*Faegre Baker Daniels LLP*

**Steve Katras**

*Stinson Leonard Street LLP*

**Fran Kern**

*Moss & Barnett*

**Kelly Laudon (Co-chair)**

*Lindquist & Vennum, LLP*

**Nathan Louwagie**

*University of Minnesota  
Law School*

**Jon Marquet**

*Bassford Remele, P.A.*

**Adine Momoh**

*Stinson Leonard Street LLP*

**Kerri Nelson**

*Bassford Remele, P.A.*

**Timothy O'Shea**

*Fredrikson & Byron, P.A.*

**Paige Stradley**

*Merchant & Gould P.C.*

**Bridget Sullivan**

*Minnesota Department of  
Transportation*

**Ryan Schultz**

*Robins, Kaplan, Miller &  
Ciresi, L.L.P.*

**Vildan Teske**

*Crowder, Teske, Katz &  
Micko, PLLP*

**Tyler Young**

*Faegre Baker Daniels LLP*

## UPCOMING EVENTS

- ◆ **January 28, 2015 | 12:00 p.m.**  
*Monthly Luncheon*  
Minneapolis Club, Minneapolis
- ◆ **February 25, 2015 | 12:00 p.m.**  
*Monthly Luncheon*  
Minneapolis Club, Minneapolis
- ◆ **March 25, 2015 | 12:00 p.m.**  
*Monthly Luncheon*  
Minneapolis Club, Minneapolis
- ◆ **April 22, 2015 | 12:00 p.m.**  
*Monthly Luncheon*  
Minneapolis Club, Minneapolis
- ◆ **May 16, 2015 | 6:00 p.m.**  
*Annual Dinner Dance*  
Minikahda Club, Minneapolis
- ◆ **May 27, 2015 | 12:00 p.m.**  
*Monthly Luncheon & Business Meeting*  
Minneapolis Club, Minneapolis

### Register For The Monthly Luncheons Online!

The Minnesota Chapter utilizes an online registration system for the monthly Minneapolis Club luncheons. A registration link will be sent via e-mail for each luncheon. One feature of the system is an automatic calendar entry; just click "Add to Calendar" from the registration system or your confirmation e-mail. Registration coordinators have the option to register multiple attendees in a single registration. Please e-mail Kelly Laudon at: [klaudon@lindquist.com](mailto:klaudon@lindquist.com) if you have any questions about the registration system.

**BAR TALK** is the official newsletter of the Minnesota Chapter of the FBA. It is published quarterly by the Communications Committee. For any inquiries or article suggestions, please contact: Jeff Justman at [jeff.justman@faegreBD.com](mailto:jeff.justman@faegreBD.com) or Kelly Laudon at [klaudon@lindquist.com](mailto:klaudon@lindquist.com).

# connect



## through the Federal Bar Association

The Federal Bar Association offers an unmatched array of opportunities and services to enhance your connections to the judiciary, the legal profession, and your peers within the legal community. Our mission is to strengthen the federal legal system and administration of justice by serving the interests and the needs of the federal practitioner, both public and private, the federal judiciary, and the public they serve.

### Advocacy

The opportunity to make a change and improve the federal legal system through grassroots work in over 80 FBA chapters and a strong national advocacy.

### Networking

Connect with a network of federal practitioners extending across all 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands.

### Leadership

Governance positions within the association help shape the FBA's future and make an impact on the growth of the federal legal community.

### Learning

Explore best practices and new ideas at the many Continuing Legal Education programs offered throughout the year—at both the national and chapter levels.

## expand your connections, expand your career

**THREE WAYS TO APPLY TODAY:** ① Join online at [www.fedbar.org](http://www.fedbar.org); ② Fax application to (571) 481-9090; or ③ Mail application to FBA, 1220 North Fillmore St., Suite 444, Arlington, VA 22201. For more information, contact the FBA membership department at (571) 481-9100 or [membership@fedbar.org](mailto:membership@fedbar.org).

## FEDERAL BAR ASSOCIATION APPLICATION FOR MEMBERSHIP (CONTINUES ON REVERSE)

### Applicant Information

First Name \_\_\_\_\_ M.I. \_\_\_\_\_ Last Name \_\_\_\_\_ Suffix (e.g. Jr.) \_\_\_\_\_ Title (e.g. Attorney At Law, Partner, Assistant U.S. Attorney) \_\_\_\_\_

Male  Female

Have you been an FBA member in the past?  yes  no

Which do you prefer as your primary address?  business  home

|                     |       |                     |         |
|---------------------|-------|---------------------|---------|
| Firm/Company/Agency |       | Number of Attorneys |         |
| Address             |       | Suite/Floor         |         |
| City                | State | Zip                 | Country |
| ( )                 | ( )   |                     |         |
| Phone               | Fax   | E-mail              |         |

|               |       |        |         |        |
|---------------|-------|--------|---------|--------|
| Address       |       |        |         | Apt. # |
| City          | State | Zip    | Country |        |
| ( )           | ( )   |        |         |        |
| Phone         |       | Fax    |         |        |
| / /           |       |        |         |        |
| Date of Birth |       | E-mail |         |        |

### Bar Admission and Law School Information (required)

|                 |  |
|-----------------|--|
| <b>U.S.</b>     | Court of Record: _____                         |
|                 | State/District: _____ Original Admission: / /  |
| <b>Tribal</b>   | Court of Record: _____                         |
|                 | State: _____ Original Admission: / /           |
| <b>Foreign</b>  | Court/Tribunal of Record: _____                |
|                 | Country: _____ Original Admission: / /         |
| <b>Students</b> | Law School: _____                              |
|                 | State/District: _____ Expected Graduation: / / |

### Practice Information

#### PRACTICE TYPE

- Private Sector:  Private Practice  Corporate/In-House  
Public Sector:  Government  Association Counsel  
 Nonprofit  University/College  
 Military  Judiciary

#### PRIMARY PRACTICE AREAS

- Administrative  Health  
 Admiralty/Maritime  Immigration  
 ADR/Arbitration  Indian  
 Antitrust/Trade  Intellectual Property  
 Bankruptcy  International  
 Communications  Labor/Employment  
 Criminal  Military  
 Environment/Energy  Social Security  
 Federal Litigation  State/Local Government  
 Financial Institutions  Taxation  
 General Counsel  Transportation  
 Government Contracts  Veterans  
 Other: \_\_\_\_\_

### Membership Levels

#### SUSTAINING MEMBERSHIP

Members of the association distinguish themselves when becoming sustaining members of the FBA. Sixty dollars of the sustaining dues are used to support educational programs and publications of the FBA. Sustaining members receive a 5% discount on the registration fees for all national meetings and national CLE events.

|  | Private Sector | Public Sector |
|--|----------------|---------------|
| Member Admitted to Practice 0-5 Years            | \$155          | \$135         |
| Member Admitted to Practice 6-10 Years           | \$215          | \$190         |
| Member Admitted to Practice 11+ Years            | \$255          | \$220         |
| Retired (Fully Retired from the Practice of Law) | \$155          | \$155         |

#### ACTIVE MEMBERSHIP

Open to any person admitted to the practice of law before a federal court or a court of record in any of the several states, commonwealths, territories, or possessions of the United States or in the District of Columbia.

|  | Private Sector | Public Sector |
|--|----------------|---------------|
| Member Admitted to Practice 0-5 Years            | \$95           | \$75          |
| Member Admitted to Practice 6-10 Years           | \$155          | \$130         |
| Member Admitted to Practice 11+ Years            | \$195          | \$160         |
| Retired (Fully Retired from the Practice of Law) | \$95           | \$95          |

#### ASSOCIATE MEMBERSHIP

|   |       |
|---|-------|
| Foreign Associate Admitted to practice law outside the U.S. | \$195 |
| Law Student Associate Currently enrolled in law school      | \$30  |

Dues Total: \$ \_\_\_\_\_

### Practice Area Sections

|   |      |   |      |
|---|------|---|------|
| <input type="checkbox"/> Alternative Dispute Resolution             | \$15 | <input type="checkbox"/> Intellectual Property & Communications Law   | \$10 |
| <input type="checkbox"/> Antitrust and Trade Regulation             | \$15 | <input type="checkbox"/> International Law                            | \$10 |
| <input type="checkbox"/> Bankruptcy Law                             | \$10 | <input type="checkbox"/> Labor and Employment Law                     | \$15 |
| <input type="checkbox"/> Criminal Law                               | \$10 | <input type="checkbox"/> Social Security                              | \$10 |
| <input type="checkbox"/> Environment, Energy, and Natural Resources | \$15 | <input type="checkbox"/> State and Local Government Relations         | \$5  |
| <input type="checkbox"/> Federal Litigation                         | \$10 | <input type="checkbox"/> Taxation                                     | \$15 |
| <input type="checkbox"/> Government Contracts                       | \$20 | <input type="checkbox"/> Transportation & Transportation Security Law | \$20 |
| <input type="checkbox"/> Health Law                                 | \$10 | <input type="checkbox"/> Veterans Law                                 | \$10 |
| <input type="checkbox"/> Immigration Law                            | \$10 |   |      |
| <input type="checkbox"/> Indian Law                                 | \$15 |   |      |

### Career Divisions

|  |      |
|--|------|
| <input type="checkbox"/> Federal Career Service (past/present employee of federal government)                            | N/C  |
| <input type="checkbox"/> Judiciary (past/present member or staff of a judiciary)   | N/C  |
| <input type="checkbox"/> Corporate & Association Counsels (past/present member of corporate/association counsel's staff) | \$10 |
| <input type="checkbox"/> Senior Lawyers* (age 55 or over)  | \$10 |
| <input type="checkbox"/> Younger Lawyers* (age 36 or younger or admitted less than 3 years)                              | N/C  |

\*For eligibility, date of birth must be provided.

Sections and Divisions Total: \$ \_\_\_\_\_

### Chapter Affiliation

Your FBA membership entitles you to a chapter membership. Local chapter dues are indicated next to the chapter name (if applicable). If no chapter is selected, you will be assigned a chapter based on geographic location. No chapter currently located in this state or location.

|  |   |  |  |
|--|---|--|--|
| <b>Alabama</b>   | <b>Georgia</b>  | <b>New Jersey</b>  | <b>South Carolina</b>                                    |
| <input type="checkbox"/> Birmingham                      | <input type="checkbox"/> Atlanta-\$10                 | <input type="checkbox"/> New Jersey                                | <input type="checkbox"/> South Carolina                  |
| <input type="checkbox"/> Mobile                          | <b>Hawaii</b>   | <b>New Mexico*</b>   | <b>South Dakota*</b>                                     |
| <input type="checkbox"/> Montgomery                      | <input type="checkbox"/> Hawaii                       | <input type="checkbox"/> At Large                                  | <input type="checkbox"/> At Large                        |
| <input type="checkbox"/> North Alabama                   | <b>Idaho</b>  | <b>New York</b>  | <b>Tennessee</b>   |
| <b>Alaska</b>  | <input type="checkbox"/> Idaho                        | <input type="checkbox"/> Eastern District of New York              | <input type="checkbox"/> Chattanooga                     |
| <input type="checkbox"/> Alaska                          | <b>Illinois</b>                                       | <input type="checkbox"/> Southern District of New York             | <input type="checkbox"/> Memphis                         |
| <b>Arizona</b>   | <input type="checkbox"/> Chicago                      | <b>North Carolina</b>  | <input type="checkbox"/> Mid-South                       |
| <input type="checkbox"/> Phoenix                         | <b>Indiana</b>  | <input type="checkbox"/> At Large                                  | <input type="checkbox"/> Nashville                       |
| <input type="checkbox"/> William D. Browning/Tucson-\$10 | <input type="checkbox"/> Indianapolis                 | <b>Ohio</b>  | <input type="checkbox"/> Northeast                       |
| <b>Arkansas*</b>   | <b>Iowa</b>   | <input type="checkbox"/> John W. Peck/Cincinnati/Northern Kentucky | <b>Texas</b>   |
| <input type="checkbox"/> At Large                        | <input type="checkbox"/> Iowa-\$10                    | <input type="checkbox"/> Columbus                                  | <input type="checkbox"/> Austin                          |
| <b>California</b>  | <b>Kansas*</b>  | <input type="checkbox"/> Dayton                                    | <input type="checkbox"/> Dallas-\$10                     |
| <input type="checkbox"/> Central Coast                   | <input type="checkbox"/> At Large                     | <input type="checkbox"/> Eastern District of Michigan              | <input type="checkbox"/> Del Rio-\$25                    |
| <input type="checkbox"/> Inland Empire                   | <b>Kentucky</b>                                       | <input type="checkbox"/> Western District of Michigan              | <input type="checkbox"/> El Paso                         |
| <input type="checkbox"/> Los Angeles                     | <input type="checkbox"/> Kentucky                     | <input type="checkbox"/> Middle District of Michigan               | <input type="checkbox"/> Fort Worth                      |
| <input type="checkbox"/> Northern District of California | <b>Louisiana</b>                                      | <input type="checkbox"/> Northern District of Michigan             | <input type="checkbox"/> San Antonio                     |
| <input type="checkbox"/> Orange County                   | <input type="checkbox"/> Baton Rouge                  | <input type="checkbox"/> Eastern District of Missouri              | <input type="checkbox"/> San Antonio                     |
| <input type="checkbox"/> Sacramento                      | <input type="checkbox"/> Lafayette/Acadiana           | <input type="checkbox"/> Middle District of Missouri               | <input type="checkbox"/> Southern District of Texas-\$25 |
| <input type="checkbox"/> San Diego                       | <input type="checkbox"/> New Orleans                  | <input type="checkbox"/> Western District of Missouri              | <input type="checkbox"/> Waco                            |
| <input type="checkbox"/> San Joaquin Valley              | <input type="checkbox"/> North Louisiana              | <input type="checkbox"/> Eastern District of Pennsylvania          | <b>Utah</b>  |
| <b>Colorado</b>  | <b>Maine*</b>   | <input type="checkbox"/> Eastern District of Pennsylvania          | <input type="checkbox"/> Utah                            |
| <input type="checkbox"/> Colorado                        | <input type="checkbox"/> At Large                     | <input type="checkbox"/> Middle District of Pennsylvania           | <b>Vermont*</b>  |
| <b>Connecticut</b>                                       | <b>Maryland</b>                                       | <input type="checkbox"/> Western District of Pennsylvania          | <input type="checkbox"/> At Large                        |
| <input type="checkbox"/> District of Connecticut         | <input type="checkbox"/> Maryland                     | <input type="checkbox"/> Western District of Pennsylvania          | <b>Virgin Islands</b>                                    |
| <b>Delaware</b>  | <b>Massachusetts</b>                                  | <input type="checkbox"/> Western District of Pennsylvania          | <input type="checkbox"/> Virgin Islands                  |
| <input type="checkbox"/> Delaware                        | <input type="checkbox"/> Massachusetts-\$10           | <b>Oklahoma</b>  | <b>Virginia</b>  |
| <b>District of Columbia</b>                              | <b>Michigan</b>                                       | <input type="checkbox"/> Oklahoma City                             | <input type="checkbox"/> Northern Virginia               |
| <input type="checkbox"/> Capitol Hill                    | <input type="checkbox"/> Eastern District of Michigan | <input type="checkbox"/> Eastern Oklahoma                          | <input type="checkbox"/> Richmond                        |
| <input type="checkbox"/> D.C.                            | <input type="checkbox"/> Western District of Michigan | <b>Oregon</b>  | <input type="checkbox"/> Tidewater                       |
| <input type="checkbox"/> Pentagon                        | <b>Minnesota</b>                                      | <input type="checkbox"/> Oregon                                    | <b>Washington*</b>                                       |
| <b>Florida</b>   | <input type="checkbox"/> Minnesota                    | <b>Pennsylvania</b>  | <input type="checkbox"/> At Large                        |
| <input type="checkbox"/> Broward County                  | <b>Mississippi</b>                                    | <input type="checkbox"/> Eastern District of Pennsylvania          | <b>West Virginia*</b>                                    |
| <input type="checkbox"/> Jacksonville                    | <input type="checkbox"/> Mississippi                  | <input type="checkbox"/> Middle District of Pennsylvania           | <input type="checkbox"/> At Large                        |
| <input type="checkbox"/> North Central Florida           | <b>Missouri*</b>                                      | <input type="checkbox"/> Western District of Pennsylvania          | <b>Wisconsin*</b>  |
| <input type="checkbox"/> Orlando                         | <input type="checkbox"/> At Large                     | <b>Puerto Rico</b>   | <input type="checkbox"/> At Large                        |
| <input type="checkbox"/> Palm Beach County               | <b>Montana</b>  | <input type="checkbox"/> Hon. Raymond L. Acosta/Puerto Rico-\$10   | <b>Wyoming</b>   |
| <input type="checkbox"/> South Florida                   | <input type="checkbox"/> Montana                      | <b>Rhode Island</b>  | <input type="checkbox"/> Wyoming                         |
| <input type="checkbox"/> Southwest Florida               | <b>Nebraska*</b>                                      | <input type="checkbox"/> Rhode Island                              |  |
| <input type="checkbox"/> Tallahassee-\$25                | <input type="checkbox"/> At Large                     |  |  |
| <input type="checkbox"/> Tampa Bay                       | <b>New Hampshire*</b>                                 |  |  |
|  | <input type="checkbox"/> At Large                     |  |  |

Chapter Total: \$ \_\_\_\_\_

## Payment Information and Authorization Statement

#### TOTAL DUES TO BE CHARGED:

(membership, section/division, and chapter dues): \$ \_\_\_\_\_

Check enclosed, payable to Federal Bar Association  
Credit:  American Express  MasterCard  Visa

Name on card (please print)

Card No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

By signing this application, I hereby apply for membership in the Federal Bar Association and agree to conform to its Constitution and Bylaws and to the rules and regulations prescribed by its Board of Directors. I declare that the information contained herein is true and complete. I understand that any false statements made on this application will lead to rejection of my application and/or the immediate termination of my membership. I also understand that by providing my fax number and e-mail address, I hereby consent to receive faxes and e-mail messages sent by or on behalf of the Federal Bar Association, the Foundation of the Federal Bar Association, and the Federal Bar Building Corporation.

Signature of Applicant \_\_\_\_\_

Date \_\_\_\_\_

(Signature must be included for membership to be activated)

\*Contributions and dues to the FBA may be deductible by members under provisions of the IRS Code, such as an ordinary and necessary business expense, except 4.5% which is used for congressional lobbying and is not deductible. Your FBA dues include \$14 for a yearly subscription to the FBA's professional magazine.