



Federal Bar Association

Massachusetts Chapter

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Newsletter

Harrison Kaplan, Editor

SPRING 2018

President's Column

By Harvey Weiner



I have just returned from National's Mid-Year meeting and want to use this space to emphasize that the Federal Bar Association is a vibrant national organization and that our Chapter is one of many, although one of the very best. The Federal Bar Association is the primary voluntary professional organization for private and government lawyers and federal judges in the United States. It has 19,367 members, including among its

members 1,500 federal judges and 2,677 law students. Its mission is to strengthen the federal legal system and administration of justice by serving the interests and needs of federal practitioners, both public and private, the federal judiciary and the public they serve.

The FBA is one of the fastest growing, if not the fastest growing, bar associations in the U.S. It had an increase of 1,101 professional members last year. Contrast that with the ABA, which forty years ago, had a membership of 50% of the nation's lawyers. Now, it has a 22% market share.

The FBA monitors and often advocates on federal issues and provides opportunities for judges and attorneys to interact, both professionally and socially. It specifically advocates for the federal judiciary, one of the few organizations, if not the only one, to do so formally. Each year, after study and investigation and after consultation with the Federal Judges Association, it formulates multiple policy positions. Last year, for example, one of its policy positions was to oppose the splitting up of the Ninth Circuit Court of Appeals. This year, among its policy positions, is the establishment of an Article I Immigration Court in lieu of it being an administrative court as part of the Department of Justice.

The FBA's National Counsel of Government Relations, Bruce Moyer, is well known and highly thought of on Capitol Hill. Each

year, the FBA has a Capitol Hill Day and the president-elect of each Chapter meets individually with his or her state's Representatives and Senators or their senior staff to advocate these policies. Last year, I, as this Chapter's president-elect, met individually with senior staff members of both Massachusetts Senators and of four Congresspersons. President-elect Jonathan Handler was on the Hill in late April, advocating for the judicial branch, based on this year's FBA policies, which were formalized at the FBA's mid-year meeting in March.

National also initiates programs. Our Chapter's successful "Wills for Veterans Day" last November was a National initiative. It provides funds for certain Chapter activities and has seminars on various subjects. It publishes monthly "The Federal Lawyer" and sends weekly emails covering federal issues. It has a mid-year and an annual meeting, which provide information and allows attendees to network and swap information and ideas.

Members of our Chapter are active at the National level. Past Chapter president Matthew Moschella is the present Vice President for the First Circuit and Chair of the Sections and Divisions Council on the FBA Board of Directors. Western Massachusetts Chapter Delegate Nathan Olin is a member of the Sections and Divisions Council. Immediate Chapter President Scott Lopez is a candidate to replace Matt as the Vice President of the First Circuit. Board member Robert Sinsheimer is very active in the Civil Rights Section. A few years ago, past Chapter president Christopher Sullivan won a National President's award for his efforts in organizing the New Hampshire and Maine Chapters.

And finally, National passes out many awards, many of which our Chapter has won in recent years.



THE MASSACHUSETTS CHAPTER OF THE
FEDERAL BAR ASSOCIATION

Cordially invites you to attend its

Annual Federal Judicial Reception

June 12, 2018

6:00 pm - 9:00 pm

Boston Harbor Hotel

Wharf Room, 70 Rowes Wharf

Boston, Massachusetts 02110

The Massachusetts Chapter will proudly recognize:

THE HONORABLE TIMOTHY S. HILLMAN

For his Dedicated Service to the Judiciary,
the Bar, and the Community that the Court serves

To reserve tickets, please contact:

Debora Corbett

Brody Hardoon Perkins & Kesten, LLP

699 Boylston Street, Boston, MA 02116

617-880-7134 * dcorbett@bhpklaw.com

\$90 - individual tickets (FBA members)

\$125 - individual tickets (non-FBA members)

\$ 875 Firm Sponsors

(10 tickets and FBA recognition of sponsorship at event)

Please make checks payable to: **FBA Mass. Chapter**

Your firm is invited to sponsor this event. Please inform Debora Corbett no later than May 29, 2018, if your firm will be a sponsor.

2018 Bench-Bar Discussion

By Cortney Godin, Peabody & Arnold LLP

On April 4, 2018, the Massachusetts Chapter of the Federal Bar Association in partnership with the Boston Bar Association hosted the Federal Bench-Bar Discussion. The discussion involved two interactive panels comprised of current Massachusetts U.S. District and U.S. Magistrate judges. The Judges provided valuable insight and advice on a range of contemporary issues in federal and criminal practice including, “C” pleas, sentencing recommendations, juror feedback, electronic discovery and proportionality as it relates to discovery in civil cases. The Chapter appreciates the Judges’ participation in this event and the candid observations and guidance that they were able to provide to practitioners.



The Ginny Hurley Memorial Scholarship

Ginny Hurley joined the Clerk’s Office of the United States District Court, District of Massachusetts in 1976 as a Deputy Clerk. Through the years her responsibilities grew and she touched the lives of virtually every member of the Court family. From 2003 until her passing, Ginny was responsible for organizing all of the educational programs at the Court for the bench, bar and public. Her title of “Outreach Coordinator” reflected the fact that she was the face of the court, welcoming all who came to take part in the judicial system, including dignitaries from around the world, international and national press, and students from down the street, all with grace and a smile. Ginny was a good friend, teacher and mentor. She was a quick wit, and had the ability to make people laugh.

Ginny derived great satisfaction coordinating the Court’s summer programs for high school and college students – the Lindsay and Nelson Fellowship programs. She helped nurture and train the next generation to appreciate and participate in the legal progress. In memory of her tremendous work for these students,

the Massachusetts Chapter of the Federal Bar Association has established the Ginny Hurley Memorial Scholarship. This scholarship, for books or tuition expenses, will be awarded annually to all graduating Lindsay and Nelson Fellows.

The Lindsay Fellowship

Every year, the Court selects approximately six Lindsay Fellows for a program that lasts approximately nine weeks. Fellows are college upperclassmen with an interest in a legal career. Each Fellow is assigned to a judge during the first month of the program. During that first month, the Fellows also attend an intensive program on legal research and writing with a qualified instructor. Each Fellow is assigned to either the United States Attorney’s Office, Federal Defender Office or the United States Probation Office during the second month of the program. Prior to graduation, the Fellows return to the district court to compete in a moot court program before a federal judge.

<http://www.mad.uscourts.gov/outreach/lindsay.htm>

The Nelson Fellowship

Every year, the Court selects approximately twelve Nelson Fellows. Fellows are high school students who are encouraged to attend college. Each Fellow is assigned to a judge and works in that judge’s chambers. The Nelson Fellows attend trials and other court proceedings with their assigned judge and assist in office operations and court management. The Fellows take part in structured classes in subject areas such as civil rights and public speaking. During this intensive summer program, students meet community leaders, visit local colleges, and are introduced to organizations that facilitate the college application process. The final and most exciting event is the mock trial before a federal judge.

<http://www.mad.uscourts.gov/outreach/nelson.htm>

Donations are welcome. Checks should be made out to **Federal Bar Association – Massachusetts Chapter.**

Please include a note designating the funds for Ginny Hurley Memorial Scholarship.

Donations should be sent to FBA Treasurer Erika P. Reis c/o City of Boston Law Department, One City Hall Plaza, Room 615, Boston, MA 02210.

Committee Corner

The Massachusetts Chapter of the FBA has a “committee” structure that follows the national “section and division” framework. This means that your FBA membership goes even further. Not only do you have access to all of the national and local publications and programs, you also can link into Massachusetts-only events and connect with other nearby members who share common, practice-specific interests. Some of those events are highlighted elsewhere in this newsletter.

Currently, the following individuals are the chapter’s committee liaisons and chairs. Many of these folks have dedicated significant hours to advance the Massachusetts chapter and they are due deep thanks. For more information, please link on the “Officer” tab of the FBA Massachusetts website. If you are interested in leadership opportunities for one of the committees, please contact the coordinator of committees identified below.

Coordinator of Committees

Nathan A. Olin

Bankruptcy Committee

Nathaniel Koslof (chair)
Andrea O’Connor (board liaison)

Civil Rights Committee

Karen Blum (chair)
Rob Sinsheimer (board liaison)

Criminal Law Committee

Leonardo Angiulo (chair)
Brian Murphy (board liaison)

Diversity Committee

Rona Yang (chair)

Employment Law, Social Security and Disability Law Committee

Francesco DeLuca and Mala Rafik (chairs)
Patrick Curran (board liaison)

Environmental Law Committee

Dylan Sanders (chair)
Peter Netburn (board liaison)

Health Law Committee

Michelle Peirce and David Chorney (chairs)
Nathan Olin (board liaison)

Immigration Law Committee

Matthew Maiona (chair)
Sara Ward (board liaison)

Intellectual Property Committee

Arthur Shum (chair)

International Law Committee

Christopher Hart and Thomas Ayres (chairs)
TBD (board liaison)

Philanthropy Committee

Amy Bratskeir (board liaison)

Veterans Committee

James N. Downey (chair)
Harvey Weiner (board liaison)

Lunch and Conversation

On March 13, 2018, The Massachusetts Chapter of the Federal Bar Association hosted a lunch and conversation with the U.S. District Court Judge Timothy Hillman. It was an engaging and interesting hour of conversation covering a wide array of topics of interest to those practicing in the federal court. The Chapter appreciates Judge Hillman’s willingness to share his thoughts and experiences and thanks to Angiulo Law for generosity in providing lunch.



From L to R: Leonard Angiulo; Robert Farrell (Clerk of Court); U.S. District Court Judge Timothy Hillman; Brian Murphy

Government Relations Update

By Nathan A. Olin – National Council Delegate, Massachusetts Chapter

On March 23-24, 2018, President Harvey Weiner and I attended the mid-year meeting in Washington, D.C. The business session included spirited debate about the growth and autonomy of the organization's burgeoning law student divisions, as well as presentations about the flourishing work of both the FBA Foundation and various civics initiatives taking place across the country. The Massachusetts chapter was specifically recognized for our "Super Idea" of enhancing relations between our local chapter, the U.S. Attorney's office, and the Federal Public Defender's office, as exemplified by the February reception we held for the new U.S. attorney and federal public defender at the Moakley courthouse.

Meanwhile, in breakout sessions, Harvey met with other chapter presidents to share ideas, while I had the pleasure of continuing my role on the Sections and Divisions council, liaising with five national sections (banking, civil rights, LGBT and criminal law) as well as the law student division. I will continue my work on the council as a representative to the special diversity task force which will make a special presentation about how the FBA can continue to reflect the diversity of the federal bar at the September annual meeting in New York City. Perhaps of greatest interest, our chapter's very own immediate past-president, Scott Lopez, has been nominated to serve as Vice-President for the First Circuit. Congratulations, Scott.

In other national news, the Government Relations Committee has begun to monitor and report on the work of the Judicial Conference of the United States' Standing Committee on Rules of Practice and Procedure. FBA member Ben Robinson is serving as the FBA's observer to the quarterly meetings of the Standing Committee and reporting back to the GRC and the Federal Litigation Section. This initiative, now in its first stages, will represent a key way to keep Federal Bar members informed of potential and pending Federal rules changes.

Finally, we are excited that our president-elect, Jonathan Handler, and vice president, Juliet Davison, will be representing Massachusetts at the Leadership Training in Arlington, Virginia in late April of 2018. This is one of the FBA's most successful national events and is held in conjunction with Capitol Hill Day, when chapter leaders have the chance to meet with their congressional representatives and lobby on behalf of our great organization.



FBA-MA President Harvey Weiner and FBA-MA Board Member Nathan Olin at the FBA Mid-Year Meeting

**Interested in contributing to
the next edition of the FBA
Massachusetts Chapter
Newsletter?**

**Please send your submissions to
the Editor, Harrison Kaplan, at
hkaplan@eckertseamans.com.**

Federal Re-Entry Job Skills Workshop

Board member Amy Bratskeir along with long-standing FBA member Sara Colb organized a Reentry Job Skills Workshop for and with the FBA and Probation on 4/27/18. This program aims to support men and women who work hard every day to take on the difficult challenges of post-prison probation and reentry.

The Mass Chapter of the FBA is particularly supportive of this program and has been organizing it for over a decade.

Around 20 lawyers dedicated their afternoons to help the approximately 15 probationers who attended. The lawyers held mock interviews with the probationers and gave constructive feedback including addressing how probationers should address the gap in their resume / their conviction.



Luis Rodriguez - a ReEntry success story - was the keynote and was very motivational in recounting his sentencing (by Judge Saris) as well as his prosecution by (then-AUSA) Magistrate Judge Cabell.



From L to R: USDC-MA Judge Leo Sorokin, Luis Rodriguez, USDC-MA Judge Donald Cabell

Breakfast with the Bench Series

Each month the Mass. Chapter of the FBA sponsors a breakfast with a member of our bench. Each breakfast features a judge or magistrate judge from the First Circuit or the District Court for the District of Massachusetts. Each breakfast is open to the bar and is held in the Judges' dining room in the Moakley Courthouse. We are fortunate to have judges who enjoy participating in these events and are open and candid about the important issues discussed. Special thanks to all the judges who have participated in this unique program.

RECENT BREAKFASTS:

:: February 7, 2018

Judge O. Rogeriee Thompson

On February 7, 2018, the Mass. Chapter of the FBA hosted a "Breakfast with the Bench" with Judge O. Rogeriee Thompson of the U.S. Court of Appeals for the First Circuit. During this well-attended session, Judge Thompson addressed a number of important topics in appellate advocacy, including the value of oral argument, best practices in writing briefs, and the importance of preserving issues for appeal. The Chapter is grateful to Judge Thompson for taking the time to share her practical insights and wisdom with us.



From L to R: Jonathan Handler (Chapter President-Elect); Harvey Weiner (Chapter President); Susan Glovsky (Chapter Board Member); Judge O. Rogeriee Thompson; Juliet Davison (Chapter Vice President); and Robert Farrell (Clerk of Court)

:: May 8, 2018

Judge Leo Sorokin

On May 8, 2018, the Mass. Chapter of the FBA hosted a "Breakfast with the Bench" with Judge Leo Sorokin of the U.S. District Court for the District of Massachusetts. During this session, Judge Sorokin addressed a number of important and useful topics in district court practice, including advice on how to make the most of direct and cross examination and tips on how to make written arguments more persuasive. The Chapter is grateful to Judge Sorokin for taking the time to share his insights with us.



From L to R: Jonathan Handler, Chapter President-Elect; Judge Leo Sorokin; Harvey Weiner, Chapter President; and Robert Farrell, Clerk of Court.

Lunch with the Bench

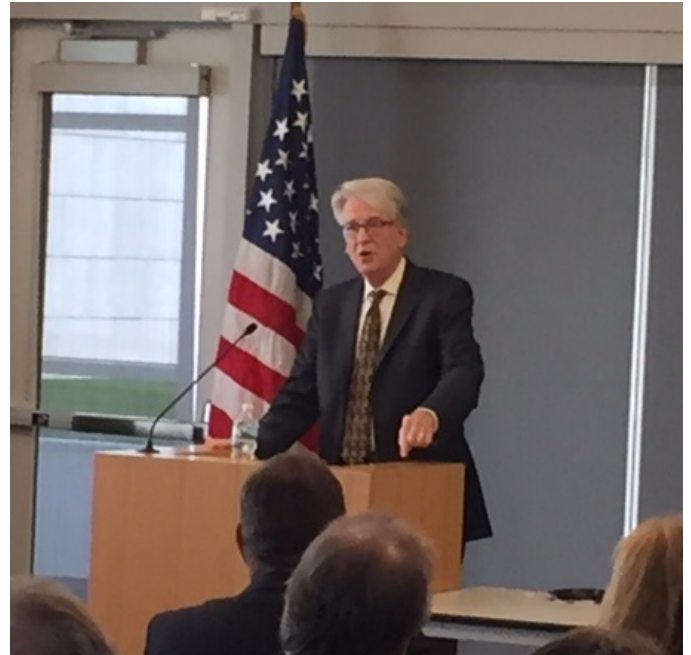
:: May 10, 2018

Judge Judge Mark Mastroianni, Judge Michael Ponsor, and Magistrate Judge Katherine Robertson

On May 10, 2018, the Mass. Chapter of the FBA hosted a “Lunch with the Bench” in Springfield with Judge Mark Mastroianni, Judge Michael Ponsor, and Magistrate Judge Katherine Robertson of the U.S. District Court for the District of Massachusetts.



From L to R: Jonathan Handler, Chapter President-Elect; Judge Mark Mastroianni; Magistrate Judge Katherine Robertson; and Harvey Weiner, Chapter President.



Judge Michael Ponsor

We had a lively, interactive panel discussion, with the judges explaining their views on a number of topics both substantive and procedural. The event was very well attended by both civil and criminal practitioners, with more than 50 people joining the judges in the Jury Assembly Room. The Chapter is grateful to the judges for their time and thoughtfulness and also to clerk Bethaney Healy for her support in arranging the event.



Reception for New U. S. Attorney and Reappointed Chief Federal Public Defender

On February 15, 2018, the Chapter hosted a reception for Andrew Lelling, the newly appointed U.S. Attorney for the District of Massachusetts, and for Miriam Conrad, who was reappointed for the fourth time as Chief Federal Public Defender for Massachusetts, New Hampshire, and Rhode Island. Each gave a speech.

Andrew Lelling had previously served for twelve years as senior litigation counsel for the U.S. Attorney's Office for the District of Massachusetts, prosecuting white collar crime, international drug trafficking and other offenses. Among his prosecutions, he led the prosecution of a billion-dollar pyramid scheme that defrauded almost two million investors. He also helped prosecute Carlos Rafael, a fishing magnate known as "the Godfather." Prior to coming to Boston, he served as an Assistant U.S. Attorney in the United States District Court for the District of Pennsylvania and, before that, as counsel to the Assistant Attorney General at the United States Department of Justice Civil Rights Division.

Miriam Conrad has been Chief Federal Public Defender since 2005 and served as Assistant Federal Defender in Boston from 1992-2005. Among her defense, was the defense of the Boston Marathon bomber. She has served on the Massachusetts FBA Chapter Board as an honorary member. Both the U.S. Attorney's office and the Federal Defender's office traditionally have a lawyer from their respective offices as honorary members of the Massachusetts Chapter Board.



L to R: Clerk of the Court Robert Farrell, U.S. Attorney Andrew Lelling, Chief Federal Public Defender Miriam Conrad, Chapter President Harvey Weiner, Immediate Past Chapter President Scott Lopez, Worcester Chapter Delegate, Brian Murphy.

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