Justice Thomas began his remarks by noting that he had just returned from a trip to Savannah in his 40-foot recreational vehicle. He and his wife have traveled all over the country in their RV and enjoy the time on the open road. Justice Thomas noted that it is not often that he is recognized and he enjoys the anonymity. However, he did share some amusing anecdotes with the Chapter about people remarking that he looks “just like Clarence Thomas” or a fellow customer at a gas station looking inside the RV and telling him, “Whoever you’re transporting in there, must be really important!”

On May 26, 2015, the Capitol Hill Chapter hosted its 40th annual Supreme Court luncheon in the magnificent West Conference Room of the Court. This year’s luncheon featured Justice Clarence Thomas and was again a sell-out event.

Chapter President Jeff McDermott welcomed Justice Thomas and noted that this was the third luncheon at which he had spoken. Justice Thomas also spoke at the Chapter’s 1995 and 2005 luncheons. McDermott noted that Justice Thomas is a great friend to the Federal Bar Association (FBA), serving as an honorary life fellow of the Foundation of the FBA and having spoken to numerous sections and chapters.

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Justice Thomas has visited the majority of states in his RV and discussed how the trips give him the opportunity to interact with ordinary people all across the country. He noted that while many people do not closely follow the decisions of the Supreme Court, the Court’s actions do affect all Americans and he tries to remember the people he meets when deciding cases. He also cherishes the road trips because it gives him a chance to experience life outside of the Beltway.

After his remarks, Justice Thomas took questions from attendees that ranged from civility in public life to his first years on the Court to the importance of the First Amendment. McDermott thanked Justice Thomas and presented him with a small token of gratitude: a porcelain box illustrated with one of the frescos from the Senate chamber created by Constantino Brumidi (often referred to as “the Michelangelo of the Capitol”). After the luncheon, Justice Thomas was very generous with his time and graciously took photos with many of the attendees.
Recently, the Federal Bar Association (FBA) has been rethinking the way it serves its law school members. The FBA now encourages law students to organize an FBA division at their own school. The FBA also encourages its chapters to help develop and support law student divisions.

The Capitol Hill Chapter’s leadership council was recently briefed on these efforts by Bradley Richardson, who has served on the Law Student Task Force for the past three years. He described the work of the task force, such as its guide to starting a law school division, as well as its guide for chapters as to how to support law student divisions.

Chapters can support law student divisions through financial support; law school-related activities; and connections with law student divisions. While some of the suggested activities, such as a speech by a judge or a courthouse tour, are more suited to other chapters, the Capitol Hill Chapter could – and has – adapted some of the suggestions.

For example, our law school career panels have brought a number of our members to local law schools to describe their career paths and their current positions. We have spoken at George Washington University, Georgetown University, American University, George Mason University, American University, and Catholic University. Currently, we are planning a similar panel for law students who are here for the summer as law clerks.

Our Chapter has also forged connections with local law schools by appointing a law student representative to our leadership council. Currently, that position is held by Erik Fossum, a student at Georgetown University Law Center. Last year, Erik helped our Chapter set up a luncheon with the director of Georgetown’s Street Law Project to discuss its important work.

Our Chapter certainly can do more to support law student divisions, and in my remaining months as President, I plan to look for more ways in which we can help support law student members, who truly are the future of the FBA.
On February 13, 2015 the Chapter hosted Michelle Moore, who served as White House Environmental Executive from 2009-2012. Moore currently works with the Council on Competitiveness and the International WELL Building Institute. Her work focuses on sustainability, infrastructure, and environmental issues, which have a meaningful impact on our lives today and the future.

Moore began by describing her upbringing in a Georgia mill town, and the impact it had on her career. Although the town was home to a carpet and tile manufacturer, it also was home to avid hunters and fishers who also cared about preserving the environment. Being from a manufacturing town also later gave Moore credibility with developers, who knew she understood their needs as well.

Moore’s grandparents worked at the mill, which allowed them to put Moore’s parents through college and ultimately led Moore to college herself. After college, Moore joined an ill-fated technology startup. Once it went bust, she found her calling in sustainability. This led her to the United States Green Building Council (USGBC), where she served for seven years. USGBC is best known for developing LEED, which is the most recognizable sign that a building is “green.” The USGBC uses a social enterprise business model to promote environmental design and building concepts across the globe.

From the USGBC, Moore went to the Clinton Foundation and focused on municipal priorities. This ultimately led her to the Obama administration in 2009, where she was named Federal Environmental Executive. Moore discussed three main things that she learned during her time with the administration.

First, it reaffirmed her belief of culture and commerce, which helped her to reach consensus to get something done. Second, she learned of the importance of a commitment to public service. Moore noted that she got a tour of how everything worked before she criticized it, and noted that many government critics could benefit from the same. Third, she learned that sometimes misunderstandings get in the way of progress. She believes that the way to make things work better is to invest in employees to help facilitate the high expectations that come with public service.
Since leaving the administration, Moore has continued her involvement in sustainability projects. She recently has focused on the connection between personal health and wellness and sustainability. This starts with making buildings healthier, which she has helped achieve through the WELL Building Institute. She explained that the keys to healthier design include healthy air, clean water, light, and access to healthy food and fitness options.

Throughout her career, Moore has succeeded by really listening to those she is working with and having critical dialogue about issues. Listening for any points of overlap, even when people disagree generally has allowed her to create opportunities for success. Connecting on a human level has helped her achieve her goals.

Capitol Hill Chapter President Jeff McDermott thanked Michelle Moore for her sharing her interesting career path with the Chapter. McDermott presented Moore with a small token of the Chapter’s gratitude for sharing her time with the Chapter.
The Chapter hosted Pulitzer Prize winning author David K. Shipler at the Library of Congress on March 30, 2015. Shipler is a New York Times veteran and author of many books, including Arab and Jew: Wounded Spirits in a Promised Land, for which he won the Pulitzer Prize. His other books include Russia: Broken Idols, Solemn Dreams; A Country of Strangers: Blacks and Whites in America; and The Working Poor: Invisible in America.

Shipler discussed his latest book, Freedom of Speech: Mightier than the Sword, with the Chapter. The book covers a wide array of free speech issues, including journalists’ confidential sources, money and politics, and theatre censorship. Shipler discussed two topics also covered in the book: (1) parents who try to remove books from public schools, and (2) the cultural limits of bigotry.

Shipler gave a case study of a parental attempt to remove books from a school curriculum that occurred in a Detroit suburb. The controversy stemmed from two books (Waterland by Graham Swift and Beloved by Toni Morrison) in an Advanced Placement English class. A parent complained after seeing a passage in Waterland with some sexual content, and the school superintendent then ordered the books withdrawn from the curriculum.

Ultimately, the controversy made students want to read the books more. As Shipler put it “censorship is the best way to get people to read books.” Shipler noted that those challenging the books usually had not read the books themselves. However, some parents did end up reading the books and had some interesting conversations with their kids as a result.

In this case, Shipler explained that the community rallied around the teacher and eventually a review committee approved the books. Unfortunately, the review process happened too late for Waterland, which was meant as an introduction to post-modern linear structure before the students read Beloved.

Shipler also had first-hand experience with censorship of his book The Working Poor in Dallas. A parent did not want her child to read the book because she claimed it was socialist/Marxist. Shipler pointed out that he specifically recanted socialism and Marxism in his book, and that the alternative book the kids were assigned ended up being more left-leaning than his book. From these experiences, Shipler concluded that freedom of speech is the freedom to listen, and that if you don’t listen to other points of view then your viewpoint is in a vacuum.

Next, Shipler discussed the cultural limits of bigotry, and looked at the different standards of acceptability for individuals who promote racial stereotypes. Shipler explained that racial stereotyping is nuanced and is not easy to separate from other issues. For example, traditional stereotypes for African-Americans include that they are stupid, arrogant, angry/violent, lazy, different, and subhuman. Shipler then applied these stereotypes to critiques of President Obama. Some examples he cited include statements that he uses a teleprompter, he is Muslim, takes too many vacations, is more African than American, and cartoons showing him as an ape.

Shipler ultimately concluded that there are different standards for different people and groups. “High profile” individuals (i.e., radio/TV personalities) are more likely to be able to get away with using racial stereotypes, and may, in fact, profit from doing so. By contrast, “low profile” individuals (i.e., your average office worker) will typically have much worse consequences, such as losing their jobs, if they use any racially charged language.

Capitol Hill Chapter President Jeff McDermott thanked David Shipler for an interesting discussion, as well as Chapter member Mary Levering for setting up the luncheon with her friend Shipler. McDermott then presented Shipler with a small token of the Chapter’s gratitude.
Above: David Shipler and Jeff McDermott

Below: David Stewart speaks to the Chapter
America's founding is filled with giants, both physical and intellectual: Washington the general, Jefferson the philosopher-statesman, Franklin the inventor. The list goes on and on. But one of these giants was, in fact, small. Short, skinny and balding is how author David Stewart describes James Madison in his new book *Madison's Gift; Five Partnerships that Built America*. But don't let his physical stature mislead you, writes Stewart, Madison was at the center of everything important that happened in the early republic for more than three decades.

Stewart brought this story of Madison to the Capitol Hill Chapter on April 22, 2015 at the Thurgood Marshall Building. Although certainly a well known figure in the pantheon of early American leaders, Madison lacked the ego and charisma of many of his contemporaries. Instead, Stewart explains in his book, Madison married his exceptional powers of intellect, analysis and diligence to the more public powers of many of his contemporaries, forming partnerships that helped build America. Stewart's book focuses on five of these.

Although he wouldn't say which of these was the most important, while Washington was "the indispensable man" of the early republic it was Madison he turned to time and again to get things done. Madison made himself the indispensable man's indispensable man.

But there were others as well as Washington. Stewart focuses on four of these: Alexander Hamilton, Thomas Jefferson, James Monroe and Madison's wife Dolly. In Stewart's mind, Dolly was the "partner" most important to Madison's own life and future. Intelligent, clever, vivacious and beautiful, she complimented and compensated for Madison's lack of public qualities. When the British marched on Washington and burned down the White House in the War of 1812, it was Dolly's salvaging of Gilbert Stewart's portrait of the first president that many Americans cheered and remembered. It was Madison's worst day, said Stewart, but Dolly's best.

That was just one of many stories Stewart related from his book during a luncheon that everyone present thoroughly enjoyed. Chapter President Jeff McDermott thanked Stewart for his fifth appearance before the Chapter and noted that he has treated the Capitol Hill Chapter to a preview of every one of his books. McDermott also thanked former Chapter President Paul Vamvas for arranging his friend to speak and presented Stewart with a token of the Chapter's gratitude.
On May 5, 2015 the Chapter visited Ford’s Theatre in downtown Washington and learned about President Lincoln’s final hours through a special exhibition in honor of the 150th anniversary of the assassination. Chapter members were given audio guides and allowed to freely explore the exhibits in Ford’s Theatre (where Lincoln was shot) and across the street at the Peterson House (where Lincoln died).

The museum below Ford’s Theatre begins with President Lincoln’s arrival in Washington in the middle of the night on February 23, 1861. The stealthy arrival was due to credible threats to the President’s life, but Lincoln was criticized and later regretted the covert arrival. The exhibit then takes us through Lincoln’s time in Washington, from his First Inauguration to the formation of his cabinet, to living in the White House, the war effort and emancipation efforts.

A video exhibit describes President Lincoln’s special relationship with Frederick Douglass, the former slave turned abolitionist. Douglass appealed to the President for pay equity for African-American soldiers, who received $7 per day, as opposed to white soldiers who received $13 per day. Douglass also attended the President’s Second Inauguration and was personally greeted by the President at the Second Inaugural Ball.

After the exhibits, visitors proceeded upstairs to the theatre where President Lincoln was shot during the April 14, 1865 performance of *Our American Cousin*. The Presidential Box is intended to look the same as it did in Lincoln’s time, although it is a reproduction (except for the sofa and one parlor chair). During audience laughter, John Wilkes Booth broke into the Presidential Box and shot the President, and then jumped onto the stage and ran out the back door and escaped.

The tour continues across the street to the Peterson House, where President Lincoln died the next morning at 7:22 a.m. Lincoln was laid in the back bedroom, on a bed that was not long enough, so he was laid diagonally. After his death, the nation was in mourning, and the exhibit continues by showing the path of Lincoln’s funeral train to Springfield, Illinois. It also traces Booth’s escape path from Ford’s Theatre to Garrett’s Farm in Virginia, where he was captured and killed on April 26, 1865, thus robbing the nation of the chance to try the President’s murderer. However, several of Booth’s co-conspirators were tried, and some of them given death sentences.

The Peterson House also hosted the special exhibit *Silent Witnesses: Artifacts of the Lincoln Assassination*. In honor of the 150th anniversary, these artifacts were gathered together for the first time since the assassination. The exhibit included the Derringer pistol used by Booth to assassinate Lincoln. Other artifacts included clothing fragments from Lincoln, his wife and their guests, the contents of Lincoln’s pockets, the bunting flag from the Presidential Box, and an original Playbill for *Our American Cousin*.

Before the tour, a group of Chapter members had lunch across the street from Ford’s Theatre at Bistro D’oc and enjoyed some French cuisine. Thanks to Jerry Leverich for organizing an informative look at one of the most sobering moments in American history.
At Left: A Chapter Member learns about a quilt, constructed to raise money for the Sanitary Commission during the Civil War and signed by dignitaries such as President Lincoln, General Ulysses S. Grant and poet Henry Wadsworth Longfellow.

Below: A statue of Lincoln in the Theatre and the Presidential box.
The United States Sentencing Commission (USSC) is an independent agency in the judicial branch. It was created by the Sentencing Reform Act provisions of the Comprehensive Crime Control Act of 1984. The Act charges the USSC with establishing sentencing policies and practices for the federal criminal justice system and developing means of measuring the degree to which sentencing, penal, and correctional practices are effective in meeting the purposes of sentencing established by the Act. Congress passed this legislation after concerns had been raised for several years over the effect that judges’ wide discretion had on the certainty and fairness of sentences.

The sentencing guidelines established by the Commission must incorporate the purposes of sentencing (such as just punishment, deterrence, incapacitation, and rehabilitation), provide certainty and fairness, and reflect, to the extent practicable, advancement in the knowledge of human behavior as it relates to the criminal justice process.

The President, with the advice and consent of the Senate, appoints the seven voting members of the USSC to six-year terms. At least three of the members must be federal judges selected after considering a list of six judges recommended to the President by the Judicial Conference of the United States. The Attorney General, or her designee, is a non-voting member. Currently, the Chair of the Commission is Judge Patti Saris of Massachusetts.

The Commission has approximately 100 employees and is divided into five offices: Office of General Counsel (which provides support to the Commission on a variety of legal issues); Office of Education and Sentencing Practice (responsible for teaching guideline application to judges, probation officers, prosecuting and defense attorneys, and other criminal justice professionals); Office of Research and Data (responsible for providing USSC with statistical and other social science research and analyses on specific sentencing issues and federal crime); Office of Legislative and Public Affairs (which serves as a liaison with Congress and the public); and the Office of Administration (which handles budget and finance, contracting, personnel, and facilities). The Commission staff director supervises and coordinates all agency functions.

One of the most critical initiatives of the USSC is addressing the rising costs of the increasing prison population. The federal prison population has more than tripled since 1991, and drug offenders constitute about a third of the offenders sentenced each year and a majority of offenders in federal prison. As part of this initiative, USSC reexamined the guideline covering federal drug trafficking offenses in 2014 by holding hearings, analyzing data, and eventually revising the sentencing guidelines.

The USSC is a component agency of the Capitol Hill Chapter and is represented by the two council members who represent the national judicial agencies, including the Administrative Office of the United States Courts, the Federal Judicial Center, and the Judicial Panel on Multidistrict Litigation.
Upcoming Events

On July 1 and 2, the Chapter will co-host the Third Annual International Conference on Legislative Drafting and Law Reform at the World Bank. RSVP here.

On July 17, the Chapter will host its annual ethics symposium. Professor Nancy Rapoport will present *How Hollywood Affects Lawyer Behavior: A Presentation on Ethics*, This will examine how the portrayal of lawyers and legal proceedings in television and film affects the ethical behavior of attorneys in practice. This multi-media presentation will examine various ethical situations presented in popular media and will apply the rules of professional conduct to them. RSVP here.

On September 16, the Chapter will host its annual meeting with Judge Robert Katzmann, Chief Judge of the Court of Appeals for the Second Circuit.
Welcome to New Chapter Members!

Christina Fraziero
Chelsea Kirkpatrick
Julia Matta
Darpana Sheth
Derek Trunkey
Edward Whalen
Ana Atta-Alla

Registration is now open for the Third Annual International Conference on Legislative Drafting and Law Reform July 1 and 2 at the World Bank.

Sessions include:
- Changes in Legislative Drafting and Procedure in the U.S. Congress
- Drafting Criminal Laws
- Drafting an Islamic Criminal Code: Freedom to Invent New Forms
- Drafting Multinational Environmental Laws
- Drafting International Public Law through the United Nations

Register [here](#)!
OFFICERS AND COUNCIL MEMBERS

Officers:

JEFF MCDERMOTT
President
mcdermottjd@state.gov

GEOFF CHESHIRE
President-Elect
Geoff_Cheshire@ao.uscourts.gov

MEG WILLIAMS
Treasurer
mwil@loc.gov

BRYNN ROVITO
Secretary
rovitob@gao.gov

Immediate Past President
AMY R. BOWSER
bowsera@gao.gov

Council Members:

House of Representatives
KIMBERLY URBANCHUK
kimberly.urbanchuk@mail.house.gov

EMILY TUCK
Emily.Tuck@mail.house.gov

Senate
TERENCE LILEY
terence_liley@saa.senate.gov

VACANT

Government Accountability Office
ASHLEY ALLEY
alleya@gao.gov

HANNAH LAUFE
laufeh@gao.gov

Library of Congress
LIZANNE KELLEY
lkelley@crs.loc.gov

EMMET DEVINE
edev@loc.gov

Supreme Court/CoFC/DC Circuit
CYNTHIA RAPP
crapp@supremecourt.gov

MELISSA AUBIN
maubin@supremecourt.gov

GPO/CBO/USCP/AoC
MELISSA PACHIKARA
mpachikara@gpo.gov

KERRY MILLER
kmiller@gpo.gov

National Judicial Offices
STEPHANIE HEMMERT
shemmert@fjc.gov

GLORIA MALKIN
Gloria_Malkin@ao.uscourts.gov

At-Large
EPIN CHRISTENSEN
ecchristensen@oig.si.edu

MARY LEVERING
marylevering66@gmail.com

Young Lawyers Representative
KELLY LUX
kelly.m.lux@gmail.com

Law Student Representative
ERIK FOSSUM
EFossum@supremecourt.gov

Membership Chair
BRAD RICHARDSON
brad.richardson@armfor.uscourts.gov

Program Committee Chair
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JERRY LEVERICH
LeverichG@gao.gov

Professional Development Chair
MARYANN GRODIN
Maryann.Grodin@nrc.gov

Communications Committee Chair
NICOLE KOLINSKI
nkolinsk@aoc.gov

Former Presidents
ELIZABETH PUGH (2012-13)
epug@loc.gov

MATTHEW McGHIE (2011-12)
matt_mcghie@slc.senate.gov

J. ANTHONY OGDEN (2010-11)
tony.ogden@frb.gov

TERRY J. HALSTEAD (2009-10)
thalstead@crs.loc.gov

PAUL VAMVAS (2008-09)
pvamvas@fjc.gov

ADAM BRAMWELL (2007-08)
Adam_Bramwell@sec.senate.gov

SUSAN SAWTELLE (2006-07)
SawtelleS@gao.gov

WARREN BURKE (2005-06)
Warren.Burke@mail.house.gov

CRAIG WINSLOW (1995-97)
winslowc@gao.gov
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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

Address

Firm/Company/Agency Number of Attorneys

Address Suite/Floor

City State Zip Country

(       ) Phone Email Address

Bar Admission and Law School Information (required)

U.S.

Court of Record: ____________________________

State/District: ______________ Original Admission: / /

Tribal

Court of Record: ____________________________

State: ______________ Original Admission: / /

Foreign

Court/Tribunal of Record: ____________________________

Country: ____________________________ Original Admission: / /

Students

Law School: ____________________________

State/District: ______________ Expected Graduation: / /

Authorization Statement

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 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

(Application continued on the back)

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 percent 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.
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 percent discount on the registration fees for all national meetings and national CLE events. They are also eligible to receive one free CLE webinar per year.

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Open to anyone 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.

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Admitted to practice law outside the U.S. .................................................................$210

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One year only option ...............................................................................................$20

All first, second and third year student memberships include an additional free year of membership starting from your date of graduation.

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✓ Civil Rights Law.......................................$10  ✓ Securities Law Section...........................$10
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✓ Federal Litigation....................................$20  ✓ Taxation...............................................$15
✓ Government Contracts............................$20  ✓ Transportation and Transportation Security Law $20
✓ Health Law..............................................$15  ✓ Veterans and Military Law.....................$20
✓ Immigration Law.................................$10  ✓ Career Divisions

✓ Corporate & Association Counsel (in-house counsel and/or corporate law practice) .........................................................$20
✓ Federal Career Service (past/present employee of federal government) ...........N/C
✓ Judiciary (past/present member or staff of a judiciary) ...........................................N/C
✓ Senior Lawyers* (age 55 or over) .......................................................$10
✓ Younger Lawyers* (age 36 or younger or admitted less than 3 years) .............N/C
✓ Law Student Division ....................................................................................N/C

*For eligibility, date of birth must be provided.

Sections and Divisions Total: __________

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

Chapter Total: __________

Payment Information
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(membership, section/division, and chapter dues): $_________

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Signature  Date