



Federal Bar Association

Idaho Chapter

Sidebar

EXECUTIVE BOARD

Alyson Foster, President

Susie Headlee, Executive Director

Zach Zollinger, President Elect

Dan Williams, Vice-President

Jaren Wieland, Secretary

Edward Dindinger, Treasurer

Rafael Gonzalez, National Delegate

Wendy Olson, Immediate Past President

A MESSAGE FROM ALYSON FOSTER, CHAPTER PRESIDENT

JANUARY 2021



I am honored to serve as the president of this chapter in the 2020-2021 session. The mission and function of this chapter have been superbly developed in sixteen years of past presidents and boards. Our immediate Past President Wendy Olson, Vice President Dan Williams, and Executive Director Susie Headlee masterfully steered the ship throughout a pandemic and made sure that, even through masks and video-conferencing, we could provide high quality opportunities and connections to support our members and judiciary. I am grateful for the opportunity to continue their great work.

I have four goals for this session. First, we want to deliver value and support to our members. The pandemic has

changed our way of working to a more virtual, remote environment. It is harder to connect, but never more important to do so. We will be developing a website and communication system so we can continue to provide high quality opportunities and connection to our members.

Second, we will continue to work with other Idaho professional lawyer associations to seek appointment of a third federal judge. The population of Idaho continues to grow, and our federal docket has outpaced other states exponentially. The need for a third judge is urgent.

Third, we will be working with the Utah and Wyoming chapters to provide a virtual tri-state seminar in March 2021. This is a wonderful development, as we were uncertain whether the Tri-State could go forward this year. This is a great tradition to uphold and a great opportunity to continue our relationships with our mountain state cohorts.

Finally, the Idaho Chapter has the

unenviable task of replacing the irreplaceable. Our Executive Director, Susie Headlee, after sixteen years of volunteer service, will step down from the position at the end of the 2020-2021 term. Susie has been central to serving our chapter in every aspect of its mission: supporting our members and the judiciary; coordinating opportunities with our sister chapters in Wyoming and Utah; incepting service events for the greater community; supporting liaison efforts with the national FBA and our elected governmental representatives; and supporting law students with interest in working within the federal court system.

Susie is hardworking, dedicated, persuasive, and above all, kind. Even the most senior judges in the country know Susie and find it difficult to say no to her. We will miss her greatly.

As we move into a new year together, let us take to heart Susie's friendship and support and treat each other with grace and kindness. I look forward to working with you to make this a great year for our federal courts and practice.

IDAHO CHAPTER'S NEWLY-ELECTED BOARD

Alyson Foster, President, (photo on pg. 1), graduated from the University of Michigan Law School in 2000 and served as a judicial clerk to Ninth Circuit Judge Sidney R. Thomas. She is a partner at Dempsey Foster, PLLC, where she practices in the areas of commercial disputes, nonprofit governance, risk management, and general counseling.

Zach Zollinger, President Elect, graduated from the University of Michigan Law School in 2013.



Originally from Pocatello, he is currently an associate at Holland & Hart, LLP. His practice focuses on commercial litigation, construction law, and fiduciary duty cases. He enjoys working collaboratively with clients in resolving commercial disputes before and during litigation.

Dan Williams, Vice-President. He graduated from Yale in 1984 and from Michigan Law School in 1988.



He is a partner at Jones Williams Fuhrman Gourley, PA. Dan has extensive litigation experience and practices in a broad array of legal disputes including business, banking, employment, class action, insurance and personal injury suits. He has been an Idaho Chapter FBA member since its inception.

Jaren Wieland, Secretary. She graduated from the University of Iowa College of Law in 2009. She is a partner at



Mooney Wieland PLLC where she represents sophisticated corporate and professional clients in both litigation and transactional matters.

Edward Dindinger

Treasurer, is a graduate of the University of Idaho College of Law (2014). He is a partner at Dindinger & Kohler, PLLC.



He serves as a partner, Director of Legislative and Regulatory Affairs, and General Counsel for Statecraft Consulting, LLC. He also holds an Idaho insurance license.

His family has been in Idaho more than 140 years, arriving as pioneers in the Bear Lake Valley in the 1870s.

Rafael Gonzalez, National Delegate.

He serves as First Assistant, United States Attorney, a position he has held since 2010. Previously, he served as chief of the office's criminal division. He joined the office in 1995, after serving as an Assistant U.S. Attorney in the Eastern District of Michigan, an office he joined from the Wayne County Prosecuting Attorney's Office in Detroit, Michigan.



Mr. Gonzalez currently sits as an executive board member on the Oregon-Idaho HIDTA; a committee member on the Ninth Circuit's Jury Trial Improvement Committee. He is a senior evaluator with the Executive Office of U.S. Attorney's Evaluation and Review Staff and has previously served in that office's Criminal Chiefs' Working Group.

Mr. Gonzalez is a graduate of James Madison College at Michigan State University and the Wayne State University School of Law.

GOVERNMENT RELATIONS

Article III Judicial Vacancies and Confirmations
by Bruce Moyer,
FBA Counsel for
Government
Relations



The Electoral College met on Monday, December

14, 2020, as the Electors voted in their respective states. The Congressional Research Service described it:

Electoral college delegations meet separately in their respective states and the District of Columbia at places designated by their state legislature. The electors vote by paper ballot, casting one ballot for president and one for vice president. The electors count the results and then sign six certificates, each of which contains two lists, one of which includes the electoral votes for the President, the other, electoral votes for the vice president, each of which includes the names of persons receiving votes and the number of votes cast for them. These are known as Certificates of the Vote, which the electors are required to sign. They then pair the six Certificates of Ascertainment provided by the state governors with the Certificates of the Vote, and sign, seal, and certify them. . . . The six certificates are then distributed by registered mail as follows: (1) one certificate to the president of the U.S. Senate (the Vice President); (2) two certificates to the secretary of state (or equivalent officer) of the state in which the electors met; (3) two certificates to the Archivist; and (4)

one certificate to the judge of the U.S. district court of the district in which the electors met.

Once the Electoral College vote occurs on December 14, each state will send the elector’s certificates of vote to the President of the Senate and the Archivist by December 23. Then on January 6, the Congress will meet in joint session to count the electoral votes. The Vice President, as President of the Senate, will preside over the count and declare the persons elected President and Vice President of the United States.

However, Federal law gives lawmakers the power to challenge those results, under an obscure 1887 law called the Electoral Count Act, involving written objections by at least one House member and one Senator which then require the House and Senate to withdraw to their respective chambers to consider the merits of the objection(s). Several House Republican lawmakers indicated they were considering this option, depending on how Trump’s legal challenges and recount efforts played out. A chairman from the Republican Senate intended to hold a hearing on irregularities in the 2020 election in mid-December. In January 2017, a handful of House Democrats took this same procedural step before their efforts failed during a joint session of Congress presided over by then outgoing vice president Biden.

New Judicial Nominations.

There are currently 51 Article III vacancies, with 28 nominees pending, including two appellate court and 25 district court nominees. The Senate has continued to confirm judges throughout the lame duck session, contrary to historic practice. The post-election confirmation of Article III judges by a president whose party lost the White House hasn’t happened since the election of 1896 when the

Senate continued to confirm Grover Cleveland’s nominees after William McKinley was elected.

Thus far in December, two district nominees and two Claims Court nominees have been confirmed, with more expected. Twenty-three district seats remain vacant without nominees. Nearly all are associated with judicial districts located in states with at least one Democratic home state senator.

FEDERAL JUDICIAL VACANCIES as December 14, 2020		
Jurisdiction	Vacancy	Nominees Pending
Supreme Court	0	0
Courts of Appeal	3	2
District Courts	47	25
U.S. Court of Intern’l Trade	1	1
Totals	51	28

RETIREMENT OF NINTH CIRCUIT JUDGE STEPHEN S. TROTT

U.S. Court of Appeals Judge Stephen Trott recently announced his retirement. In celebration of his December birthday, his staff celebrated by having him served with an arrest warrant by the U.S. Federal Marshal for “Impersonating Youth.” Judge Candy Wagahoff Dale from the U.S. District Court arraigned him on the charges in open court.

On Friday, December 18, 2020, a virtual retirement celebration was hosted by Toni Smith, his office administrator. All of his former staff

and law clerks (except two), attended and those who could not, provided a short videoclip about their experience in his chambers.



FEDERAL BAR ANNOUNCEMENTS

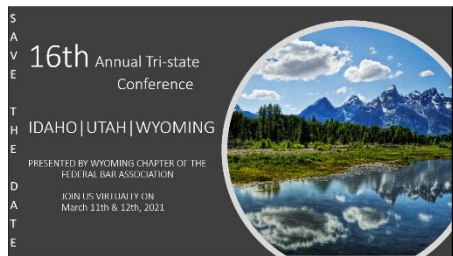
The U.S. District Court for the District of Idaho maintains current information about rule amendments and other court news at <https://www.id.uscourts.gov/clerks/Welcome.cfm>. Please note the court upgrades to NextGen CM/ECF in March 2021.

On December 1, 2020, the Ninth Circuit adopted revisions to its Circuit Rules. https://www.ca9.uscourts.gov/content/view.php?pk_id=0000000682.

Chief Justice Roberts issued the 2020 Year-End Report on the Federal Judiciary describing the judiciary’s responsive measures to the pandemic and the workload of the courts. <https://www.supremecourt.gov/publicinfo/year-end/2020year-endreport.pdf>.

SAVE THE DATE FOR THE VIRTUAL TRI-STATE CONFERENCE

The Wyoming Chapter of the Federal Bar Association announced its intent to host a virtual Tri-State. Please mark your calendars for the mornings of March 11 and 12, 2021. Please contact Alyson Foster, Chapter President if you have questions.



COMMUNITY SERVICE PROJECT: The Toy Brigade

Our annual community service project was held this past December with the Boise Firefighters



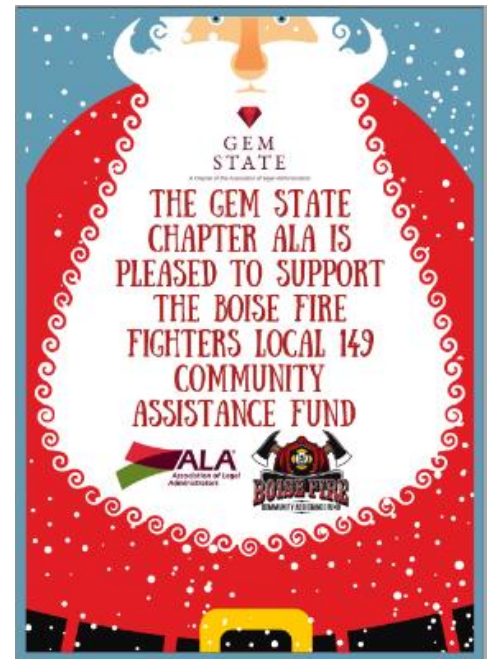
Ladder #149, the Gem State Chapter of the Association of Legal Administrators with the Boise Rescue Mission, who provided a list of the children's clothing size and "wish list" for Santa.

Our local FBA members along with attorneys and other local organizations provided toys, books and clothing for all 56 children! We would like to thank the following for their contributions and hard work:

Idaho Chapter, FBA
Association of Legal Administrators (ALA)
Elam Burke
Dempsey Foster

Duke Evett
Hidden Springs Planned Community
Manweiler Breen Ball & Davis
Parsons Behle & Latimer
St. Mary's Catholic School
Tina Richards, Real Estate

Andrew and Chana Alder
Kimberly Aulenbacher
Kendra Ankrum
Professor Katie Ball
Savanah Beck
Brook and Kim Bond
Bob and Jacque Burns
Merlyn Clark
Stacey Coleman
Kimberly Coffman
Christopher Cuneo
Jake Davis
Yvonne Dunbar
Michael Elia & Merritt Dublin
April Eggers
Chantel Elkins
Janelle Finfrock
Kolee Galeazzi (Kolee's Salon)
Rafael Gonzalez
Brady and Julianne Hall
Nicole and Jon Hancock
Susie and Paul Headlee
Judge Noah Hillen
Alexandra Hodson
Angie Hough
Jason and Nicole Mau
James and Sandra Meaders
Kristin Middleton
Christina Morrow
Nicole O'Toole
Julie O'Tyson
Cathy Pontak
Sanja Prutina
John and Enid Runft
Christine Salmi
Norm and Svetlana Semanko
Julie Shipley
Fred and Wendy Shoemaker
Slake Sokol
Patricia Trunnell
Brenda Veloz
Jennifer Welborn



SUSIE HEADLEE RETIRES FROM IDAHO CHAPTER OF FBA

Susie Headlee, longtime Executive Director of the Idaho Chapter of the FBA, will step down from that position in October 2021.

Susie has served the federal judiciary, including our Idaho chapter, for over 35 years. She has worked tirelessly as a volunteer director for this chapter, and provided this chapter with invaluable service, support, and kindness.

Susie will continue to serve as the Office Administrator of Parsons Behle & Latimer in Boise, Idaho.



2021 Idaho Chapter, FBA Members

Alyson Acheson	David James Cummings	Jack Gjording
Greg Adams	Christopher Cuneo	Amber Goeden
Andrew Alder	Hon. Candy Wagahoff Dale	Rafael Gonzalez
Tyler Anderson	James C. Dale	John Goodell
Maria Andrade	Bart M. Davis	Wendy Gordon, Student Member
Sam Angell	Jennifer Dempsey	Alexandra Grande
Kendra Ankrum	Edward W. Dindinger	Monte C. Gray
Payden Henry Ard	Teague Donahey	Daniel Green
C. Tom Arkoosh	William Dryden	Richard “Dick” Greener
Darrel R. Aubrey, Student Chapter	Keely Duke	Kevin Griffiths
William F. Bacon	Yvonne Dunbar	Rebecca Gullett
Brenda Bauges	Kassadie Dunham	Blake Hall
Sara Berry	Wendy Earle	Brady Hall
Erika Birch	Dylan Eaton	Nicole Hancock
Walter H. Bithell	Michael Elia	Christina Hardesty
Kacie Bitzenburg, Student Member	Hailee Elledge, Student Member	Syrena Hargrove
Katherine Bolton	Jamie Ellsworth	Dillon Haws, Student Member
Brook B. Bond	Ford Elsaesser	Susie Headlee, Honorary Member
Joseph Borton	Christine Gealy England	Richard Hearn
Serena Buchert	John Epperson, Student Member	Kara Heikkila
Bennett Briggs	Ritchie Eppink	Dana Herberholz
Garrett Brown, Student Member	Peter Erbland	Hon. Noah Hillen
Grant Burgoyne	Thomas Everson	Ernest Hoidal
John Burke	Joshua Evett	Kate Horwitz
Hon. Ronald E. Bush	Robert Faucher	Regina Hovet
DeAnne Casperson	Spencer Felton, Student Member	Loren Ipsen
Bruce Castleton	Olivia Nicole Ford, Student Member	Bryce Jensen
Colt Catlin	Alyson Foster	Andrew J. Johnson, Student Member
Craig Christensen	Trudy Hanson Fouser	Samuel W. Johnson, Student Member
Matthew Christensen	Steven Arthur Friskel, Student Member	Hon. Jim Jones (ret.)
Merlyn Clark	William Fuhrman	Julie Kane
Kyle Cole	Jennifer Brynn Fuhs	Stephen Kenyon, Clerk of Court
Aspen Compton-Hoyle, Student Member	Jaclyn Gans	Ron Kerl
Gary Cooper	Patrick Geile	Gwen King, Student Member
		Larsen T.J. Kohler

Steve Kraft	Andrew Rawlings	Jaren Wieland
Debora Kristensen Grasham	Morgan Reese, Student Member	Daniel Williams
Tamsen Leachman	David Risley	Max Williams, Student Member
April Linscott	Kyle Rozanski, Student Member	Hon. Mikel H. Williams
Jeremy Litster	James Ruchti	Jeffrey Wilson
David Lombardi	John Runft	Hon. B. Lynn Winmill
Amy Lombardo	Christine Salmi	Peter Wucetich, II
Laird Lucas	Kevin Scanlan	John N. Zarian
Erika Malmen	Alan Schroeder	Zach Zollinger
Tara Martens Miller	Benjamin Schwartzman	
James Martin	Stephanie Michelle Scull, Student Member	
Jason Mau	Sydney Sears, Student Member	
Hailey McClung, Student Member	Norman Semanko	
Kelly McConnell	Jeff Severson, Chief Deputy Clerk	
Courtney McQuain, Student Member	Cathy Silak	
Hon. Joseph M. Meier	Hon. N. Randy Smith	
Whitney Mestelle, Student Member	Scott Smith	
Allan Moriarty, Student Member	William Lloyd Smith	
Tishra Murray, Student Member	Slade Sokol	
Hon. Terry L. Myers	Newal Squyres	
Hon. Ryan D. Nelson	Craig Stacey	
Bryan Nickels	Sarah St. John, Student Member	
Sonyalee Nutsch	Jordan Stott	
Hon. David C. Nye	Danielle Strollo, Student Member	
John Oborn	Jennifer Tengono, Student Member	
Wendy Olson	Stephen R. Thomas	
Tori Osler	Christopher Thompson, Student Member	
Nicole O'Toole, Student Member	Lauri Thompson	
Jennifer Shearer Palmer	Aubrey Thorne, Student Member	
Hon. Jim D. Pappas	Greg Tollefson	
Raymond Patricco	Dawn E. Trivolis, Student Member	
Grant Michael Patton, Student Member	Amanda Ulrich	
Eric Pedersen, Student Member	Matthew Walters	
Angie Perkins	Elijah Watkins	
James Piotrowski	Larry Westberg	
Michelle Points	Robert White	
Larry Prince	Brandelle Whitworth	
Sanja Prutina		