



BAR TALK

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The District of Minnesota Welcomes Magistrate Judge Becky R. Thorson



L to R: Judicial Assistant Melissa Kruger, Magistrate Judge Becky R. Thorson, Law Clerk Danielle Mair, and Law Clerk Dan Ganin.

the field, she started thinking about earning a legal degree.

That thinking eventually led her to study at William Mitchell College of Law, where she attended classes as a part-time student while working full-time and raising her daughter. While in law school, Magistrate Judge Thorson began designing graphics for lawyers to use in the courtroom and became adept at creating visuals to clarify issues for judges and juries. After graduating *summa cum laude* from William Mitchell, Magistrate Judge Thorson practiced law at the Greene Espel firm in Minneapolis, progressing from associate to partner. Although her practice focused primarily on business law and employment law, she had the opportunity to do patent work as well.

By Fran Kern

On November 24, 2014, Magistrate Judge Becky R. Thorson took the oath of office and joined the bench of the District of Minnesota as its newest magistrate judge. Her path from creator and manager in the computer graphics industry to stellar law student, outstanding attorney, and United States Magistrate Judge illustrates the formidable skills and commendable values that Magistrate Judge Thorson brings to her new position.

While growing up, Magistrate Judge Thorson dreamed of being a lawyer, inspired in part by Harper Lee's classic novel *To Kill a Mockingbird*. But instead of pursuing a legal career initially, Magistrate Judge Thorson first earned a bachelor's degree in fine arts at Hamline University and then worked in computer graphics and communications. As she advanced in

Her interest in patent law led Magistrate Judge Thorson to join Robins, Kaplan, Miller & Ciresi's intellectual property litigation group. There, she developed a national intellectual property law practice, primarily representing parties in patent

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litigation. Magistrate Judge Thorson also shared her skills with the wider legal community by serving on nonprofit boards; speaking on issues related to intellectual property law, electronic discovery, and trial practice; writing; and teaching pretrial litigation.

Chief Judge Edward J. Devitt advised a judge to “be kind,” “not fear reversal,” and “remember there are no unimportant cases.” Those who work with and appear before Magistrate Judge Thorson know that she works hard to embody these qualities.

Magistrate Judge Thorson has been hearing cases since December 8, 2014. Although her role has changed from advocate to judge, she brings the same energy and focus to her new position as she did in law school and private practice. Her years of experience as a litigator are clear preparation for mediating settlement conferences in civil cases. She is skilled at diving into the litigants’ arguments, understanding the dynamics of the dispute, and working to help settle the case. These same skills aid Magistrate Judge Thorson in the performance of her duties on the criminal docket, an area of law with which she is gaining familiarity. The opportunity to learn new areas of law is actually part of what inspired Magistrate Judge Thorson to apply for the position. The same basic values and skills—commitment to justice and the importance of problem solving—apply to lawyering and judging, regardless of the substantive area of law.

In shaping her path in life and law, and in supporting her service to the District of Minnesota as a United States Magistrate Judge, Magistrate Judge Thorson is quick to acknowledge the contributions of others. For helping her reach this point in her career, she credits numerous mentors and colleagues, from whom she continues to learn. And she recognizes the work of the staff who assist her in helping the wheels of justice move in the federal court system. As she works to promote equal justice under law, she gains guidance

from former District of Minnesota Chief Judge Edward J. Devitt’s “Ten Commandments for a New Judge.” Chief Judge Devitt advised a judge to “be kind,” “not fear reversal,” and “remember there are no unimportant cases.” Those who work with and appear before Magistrate Judge Thorson know that she works hard to embody these qualities, and the District is fortunate to have an individual with such intellectual accomplishment, professional esteem, and commitment to justice and community sitting on the bench.

Magistrate Judge Thorson is quick to acknowledge the efforts of her staff in the careful and efficient work of her chambers. Three individuals primarily support Magistrate Judge Thorson’s work for the District of Minnesota.

Magistrate Judge Thorson’s career law clerk, **Danielle Mair**, graduated from Hamline University and William Mitchell College of Law. She practiced at a large law firm in Minneapolis and clerked for three state appellate court judges, United States District Court Judge Donovan W. Frank, and United States Magistrate Judge Jeffrey J. Keyes, before joining Magistrate Judge Thorson’s chambers. As a federal law clerk, she has extensive experience in the review of complex civil and criminal matters, including multi-district and class-action litigation, and has participated in several settlement discussions in complex civil cases.

Magistrate Judge Thorson’s term law clerk, **Dan Ganin**, is a graduate of Macalester College and the University of Minnesota Law School. After graduating from law school, he worked as a staff attorney to the United States Court of Appeals for the Eleventh Circuit and then as a law clerk to United States Circuit Judge Ed Carnes. He joined Magistrate Judge Thorson’s chambers in December after moving back to Minnesota. His areas of expertise as a federal law clerk include extensive experience with criminal and habeas matters as well as work in employment discrimination suits, civil rights actions, and immigration proceedings.

Melissa Kruger is Magistrate Judge Thorson’s judicial assistant. Originally from Wisconsin, she attended the University of Minnesota for a degree in law, criminology, and deviance, and earned her paralegal certificate from the Minnesota Paralegal Institute. After working as a paralegal at a small firm in Denver, Colorado, and a large firm in Minneapolis, she served as the assistant to the Chief of the United States Probation Office. She began working with Magistrate Judge Thorson in December.

Fran Kern is a business litigation attorney at Moss & Barnett, P.A.

MINNESOTA CHAPTER DOES IT AGAIN



L to R: Dan Hedlund, Jeanette Bazis, Rachel Zimmerman, Anh Le Kremer, Magistrate Judge Becky R. Thorson, and Adine Momoh receive awards for the Minnesota Chapter at the 2014 Annual Meeting in Providence, Rhode Island.

By Adine S. Momoh

The Minnesota Chapter did it again: during the 2014 FBA Annual Meeting and Convention, which was held from September 4-6, 2014, in Providence, Rhode Island, the Chapter received, for the third time in a row, the Presidential Excellence Award and, for a fourth time in a row, the Outstanding Newsletter Recognition Award.

By way of background, the FBA recognizes the diligent work and accomplishments that outstanding Chapters have made throughout the year. Two levels of recognition are awarded annually: (1) Presidential Achievement Awards and (2) Presidential Excellence Awards. All Chapters achieving objective criteria set by the FBA Awards Committee receive the Presidential Achievement Award. However, those Chapters that have done a superior job in exceeding the objective criteria receive the Presidential Excellence Award. Notable accomplishments of the Chapter during the 2013-2014 bar term include the Dred Scott Project, which celebrated the lives and legacies of Dred and Harriet Scott and revisited the *Dred Scott* decision; sponsored events surrounding the documentary exhibit “Lawyers Without Rights: Jewish Lawyers in Germany under the Third Reich;” and the inaugural program “Newer Lawyer Training: Tools to be a Success-

ful *Pro Se* Project Volunteer,” which was made possible by the Ilene and Michael Shaw Younger Lawyer Public Service Grant that the Chapter received in 2013.

The FBA Newsletter Recognition Awards recognize the best newsletters published by Chapters, as well as those published by sections, divisions, and committees, to stimulate and encourage continued production of these valuable communication tools. Judging of the newsletters focuses on overall sustained quality of the publication and emphasizes service to the membership. Judges also consider content, creativity, and design of the publication. The Chapter’s Communications Committee publishes *Bar Talk* quarterly, and past issues (as early as Fall 2008) can be found on the Chapter’s website. The Chapter hopes to continue its winning streak for the 2014-2015 term.

Adine S. Momoh is a member of the Communications Committee and a trial attorney at Stinson Leonard Street LLP where her practice consists of complex business and commercial litigation, securities litigation, estates and trusts litigation, and creditors’ rights and bankruptcy litigation. Ms. Momoh is also a 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 Magistrate Judge Jeanne J. Graham (retired).

FBA DIVERSITY COMMITTEE EVENT BRINGS TOGETHER AFFINITY BAR ORGANIZATIONS OF MINNESOTA

By Shaun Parks

On January 28, 2015, the members of the Diversity Committee of the Minnesota Chapter of the Federal Bar Association hosted a gathering at the Rival House in downtown Saint Paul. Participating affinity bar organizations included the Ramsey County Bar Association's Diversity Committee, the Diversity and Inclusion Committee of the Hennepin County Bar Association, the Minnesota Association of Black Lawyers, the Minnesota Lavender Bar Association, the Minnesota Asian Pacific American Bar Association, the Minnesota Hispanic Bar Association, the Minnesota American Indian Bar Association, the Minnesota Black Women's Lawyer's Network, the North American Somali Bar Association, and members of the state and federal judiciary.

The purpose of the event was to put in one room a sampling of

the attorneys and judges who are committed to encouraging and improving the diversity of the Minnesota bar. The co-chairs of the FBA Diversity Committee—Magistrate Judge Tony N. Leung and Jeanette Bazis—welcomed attendees and informed them of upcoming events and initiatives of the chapter.

Over good food and drink, participants discussed their practices as well as the activities of their respective bar associations. The conversations fostered connections between attorneys of diverse backgrounds and planted the seed for continued collaboration among the groups.

Shaun Parks is a Minneapolis attorney from Halunen Law representing employees against employers who take adverse employment actions against them in violation of the law. He is a member of the chapter's Diversity Committee.



Members of the FBA Diversity Committee: (Back Row, L to R): Shaun Parks, Ami ElShareif. (Front Row, L to R): Vildan Teske, Keiko Sugisaka, Magistrate Judge Tony N. Leung, Jeanette Bazis, and Andrea Yang.

FBA DIVERSITY COMMITTEE EVENT



FBA Diversity Committee Co-Chairs Tony N. Leung and Jeanette Bazis celebrate with Judge Tanya M. Bransford, members of the Diversity Committee, and members of the North American Somali Bar Association.



FBA Diversity Committee Co-Chairs Tony N. Leung and Jeanette Bazis with Judge Tanya M. Bransford and members of the Minnesota Association of Black Lawyers (MABL) and the Minnesota Black Women Lawyers Network (MBWLN).



FBA Diversity Committee Co-Chairs Tony N. Leung and Jeanette Bazis with Diversity Committee members and members of the Minnesota Asian Pacific American Bar Association.

Final Thoughts From Magistrate Judge Jeanne J. Graham: Her Journey to Federal Court and Beyond

By Megan I. Brennan

Magistrate Judge Jeanne J. Graham's active legal career in Minnesota ended where it began, in federal court. However, she took quite a unique route in getting there and returning there.

Born in Ohio, Judge Graham moved to Minnesota at the age of 13, and attended Wayzata High School. From the time she was a child, she planned to follow in the footsteps of a relative who was one of the founders of the Mayo Clinic. She graduated from Gustavus Adolphus College in 1980 with a major in chemistry and a minor in religion. When asked to reflect on this unusual combination, Judge Graham explained, "I wanted to challenge myself in an area of science that I knew I was not as strong in as other areas, and I added the minor because I thought it would help me be well-rounded in my studies."

After college graduation, Judge Graham intended to go on to become a doctor. During a job interview at a hospital, Judge Graham was asked, "What makes you cry?" True to form, Judge Graham responded quickly with her candid answer: "Seeing someone lose someone that they love." While reflecting on this response, she determined that perhaps a hospital setting was not the place for her, and decided to pursue another area of science that did not involve death—inner ear infections. After conducting research in that area for a couple years, Judge Graham realized that her interests and strengths lay elsewhere.

Judge Graham decided to pursue a career in law and attended William Mitchell College of Law. She initially assumed that her educational background and interests would lead her down the path of patent or medical malpractice law. However, her natural talent for writing and oral advocacy, coupled with her flair for theater, made her a whiz in trial competitions.

Professor John Sonsteng helped Judge Graham cultivate her moot court and advocacy skills. Judge Graham and Cynthia McCullum were the first female pair from their law school to win the trial court competition and compete at the national competition. (Ms. McCullum was appointed as a judge in Minnesota's First Judicial District in 2014.) From that point on, Judge Graham knew that the courtroom was her calling. Judge Graham particularly admired one of her adjunct professors, Janice Symchych, who was an Assistant United States Attorney at the time.

As fate would have it, Ms. Symchych was appointed as a Magistrate Judge for the U.S. District Court for the District of Minnesota. When Judge Symchych reached out to Professor Sonsteng to recommend a law clerk, he suggested Judge Graham. Thus, in 1985, Judge Graham began her career working in the federal system.

After her clerkship, Judge Graham was eager to get into the courtroom and to try cases. This aspiration quickly became a reality when she began at the Minnesota Attorney General's Office. In 1989, when the opportunity arose to become an Assistant United States Attorney (AUSA), Judge Graham initially balked at the idea, believing that she was not yet ready for it. After receiving support and encouragement from one of her mentors, she accepted the challenge. Judge Graham eventually assumed a leadership role as the deputy chief of the Criminal Division. Judge Graham managed several high-profile cases, but she believes it was the cases that she turned down that truly shaped her as a prosecutor and as a person. Judge Graham says that her most memorable cases were those involving crimes against individuals that occurred on the Red Lake Indian Reservation.

During her time as an AUSA, Judge Graham won the respect of parties, attorneys, witnesses, and judges. For

example, Judge Graham left a lasting impression on United States District Court Judge Ann D. Montgomery after trying a particularly difficult child pornography case in front of her. Judge Montgomery says she was "impressed with how effective [Judge Graham] was in getting her point across to the jury, while at the same time being tactful. She provided the jury with enough information to make an informed decision, without being too invasive of the child victims or making the jurors uncomfortable." Judge Montgomery believed that Judge Graham's "sharp legal mind and practical nature" would also make her an excellent judge. She later encouraged Judge Graham to apply to become a state court judge.

Judge Graham was appointed to the Fourth Judicial District trial court bench in Hennepin County in December 2000, and immediately selected the area of juvenile court. She relished the opportunity to preside over trials. However, Judge Graham says that the most difficult decisions she made in her legal career were during those years. During her time on the bench, Judge Graham not only helped manage the large trial docket in Hennepin County, but she also chaired the District Court Security Committee, which successfully helped address safety issues concerning the Hennepin County Government Center. Although Judge Graham enjoyed serving as a judge in state court, she was drawn back to federal court, where she had spent the majority of time in her legal career.

Judge Graham was appointed a Magistrate Judge for the U.S. District Court for the District of Minnesota in September 2005 by Chief Judge James M. Rosenbaum. She was excited for the opportunity to learn new areas of law and to help parties to resolve their differences. Judge Graham was thrilled to join the company of judges whom she had appeared in front of and admired, including her former colleagues from the U.S. Attorney's Office, Judge Joan N. Ericksen and Judge Montgomery. Judge

Montgomery says, “Judge Graham was a welcome addition to the federal bench, not only because of her wealth of knowledge about criminal cases, but also because of her sense of humor and disposition.” Judge Montgomery recalls how Judge Graham “brought levity to tense discussions of the bench and brought laughter to employee recognition ceremonies.”

Judge Graham also successfully handled settlement conferences both large and small. Having never previously conducted a formal mediation before becoming a magistrate judge, Judge Graham devoted substantial time to classes, reading about dispute resolution, and watching other magistrate judges conduct settlement conferences. Over time, she says that she learned that the key to a successful mediation was “being sincere with people.” Judge Graham had a way of putting parties at ease and getting them to open up with her about even the most personal matters related to their lawsuits. The formality of Judge Graham dressed in her judicial robe gave parties the satisfaction of their day in court, while the warmth of her eyes and the heartiness of her laugh gave them a sense of comfort and peace.

Judge Graham’s commitment to justice, diversity, and equality was also inspirational. Judge Graham previously co-chaired the Minnesota Chapter’s Diversity Committee with Assistant U.S. Attorney Ann M. Anaya. Judge Graham thrived in her role of helping to coordinate events with other organizations (such as Twin Cities Diversity in Practice, the Minnesota Lavender Bar Association, the Minnesota American Indian Bar Association, the Minnesota Hispanic Bar Association, the National Asian Pacific American Bar Association, and the Minnesota Association of Black Lawyers) to help improve the diversity of the federal bench and bar and to enrich the legal community. Judge Graham warmly welcomed numerous foreign visitors and students into her courtroom and chambers during her time on the bench. Additionally, Judge Graham recounted that naturalization sessions are one of her “favorite things that



Kim Carlson and Magistrate Judge Jeanne J. Graham

[she] has ever done.” She also graciously officiated numerous wedding ceremonies. In fact, on October 31, 2014, her final official act as a judge before her retirement was to marry a lesbian couple who had waited years to have their relationship officially recognized.

Reflecting on her time on the bench, Judge Graham says she is “proud to have been a part of the federal judiciary.” She appreciated the “responsibility and great honor of having the ability to make decisions that not only impact the people in the case at hand, but even more broadly, including potentially beyond state lines.” She credits the federal judiciary with helping to legalize and recognize gay marriages, including in the state where she currently resides. This carries a personal significance for Judge Graham given her marriage to her wife, Kim Carlson, pictured above.

Judge Graham is thoroughly enjoying

retirement. According to Judge Graham, if she has learned anything from her life journey, it is that one’s path is often unpredictable, but to be confident that it will take one where one is meant to be. She is open to wherever life may take her next.

Megan I. Brennan is the EEO/AA Compliance Review Manager for Cargill. She previously clerked for Magistrate Judge Jeanne J. Graham (retired).

MARK YOUR CALENDAR!

For the Minnesota Chapter of the Federal Bar Association’s

Federal Judges’ Annual Dinner Dance

Saturday, May 16, 2015
6:00 p.m. to Midnight
The Minikahda Club | Minneapolis

*Join us for an exciting evening of
great food, live music, and dancing!*

To register, contact:
rsvp.fba@carlsoncaspers.com



PRO SE PROJECT CELEBRATES FIVE YEARS

By **Tiffany Sanders**

The *Pro Se* Project began in its current capacity in May 2009 when the Gustafson Gluek law firm agreed to administer the *Pro Se* Project on a voluntary basis. In July 2010, the Minnesota Chapter hired the author of this column, Tiffany Sanders, as the *Pro Se* Project's Coordinator, who currently holds this position. From May 2009 through December 2014, the *Pro Se* Project has worked on 449 cases the court has referred to the *Pro Se* Project. In these five years, the *Pro Se* Project has placed all 378 cases in which the *pro se* litigants chose to participate in the *Pro Se* Project with volunteer attorneys, and during this five-year period, the court has granted *in forma pauperis* (IFP) status in 90% of *Pro Se* Project cases. During this five-year period, the *Pro Se* Project has worked with 123 volunteering law firms throughout the District of Minnesota to provide the court's *pro se* litigants with legal advice and representation. In addition, during the course of the last five years, the *Pro Se* Project has accomplished the following:

- ◆ The Minnesota Board of Continuing Legal Education (CLE) designated the *Pro Se* Project as an "Approved Legal Service Provider," affording volunteer attorneys pro bono CLE credit for time spent on *Pro Se* Project cases.
- ◆ The *Pro Se* Project partnered with the Minnesota Justice Foundation to provide volunteer law clerks from each of the law schools to attorneys who accept *Pro Se* Project referrals.
- ◆ In recognition of the *Pro Se* Project's important work in improving indigent, disabled, and minority *pro se* litigants' access to justice, the American Bar Association selected the *Pro Se* Project to receive its prestigious Harrison Tweed Award.
- ◆ The court approved and implemented the Early Settlement Conference Project to allow volunteer attorneys to enter a limited appearance for the sole purpose of assisting *pro se* litigants through a court-annexed early settlement conference process.
- ◆ The court streamlined the referral process by allowing *Pro Se* Project referrals to provide the coordinator with notices of electronic filings (NEFs). This, in turn, allowed the clerk's office to track referrals and cross-reference referrals with the coordinator.
- ◆ The court, the FBA, and the *Pro Se* Project send annual thank you letters to volunteer attorneys for their participation in the *Pro Se* Project, and hold annual receptions in honor of the volunteer attorneys who accept *Pro Se* Project referrals.
- ◆ The *Pro Se* Project has provided free CLE training sessions to educate lawyers in the areas of law most often at issue in the cases the court refers to the *Pro Se* Project, to increase awareness of the *Pro Se* Project, and to recruit additional volunteer attorneys.
- ◆ The *Pro Se* Project has participated in Minnesota CLE webinars to educate attorneys, increase *Pro Se* Project awareness, and recruit additional volunteer attorneys.
- ◆ The *Pro Se* Project has expanded its outreach to Duluth and Fergus Falls in an effort to involve federal practitioners throughout the District of Minnesota, and to provide *pro se* litigants with volunteer attorneys in their geographic area.
- ◆ The court presented *Pro Se* Project volunteer attorneys in the Twin Cities, Duluth, and Fergus Falls with awards and certificates in recognition of extraordinary pro bono work through the *Pro Se* Project.
- ◆ The *Pro Se* Project has participated in dozens of seminars, events, presentations, and receptions throughout the Twin Cities, Duluth, Fergus Falls, and the Iron Range to promote awareness of the *Pro Se* Project and to increase volunteer attorney participation.

The following charts provide an overview of the *Pro Se* Project from May 2009 through December 2014 including data on the types of cases the court has referred to the *Pro Se* Project, the number of cases in which *pro se* litigants participated in the *Pro Se* Project, the number of cases in which volunteer attorneys represented *pro se* litigants, the disposition of those cases, and the number of cases in which volunteer attorneys consulted with *pro se* litigants. The charts also provide data on the 123 participating law firms over the past five years, along with IFP filings and outcomes.

Tiffany A. Sanders is the *Pro Se* Project Coordinator and can be reached at proseproject@q.com or 612-965-3711.

HOW CAN I PARTICIPATE IN THE *PRO SE* PROJECT?

The *Pro Se* Project is a collaboration between the United States District Court for the District of Minnesota and the Minnesota Chapter of the Federal Bar Association to improve access to justice in our federal courts and to address the growing challenges civil *pro se* litigants pose to our federal judicial system. The goal of the *Pro Se* Project is to provide civil *pro se* litigants with an opportunity to have a meaningful consultation with a volunteer lawyer.

Volunteer attorneys who participate in the *Pro Se* Project are a tremendous help to *pro se* litigants, to the Court, and to all federal practitioners with paying clients. Each and every volunteer attorney's efforts collectively help unclog our federal court system and make justice more accessible to those with limited means.

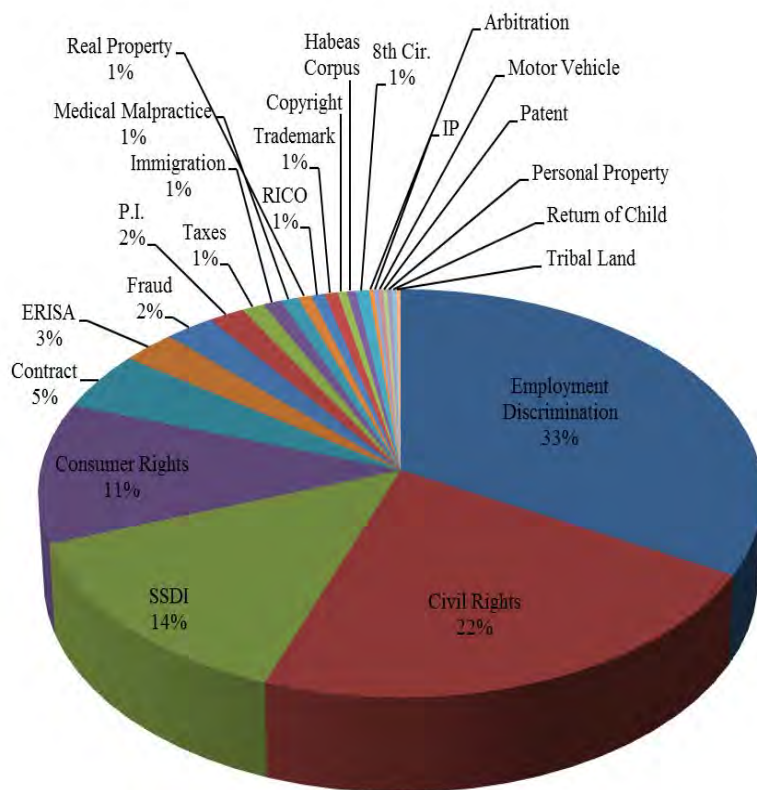
To volunteer for the *Pro Se* Project, including the Early Settlement Conference Project, contact **Tiffany Sanders** at proseproject@q.com or 612.965.3711.

PRO SE PROJECT

May 2009 – December 2014

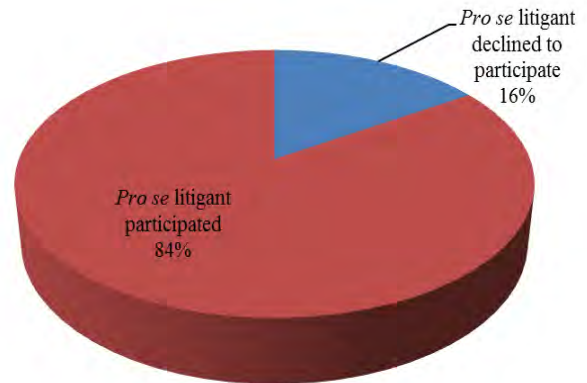
NATURE OF SUIT

Employment Discrimination	149
Civil Rights	99
Social Security	62
Consumer Rights	51
Contract	21
ERISA	12
Fraud	11
Personal Injury	8
Taxes	5
Immigration	4
Medical Malpractice	4
N/A - 8 th Circuit Appeal and Pre-filing Referral	3
Real Property	3
RICO	3
Trademark	3
Copyright	2
Habeas Corpus	2
Arbitration	1
Intellectual Property	1
Motor Vehicle	1
Patent Infringement	1
Personal Property	1
Return of Child/ Rights of Access to Child	1
Tribal Land	1
Total	449



PRO SE LITIGANT PARTICIPATION

Referrals with <i>pro se</i> litigants participating in <i>Pro Se</i> Project	378
Referrals with <i>pro se</i> litigants declining to participate in <i>Pro Se</i> Project	71
Total	449

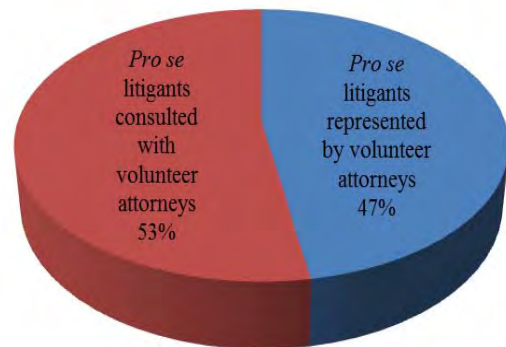


VOLUNTEER ATTORNEY INVOLVEMENT AMONG PARTICIPATING PRO SE LITIGANTS

The *Pro Se* Project placed **100% of participating *pro se* litigants with volunteer attorneys.**

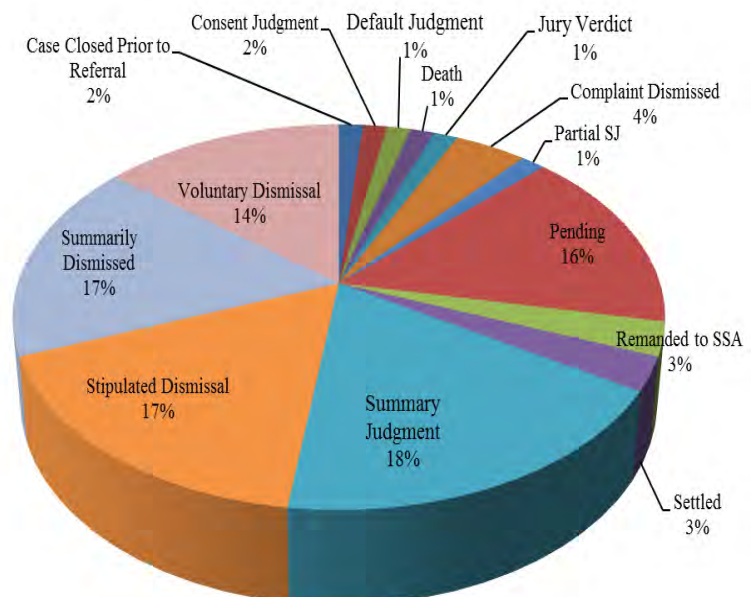
Referrals with <i>pro se</i> litigants consulting with volunteer attorneys	202
Referrals with <i>pro se</i> litigants represented by volunteer attorneys	176
Total	378

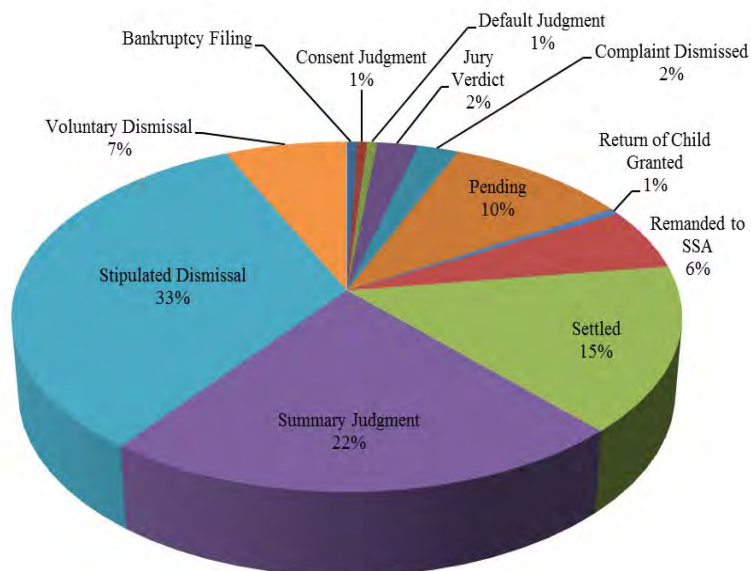
VOLUNTEER ATTORNEY INVOLVEMENT



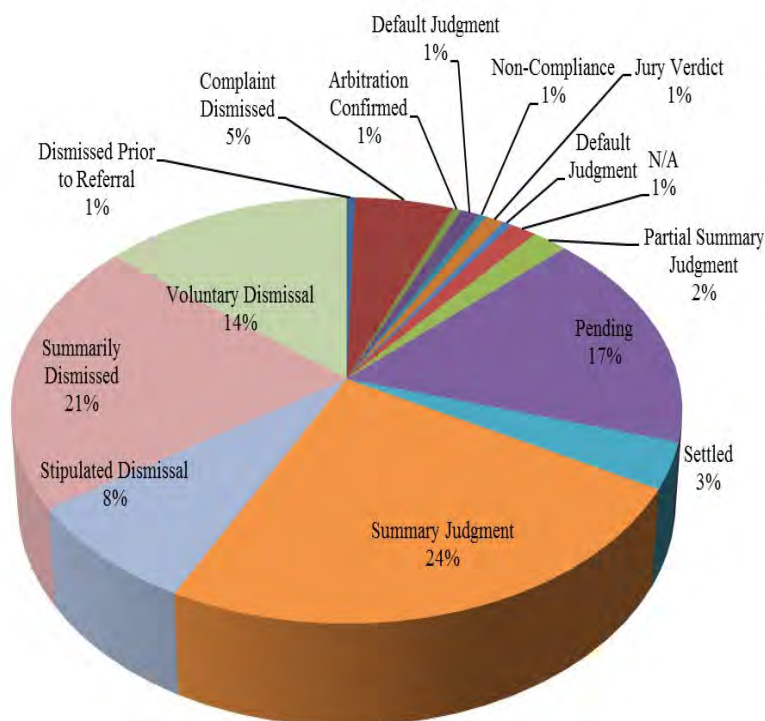
CASE DISPOSITION OF PRO SE LITIGANTS DECLINING TO PARTICIPATE

Case closed prior to referral	1
Complaint dismissed on motion	3
Consent judgment	1
Default judgment	1
Dismissed - death of <i>pro se</i> litigant	1
Jury verdict in favor of defendant	1
Partial summary judgment	1
Pending	11
Remanded to SSA	2
Settled through settlement conference	2
Summary judgment	13
Stipulated dismissal	12
Summarily dismissed	12
Voluntary dismissal	10
Total	71



CASE DISPOSITION OF *PRO SE* LITIGANTS REPRESENTED BY VOLUNTEER ATTORNEYS

Case dismissed due to bankruptcy filing	1
Complaint dismissed on motion	4
Consent judgment	1
Default judgment	1
Jury verdict in favor of defendant	4
Pending	18
Petition for return of child granted	1
Remanded to SSA	10
Settled through settlement conference	27
Summary judgment	39
Stipulated dismissal	58
Voluntary dismissal	12
Total	176

CASE DISPOSITION OF *PRO SE* LITIGANTS RECEIVING CONSULTATION WITH VOLUNTEER ATTORNEYS

Case dismissed prior to referral	1
Complaint dismissed on motion	11
Confirmation of arbitration award	1
Default judgment	2
Dismissed for non-compliance with court order	1
Jury verdict	2
Default judgment	1
N/A – 8 th Circuit appeal and pre-filing	3
Partial summary judgment	4
Pending	34
Settled through settlement conference	7
Summary judgment	49
Stipulated dismissal	16
Summarily dismissed	42
Voluntary dismissal	28
Total	202

PRO SE PROJECT PARTICIPATING LAW FIRMS

<i>Pro Se Project Participating Law Firms</i>	Referrals Accepted		
Anderson, Helgen, Davis & Cefalu	2	Goetz & Eckland	1
Andrew M. Irlbeck, Esq.	1	Gray Plant Mooty	3
Anthony Ostlund Baer & Louwagie	4	Greene Espel	5
Arthur, Chapman, Kettering, Smetak & Pikala	1	Gustafson Gluek	15*
Baillon, Thome, Jozwiak & Wanta	1	Halunen & Associates	6
Barna Guzy & Steffen	3	Hansen, Dordell, Bradt, Odlaug & Bradt	1
Barry & Helwig	7	Hanson Lulic & Krall	1
Bassford Remele	2	Harvey Law Firm	5
Battina Law	2	Henson & Efron	2
Behrenbrinker Law	1	Hinshaw & Culbertson	4
Bertelson Law Offices	1	Iverson Reuvers	1
Blethen, Gage & Krause (Mankato)	3	Jardine, Logan & O'Brien	9
Bolter Law	2	Joao M. da Fonseca, Attorney at Law	2
Bowman & Brooke	1	Johnson & Condon	1
Briggs and Morgan	13	Karin Ciano Law	6
Brine Law Firm (Duluth)	1	Kelly A. Jeanetta Law Firm	5
Carlson Caspers	12	Kelly & Berens	2
Chestnut Cambronne	6	Kennedy & Kennedy	1
Chrastil and Steinberg	1	Keogh Law Office	4
Christensen Law Office	5	Kinney & Lange	1
Collins, Buckley, Sauntry & Haugh	1	Koch & Garvis	3
Consumer Justice Center	7	Kolinski & McMullen	1
Cooper & Reid	1	Larkin Hoffman	1
Daniels & Kibort Law	2	Larson King	2
Dorsey & Whitney	5	Laurie & Laurie	1
Ecklund & Blando	3	Law Office of David Shulman	7
Eric Bond Law Office	2	Law Office of Joshua R. Williams	2
Everett & VanderWiel	1	Law Office of Piper L. Kenney	1
Fabian May & Anderson	5	Law Office of Richard G. McGee	1
Faegre Baker Daniels	5	Law Office of Thomas J. Conley	1
Falsani, Balmer, Peterson, Quinn & Beyer (Duluth)	1	Law Offices of Wayne G. Nelson	1
Felhaber Larson	2	Law Office of Zorislav R. Leyderman	3
Foley & Mansfield	3	League of Minnesota Cities	1
Frank W. Levin	1	Lind, Jensen, Sullivan & Peterson	3
Fredrikson & Byron	12	Lindquist & Vennum	9
Frey Law Office	5	Lockridge Grindal Nauen	3
Friedman Iverson	3	Lommen Abdo	3
Fruth, Jamison & Elsass	11	Madia Law Office	1
Fryberger, Buchanan, Smith, & Frederick (Duluth)	2	Maki & Overom (Duluth)	1
F.S. Farrell Law Office	1	Maslon	4
Gaskins Bennett Birrell Schupp	5	McDonough & Nowicki	1
		McGarry Law Office	2
		McGrann Shea Carnival Straughn & Lamb	1
		Meagher & Geer	1

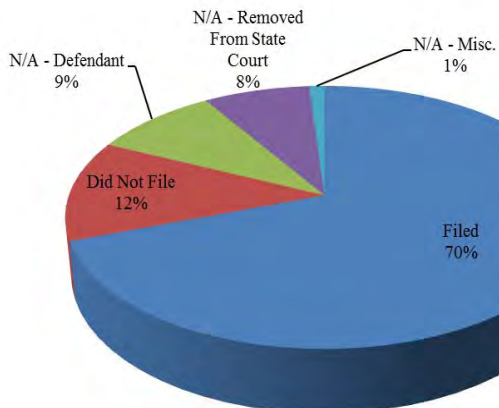
Merchant & Gould	4
Mid-Minnesota Legal Aid	1
Miller O'Brien Jensen	2
Murnane Brandt	1
Myers, Boebel & MacLeod	1
Naomi Ness, Esq.	1
Nichols Kaster	9
Nilan Johnson Lewis	1
Ogletree, Deakins, Nash, Smoak & Stewart	2
O'Meara, Leer, Wagner & Kohl	1
Oppenheimer Wolff & Donnelly	4
Patterson Thuente Pedersen	1
Paul Edlund Law Office	2
Pemberton, Sorlie, Rufer & Kershner (Fergus Falls)	4
Peterson & Fishman	4
Pousson Law Office	1
Quinlivan & Hughes	1
Robins Kaplan	10
Rosenzweig Law Office	1
Sapientia Law Group	1
Schaefer Halleen	1
Snyder & Brandt	4

Stinson Leonard Street	10
Stoel Rives	3
Teske Micko Katz Kitzer & Rochel	1
Thibodeau, Johnson & Feriancek (Duluth)	5
Thompson Hall Santi Cerny & Dooley	2
Todd Murray Law Firm	2
Unger Law Office	3
Vincent W. King, Esq.	1
Warner Law (George Warner)	1
Warner Law Office (Daniel E. Warner)	1
Warring Dossdall	2
Weinrich Law Office (Rochester)	1
Wheaton Law Group	1
Wilson Law Group	1
Winthrop & Weinstine	5
Zimmerman Reed	6
Total	378

* The number includes *Karsjens et al. v. Minnesota Department of Human Services et al.*, 11-cv-3659 DWF/JJK, a class action of approximately 700 individuals, all of whom Gustafson Gluek represents as class counsel.

IFP APPLICATIONS

Referrals with <i>pro se</i> litigants who filed IFP applications	312
Referrals with <i>pro se</i> litigants who did not file IFP applications	56
N/A – <i>Pro se</i> litigant defendant	41
N/A – Removed from state court	35
N/A – Miscellaneous	5
Total	449



IFP APPLICATION OUTCOMES

IFP status granted	215
Case dismissed prior to determination	51
IFP status denied	25
Voluntary dismissal prior to determination	14
<i>Pro se</i> litigant must amend Complaint	4
IFP determination pending	3
Total	312

Of the 240 referrals with IFP applications where the case was not dismissed prior to the IFP decision, and the IFP decision is not pending, **the court granted IFP status in 90% of *Pro Se* Project cases.**

UNIVERSITY OF MINNESOTA LAW SCHOOL HOSTS PANEL FROM UNITED STATES ATTORNEY'S OFFICE



L to R: Drug Enforcement agent Travis Ocken and Assistant United States Attorneys John Docherty and Andrew Winter.

By Brittany Resch

On November 19, 2014, the University of Minnesota Law School's FBA chapter hosted two Assistant United States attorneys, John Docherty and Andrew Winter, and Drug Enforcement agent Travis Ocken. They spoke about the multi-disciplinary and multi-jurisdictional work the United States Attorney's Office does in the context of two of their recent high-profile, complex cases: the Native Mob prosecutions and the Minnesota Terrorism cases. Approximately 35 students attended the noon hour event to

hear how the principles they learn in law school relating to criminal law and procedure are put into practice in real cases. It is easy to forget the big picture in law school and the reality of the cases read for class, but events like this serve as important reminders to law students about the very real and practical aspects of prosecutions.

Brittany Resch is a law student at the University of Minnesota Law School and serves as the Vice President of the University of Minnesota Law School Chapter of the FBA.



PRO BONO *Spotlight*

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

BRIGGS AND MORGAN

By **Lauren A. D'Cruz**

Briggs and Morgan has a long-standing history of providing pro bono legal services to the community, which demonstrates its commitment to improving access to justice. Briggs' pro bono work is driven by its close relationships with Southern Minnesota Regional Legal Services ("SMRLS"), Mid-Minnesota Legal Aid ("MMLA"), the Advocates for Human Rights, the Children's Law Center, the Volunteer Lawyers Network ("VLN"), LegalCORPS, and the Immigrant Law Center. Briggs focuses its pro bono efforts in three categories designed to impact as many Minnesotans as possible: direct legal services to those who cannot afford them, service to the judicial system, and representation of civic-oriented nonprofits.

Briggs attorneys receive referrals from SMRLS for order for protection cases, housing cases, and probate and guardianship cases, as well as a variety of other matters. Through SMRLS, Briggs partners with 3M attorneys handling SSI disability appeal hearings and with Mayo Clinic attorneys on naturalization matters. Briggs received a 2014 Beacon of Justice Award from the National Legal Aid and Defender Association based on a nomination from SMRLS. Briggs attorneys handle a number of asylum actions and appeals referred through Advocates for Human Rights. Briggs shareholders Dan Supalla and Julie Firestone were honored as 2014 Minnesota Lawyers of the Year for their representation of two Cameroonian women who suffered persecution based upon their sexual preferences. Briggs attorneys work closely with VLN, including staffing shifts at the Hennepin County Legal Access Point Clinic and working on the housing court panel and the probate panel. Briggs also acts as the anchor law firm at LegalCORPS's monthly clinic in which its business law attorneys provide advice to startup businesses that cannot afford legal help.

Beyond its active involvement in the FBA's *Pro Se* Project, Briggs assists the judiciary in a number of areas. Briggs represents all participants in the Ramsey County Mental Health Court, a very successful diversionary court in the Second Judicial District. Briggs is one of several law firms staffing the Hennepin County Pro Bono Mediation Project, in which *in*

forma pauperis cases and conciliation court cases are mediated on a pro bono basis. Briggs partners Jonathon Schmidt and Tara Reese Duginske created and currently manage the Hennepin County Public Defender Appellate Program in which attorneys take appeals of cases tried by the public defender's office, alleviating some of the burdens on that office.

Briggs also provides significant pro bono legal assistance to nonprofits such as MJF, LegalCORPS, SMRLS, and Call for Justice, as well as community-based organizations, such as Neighborhood House, Partnership for Domestic Abuse Services, and Center for Victims of Torture. Lastly, Briggs acts as outside pro bono counsel for Twin Cities Habitat for Humanity, handling both general legal work and a number of significant housing development projects. Real estate shareholder Dan Cole was honored with the MJF Distinguished Service award last year for his work with Habitat for Humanity and SMRLS.

Briggs looks forward to continuing its pro bono efforts in 2015 and beyond.

Lauren A. D'Cruz is an attorney at Lind Jensen Sullivan & Peterson specializing in civil litigation, including employment disputes, retail practice, and professional liability and insurance cases.

SAVE THE DATE!

For the

*41st Annual
Federal Practice Seminar*

Monday, June 22, 2015

GOODBYE MIKE, HELLO JUDGE: MY JOURNEY FOR JUSTICE

By The Honorable Myron H. Bright

By Thomas H. Boyd

The Honorable Myron H. Bright has served as a judge on the Eighth Circuit for 46 years. This represents more than one-third of the Court's history since the Eighth Circuit was formally organized under the Judiciary Act of 1891, and more than half of the Court's history since Congress enacted the legislation in 1929 that split the Eighth Circuit to create the Tenth Circuit.

There is only one person who has been a circuit judge in the Eighth Circuit nearly as long as Judge Bright—that was Joseph Woodrough of Nebraska who was appointed to the Eighth Circuit in 1933 and remained a member of the court until his death in 1977. But no one else in history has *served* as long as a circuit judge of the Eighth Circuit as Judge Bright—not even Judge Woodrough, who took senior status in 1961 and never sat on another case in the 16 years that followed. In contrast, Judge Bright may well have sat on more cases since taking senior status than he did before going on senior status. And after 46 years, he's still working.

Judge Bright recently completed his memoirs, which have been published by North Dakota State University's Institute for Regional Studies Press. These memoirs mirror the author's lively and energetic personality!

All who know Judge Bright know he is a raconteur of the first order. True to form, his memoirs reflect his unique skill as an enchanting storyteller. The book begins with a real-time account of May 8, 1968—the day he met President Lyndon B. Johnson in the White House as a nominee to the Eighth Circuit. The excitement and exhilaration of this scene is captivating. And it offers the perfect jumping-off point for Judge Bright's theme—how did he get there?

He writes of his parents, Jewish immigrants who found their way from Eastern Europe to Minnesota's Iron Range. They worked hard and made a life for their children, including their son Myron who grew up in Eveleth, Minnesota, and still considers it his home town. Eveleth was a true melting pot. His schoolmates were also the children of immigrants. They came from many different ethnic backgrounds. He had to deal with anti-Semitism early. But he also learned that everyone had to sink or swim together. He became involved in just about every activity at the local high school and excelled at most everything. He was an able and gifted student and a natural leader.

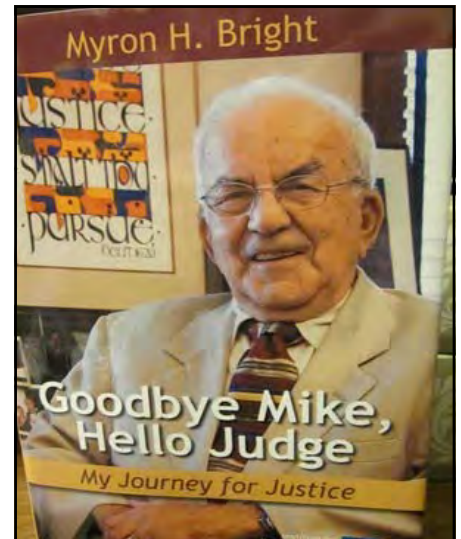
Judge Bright went on to the University of Minnesota. But like so many in his generation, his academic work was interrupted by World War II. He served in the U.S. Army for four years, including 19 months in the Asia-Pacific Theatre.

His book includes several anecdotes from his time in the military, where he seems to have learned more about justice than he did at the University of Minnesota Law School. After the war, he completed his degree, serendipitously ended up marrying the love of his life, Fritzie, and landed a job with the Vogel Law firm in Fargo, which turned out to be the perfect place for him.

His memoirs are full of wonderful stories from his 21 years of law practice as a trial and appellate lawyer in North Dakota. During this time, he and Fritzie were also active in Democratic politics and became close friends of Senator Quentin Burdick and Governor William L. Guy. He also formed great friendships with John and Robert Kennedy as well as many others. The book provides a true insider's account of local and national politics.

He was having so much fun trying cases and staying active in politics. But Fritzie told him that she would rather have a live husband than a dead trial lawyer! That got Judge Bright's attention. When then-Chief Judge Charles Vogel of the Eighth Circuit announced his intention to take senior status, Judge Bright decided to go for the appointment.

He was nominated to the Eighth Circuit by President Johnson and received his commission in 1968. And, as they say, the rest is history. According to the book jacket, he has now served as a judge on more than 6,500 cases and is the longest-serving federal appeals judge in the United States. Judge Bright's book includes stories about several of the cases he has worked on and decided. Each involves a profound lesson about how the law—and the judges who apply the law—must



strive to achieve real justice.

This is a wonderful book by a wonderful judge who is a wonderful friend of everyone in the Eighth Circuit.

Associate Justice Ruth Bader Ginsburg has remarked: “The Honorable Myron H. Bright is truly a man never at a loss. His bright mind, good humor, and caring heart have made him a great jurist and teacher, one who constantly strives to make things better for all the people law exists to serve.”

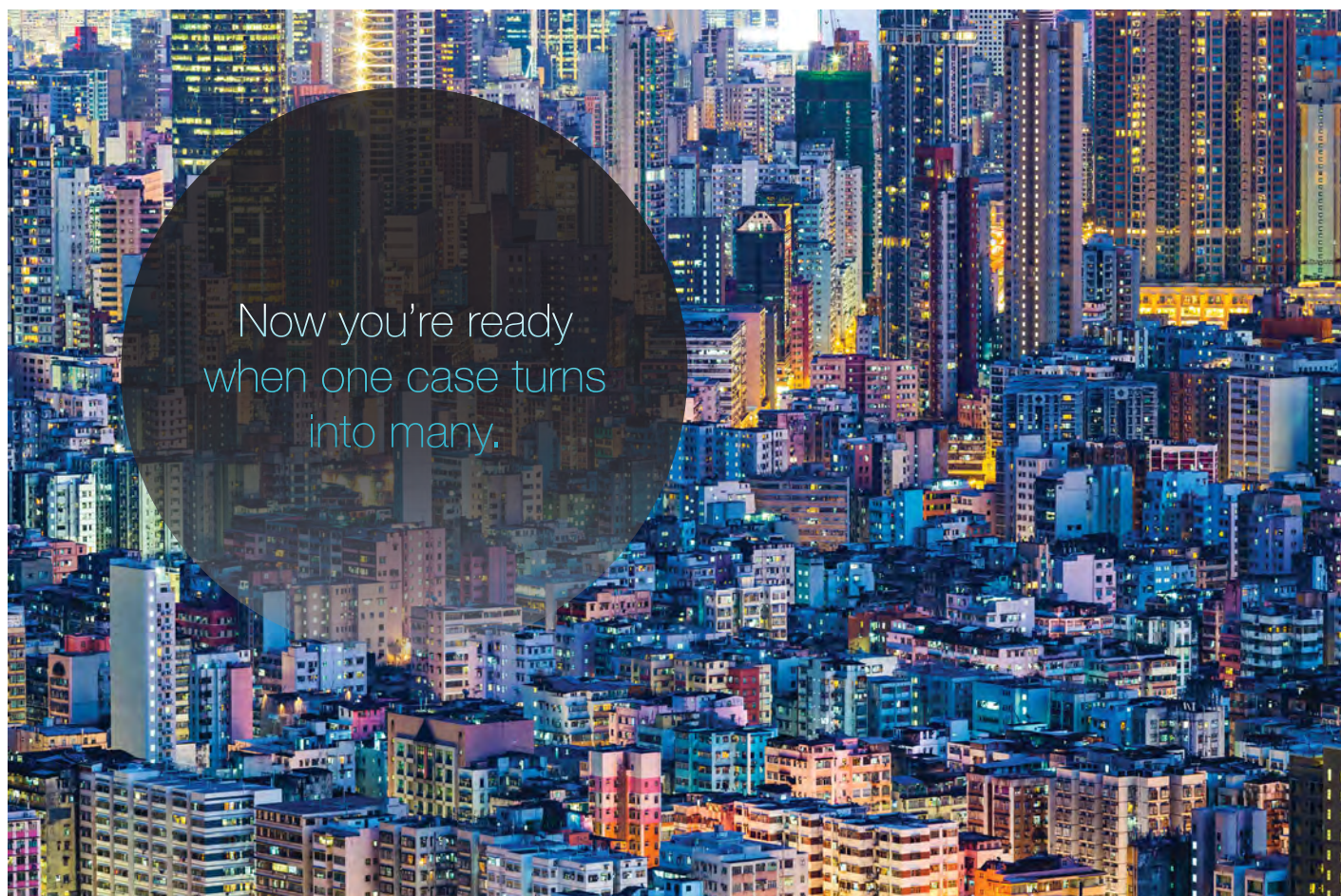
Professor Ronald Carlson, one of the country’s leading evidence scholars, describes Judge Bright as an “American legal legend [who] has inspired generations of lawyers. His example of industry, dedication, and fairness is a model for jurists, attorneys and public servants everywhere. To have the

exciting story of his life in this book is a treasure.”

And as the distinguished attorney E. Barrett Prettyman, Jr., observes, Judge Bright has always acted and spoken with “such clarity and truthfulness that he has struck his many friends as a unique Saint of Clarity-Truth.”

This is a great book that is a must-read for any lawyer in the Eighth Circuit. In addition to NDSU’s Institute for Regional Studies Press, Judge Bright’s book is also available online from Barnes & Noble for the price of \$24 plus sales tax plus \$4 shipping. If purchased in a Barnes & Noble store, the price will be \$30, plus sales tax.

Thomas H. Boyd is a commercial litigation attorney at Winthrop & Weinstine, P.A.



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United States District Court

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UPCOMING EVENTS

- ◆ **April 22, 2015 | 12:00 p.m.**
Monthly Luncheon
Minneapolis Club, Minneapolis
- ◆ **April 28, 2015 | 12:00 p.m.**
Newer Lawyer Luncheon
U.S. District Judge Joan N. Ericksen
Courtroom 12W, Minneapolis
- ◆ **May 16, 2015 | 6:00 p.m.**
Federal Judges' Annual Dinner Dance
The Minikahda Club, Minneapolis
- ◆ **May 27, 2015 | 12:00 p.m.**
Monthly Luncheon & Business Meeting
Minneapolis Club, Minneapolis
- ◆ **June 9 & 18, 2015 | 12:00 p.m.**
Summer Associate/ Law Clerk Luncheons
- ◆ **June 22, 2015 | 9:00 a.m.**
Federal Practice Seminar

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 to you via e-mail for each luncheon. One feature of the system is the 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. If you have any questions about the registration system, please email **Patrick Arenz** at pmarenz@rkmc.com.

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 or **Kelly Laudon** at klaudon@lindquist.com.

A special thank you to **Rebecca Baertsch**, Judicial Assistant to the Honorable Donovan W. Frank, for her proofreading expertise.

Stay **CONNECTED** with the FBA!



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.

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

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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; 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.

FEDERAL BAR ASSOCIATION APPLICATION FOR MEMBERSHIP (CONTINUES ON REVERSE)

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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)

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: / /

Practice Information

PRACTICE TYPE

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

PRIMARY PRACTICE AREAS

- | | |
|--|--|
| <input type="radio"/> Administrative | <input type="radio"/> Health |
| <input type="radio"/> Admiralty/Maritime | <input type="radio"/> Immigration |
| <input type="radio"/> ADR/Arbitration | <input type="radio"/> Indian |
| <input type="radio"/> Antitrust/Trade | <input type="radio"/> Intellectual Property |
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| <input type="radio"/> Financial Institutions | <input type="radio"/> Taxation |
| <input type="radio"/> General Counsel | <input type="radio"/> Transportation |
| <input type="radio"/> Government Contracts | <input type="radio"/> Veterans |
| <input type="radio"/> 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	<input type="checkbox"/> \$155	<input type="checkbox"/> \$135
Member Admitted to Practice 6-10 Years	<input type="checkbox"/> \$215	<input type="checkbox"/> \$190
Member Admitted to Practice 11+ Years	<input type="checkbox"/> \$255	<input type="checkbox"/> \$220
Retired (Fully Retired from the Practice of Law)	<input type="checkbox"/> \$155	<input type="checkbox"/> \$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	<input type="checkbox"/> \$95	<input type="checkbox"/> \$75
Member Admitted to Practice 6-10 Years	<input type="checkbox"/> \$155	<input type="checkbox"/> \$130
Member Admitted to Practice 11+ Years	<input type="checkbox"/> \$195	<input type="checkbox"/> \$160
Retired (Fully Retired from the Practice of Law)	<input type="checkbox"/> \$95	<input type="checkbox"/> \$95

ASSOCIATE MEMBERSHIP

Foreign Associate Admitted to practice law outside the U.S.	<input type="checkbox"/> \$195
Law Student Associate Currently enrolled in law school	<input type="checkbox"/> \$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	<input type="checkbox"/> Labor and Employment Law	\$15
<input type="checkbox"/> Criminal Law	<input type="checkbox"/> Social Security	\$10
<input type="checkbox"/> Environment, Energy, and Natural Resources	<input type="checkbox"/> State and Local Government Relations	\$5
<input type="checkbox"/> Federal Litigation	<input type="checkbox"/> Taxation	\$15
<input type="checkbox"/> Government Contracts	<input type="checkbox"/> Transportation & Transportation Security Law	\$20
<input type="checkbox"/> Health Law	<input type="checkbox"/> Veterans Law	\$10
<input type="checkbox"/> Immigration Law		
<input type="checkbox"/> Indian Law		

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<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.

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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

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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.