



# Bar Talk

September 26, 2012

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## President's Welcome

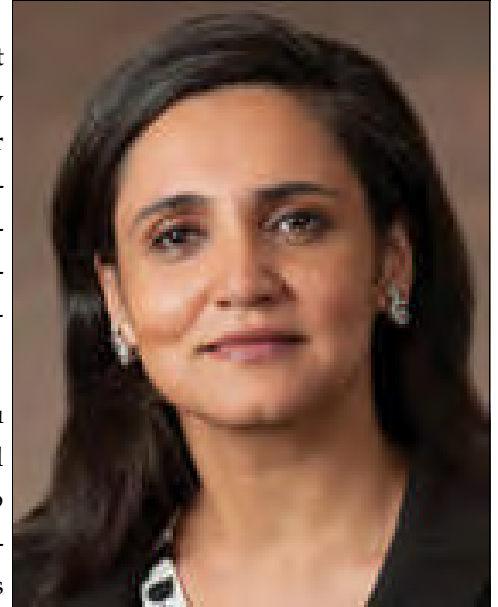
I am a business litigation attorney at Fredrikson & Byron P.A. and a first generation immigrant to this great country. I have been blessed in many ways and now am extremely grateful for your trust in electing me as your President of the Minnesota Chapter of the Federal Bar Association for 2012-2013. I will be serving as your President along with a very impressive Executive Committee and Board. Our common goal is to promote the administration of justice and access to our federal court. We welcome your engagement and enthusiasm throughout the upcoming year.

As a member of the Minnesota Chapter of the Federal Bar Association you are among a group of elite members because our Chapter is unique and strong. Our Chapter's uniqueness stems from the incredible relationship between our federal bench and bar. The strength of our Chapter is evidenced by the many awards our Chapter has received over the years. This year, our Chapter has been selected as a recipient of the Chapter Activity Presidential Excellence Award. Also, this newsletter that you are reading has been selected as a recipient of the Outstanding Newsletter Award.

My goal this year is to continue to make your FBA membership meaningful. To that end, we will continue to provide excellent programs, including:

- The Federal Practice Seminar and Mason Memorial Lunch;
- The *Pro Se* Project, a program designed to provide all civil *pro se* litigants in federal court with a volunteer lawyer;
- The FBA Monthly Lunches featuring federal practice speakers;
- The Newer Lawyer Lunches (brown bag lunches with federal judges);
- The Federal Judges' Dinner Dance; and
- The FBA Golf Tournament.

I am happy to report that, as a Chapter, we are pushing close to 900 members. We, together, have great strength, both in numbers and ideas, to work together to continue to make this the best Chapter in the country. I welcome any feedback, your support and/or comments.



**Rachna B. Sullivan, President, Minnesota Chapter of the Federal Bar Association**

### Inside This Issue

Kosovo Effective Rule of Law Program	2
Diversity Committee Update	3
Federal Practice Seminar Review	4
2012 Mason Memorial Luncheon	7
Local Rules Update	8
2012 Golf Tournament	9
Federal Pro Se Project	10
Outstanding Newsletter Award	13

## Minnesota Judges Participate in Kosovo Effective Rule of Law Program

On June 29 and 30, 2012, Chief Judge Michael J. Davis accompanied Judge John R. Tunheim and other judicial figures of international repute to the Republic of Kosovo to participate in the “Effective Rule of Law Program” for Kosovo’s Constitutional Court. Sponsored by USAID and held in Pristina, Kosovo’s capital city, the two-day event focused on vindicating human rights in Kosovo through improving its new constitution.



Left to right: former Hennepin County Judge Stephen Swanson; Kosovo Constitutional Court Judge, Professor Doctor Snezhana Botusharova; Chief Judge Michael J. Davis; former Dakota County Judge Robert Carolan; and Judge John R. Tunheim.

Prior to Judge Tunheim’s talk on using precedent to build the rule of law, Chief Judge Davis spoke on “The Roles of the Criminal Defense Attorney and Judge.” The Chief Judge highlighted how the adversarial system in U.S. courts, in which attorneys (rather than judges alone) attempt to discover the truth of a suspect’s innocence or guilt, serves to protect and defend human rights. A former criminal defense attorney himself, Chief Judge Davis was able to speak with first-hand experience how zealous advocacy can improve outcomes for criminal defendants specifically and the justice system in general. “For the justice system to work, there must be adequate criminal defense attorneys working in the system,” Chief Judge Davis explained.

While criminal defense attorneys in Kosovo’s constitutional system have little experience with the type of zealous-advocacy model he highlighted, Chief Judge Davis was bullish on the future success of Kosovo’s burgeoning constitutional regime. With “well-trained judges, prosecutors, and defense attorneys serving as good advocates,” he predicted Kosovo’s new constitutional system would continue to improve. And with Minnesota judges like he and Judge Tunheim continually visiting the republic, that prediction is indeed likely to come true.

**Jeff Justman** is a member of the Communications Committee and an associate at Faegre Baker Daniels, LLP. He previously clerked for Eighth Circuit Court of Appeals Judges James B. Loken and Diana E. Murphy.

## United States District Court for the District of Minnesota Hosts Delegation of Kosovo Judicial Officers

Shortly prior to their travels to the Republic of Kosovo, on June 25, 2012, Chief Judge Michael J. Davis and Judge John R. Tunheim hosted a reception to welcome Judges from Kosovo to Minnesota, as well as members of the Kosovo Judicial Council and Prosecutorial Council. The Kosovo Delegation was in Minnesota focusing on codes of conduct, judicial ethics, and ethics for court staff. Following remarks given by Patrick Martin, former President of the Minnesota Chapter of the FBA, Judge Tunheim, and members of the Kosovo Delegation, Chief Judge Davis distributed welcoming gifts to the members of the delegation.



Chief Judge Michael J. Davis and Judge John R. Tunheim with members of the Kosovo Delegation.



**Kirstin D. Kanski** is a Co-chair of the Communications Committee and partner at Lindquist & Vennum, PLLP. She previously clerked for the Honorable David S. Doty.

## SAVE THE DATE! FBA Diversity Committee to Host Point-Counterpoint CLE on the Proposed Voter ID Amendment and Announces Launch of "WAVES" Website

On **October 25, 2012**, the FBA Diversity Committee is sponsoring a CLE titled **"Point-Counterpoint: The Proposed Voter ID Amendment"** followed by a Diversity Summit reception. The CLE will be at the Leonard, Street and Deinard Conference Center, 150 South Fifth Street, 16<sup>th</sup> Floor, Minneapolis.

From 3:00 p.m. to 4:30 p.m. Minnesota State Representatives Mary Kiffmeyer and Stephen Simon will debate the merits of the proposed amendment to the State Constitution that would require a valid photo identification to vote and would require the State to provide free identification to eligible voters. Eric Janus, Dean of William Mitchell College of Law, will act as moderator.

From 4:30 p.m. to 6:00 p.m. there will be a reception for all CLE attendees and representatives from the many diversity related organizations that are represented on a new website called **"Minnesota Legal Diversity: Waves of the Future."** This new **"WAVES"** website will be a unique networking resource for organizations that support diverse students (from pre-college to law school) and attorneys. The goal of the **"WAVES"** website is to promote the collaboration among the organizations and to ultimately increase diversity in the legal profession.

For more information, please contact Eric J. Rucker, Briggs and Morgan, P.A., at (612) 977-8519, [erucker@briggs.com](mailto:erucker@briggs.com), or Dulce J. Foster, Fredrikson & Byron, P.A., (612) 492-7110, [dfoster@fredlaw.com](mailto:dfoster@fredlaw.com), Co-Vice Presidents, Diversity.



## The 38th Federal Practice Seminar a Great Success

Every year, the Federal Practice Seminar provides the bench and bar with the unique opportunity to come together and discuss effective advocacy, developments in the law, and current issues in federal practice. The Seminar took place this year at The Depot in downtown Minneapolis on June 28. As promised, the day-long event was packed with presentations from judges, members of the bar, and professors on a diverse range of topics.



**Judge Ann D. Montgomery, welcoming attendees to the seminar.**

Judge Ann D. Montgomery kicked things off with a warm welcome and a report on the state of the District. She explained the District of Minnesota remains

first in the Eighth Circuit in total filings, civil and weighted filings, and terminations per judgeship. Despite a 23% decline in overall filings from the prior fiscal year, the District of Minnesota continues to be one of the busiest districts in the country.

In the first plenary session, Michael C. McCarthy, Maslon Edelman Borman & Brand, LLP, presented an overview of recent Eighth Circuit and U.S. Supreme Court decisions. From appellate practice to the Uniform Trade Secrets Act, Mr. McCarthy summarized cases in over sixteen areas and advised the audience of the potential implications of those decisions on day-to-day practice.



**(Left to right) Sarah Stroebel, U.S. Bank; Magistrate Judge Janie S. Mayeron; Timothy M. O'Shea, Fredrikson & Byron, P.A., and Becky Thorson, Robins, Kaplan, Miller and Ciresi, LLP, presenting on updates and developments in electronic discovery.**

Next, a panel comprised of Magistrate Judge Janie S. Mayeron, Becky Thorson, Robins, Kaplan, Miller & Ciresi, LLP; Timothy M. O'Shea, Fredrikson & Byron, P.A.; and Sarah Stroebel, U.S. Bank, examined the impact of Federal Rule of Civil Procedure 26(g) on e-discovery. The panel emphasized the importance of proportionality and cooperation in conducting electronic discovery. The panel also provided advice regarding the use of key words, the responsibilities of in-house and outside counsel in avoiding the spoliation of evidence, and wisdom of the early development of an e-discovery methodology.

Judge Montgomery moderated the final presentation of the morning, *Bridging the Justice Gap: Pro Bono Service for Federal Lawyers*. Cathy Haukedahl, Betsy Parrell, and Drew Schaffer spoke on behalf of Mid-Minnesota Legal Aid. They each described the wide range of work they perform as advocates—from social work to policy advocacy to courtroom appearances.

**CLE Information: Code: 169809**

**Credits: 5.50 Standard and 1.00 Elimination of Bias**



(Left to right) Betsy Parrell, Mid-Minnesota Legal Aid; Tiffany Sanders, *Pro Se* Project; Drew Schaffer, Mid-Minnesota Legal Aid; Judge Ann D. Montgomery; and Cathy Haukedahl, Mid-Minnesota Legal Aid, presented on *Bridging the Justice Gap: Pro Bono Services for Federal Lawyers*.



Tiffany Sanders, *Pro Se* Project, and Michael Undlin, a former recipient of legal services through the *Pro Se* Project, shared Mr. Undlin's personal and life-changing experience with the *Pro Se* Project. More on Mr. Undlin's story can be found in the *Pro Se* Project update, located at page 10 of this Issue.

**Check out the Minnesota FBA  
Chapter on LinkedIn!**

Tiffany Sanders, of the *Pro Se* Project, then introduced Michael Undlin, who shared the important role the *Pro Se* Project played in helping him find justice. Dan Hedlund, Gustafson Gluek, PLLC, also spoke about his rewarding experience as a volunteer with the *Pro Se* Project. Each of the panel members encouraged volunteerism and highlighted its extrinsic and intrinsic benefits, including the opportunity for young lawyers to gain experience, the immense assistance programs like the *Pro Se* Project provide to the court system, and the furtherance of the availability of justice for all.

As attendees took their seats for the Mason Memorial Luncheon, conversations in the room turned to the Supreme Court's health care decision, released two hours earlier. Aaron D. Van Oort, Faegre Baker Daniels, LLP, stepped up to quell the audience's curiosity over the details of the opinion, succinctly recapping the issues and summarizing the positions of the Justices.

Two one-hour breakout sessions followed lunch. In the first hour, attendees chose between *Recent Developments in Class Action Litigation* with panel members Sarah Fleegel Averbeck, Jackson Lewis, LLP; Dan Gustafson, Gustafson Gluek, PLLP; Todd Noteboom, Leonard Street and Deinard, P.A.; Wendy Wildung, Faegre Baker Daniels, LLP; and Rob Shelquist, Lockridge Grindal Nauen PLLP; or *First 24 Hours: Advice Regarding Your Clients' Surprise Encounters with Law Enforcement* with Leif Simonson, Faegre Baker Daniels, LLP; Joe Dixon, UnitedHealth Group; Andrew M. Luger, Greene Espel PLLP; and John W. Lundquist, Fredrikson & Byron, P.A. During the second hour, attendees chose either *Anna Nicole Smith Returns to the Supreme Court: Stern v. Marshall and Article I Jurisdiction*, with Judge Nancy C. Dreher, Scott Moriarity and Eric Tostrud, of Lockridge Grindal Nauen, PLLP; and Steven Siltan, Hinshaw & Culbertson, LLP, or *Hot Topics for the IP Litigator*, with Judge Joan N. Ericksen, Chief Magistrate Judge Arthur J. Boylan, Katherine Moerke, Leonard, Street and Deinard P.A.; and Ann N. Cathcart Chaplin, Fish & Richardson.



In the final presentation of the day, Judge Patrick J. Schiltz, Judge Susan Richard Nelson, and Professor Terry Morrow discussed effective oral and written advocacy. The panel offered tips on how attorneys should think about their argument, organize their points, and maintain the attention of their audience. After the formal agenda concluded, attendees gathered for a reception to toast the speakers and recap the day's exciting events.

A special thank you to the FBA Seminar Planning Committee, whose dedication and creativity helped to make this year's event a success. As one of the event's co-chairs, Tammy Schemmel, Barna, Guzy & Steffen, Ltd., stated, "It was a pleasure working with such a talented and motivated committee. Each committee member picked a topic for one session at the Seminar and developed the content for that topic, selecting moderators and panelists. The Committee's hard work made the Seminar a success." If you have suggestions about next year's seminar, please contact: Patrick M. Arenz ([pmarenz@rkmc.com](mailto:pmarenz@rkmc.com)) and William Otteson ([william.otteson@usdoj.gov](mailto:william.otteson@usdoj.gov)).

**Trish Furlong** is a member of the Communications Committee and is currently a law clerk to the Honorable Steven E. Rau. (Photographs courtesy of Kirstin D. Kanski, Lindquist & Vennum, P.L.L.P.)

## Get Involved!

With the outstanding 2012 FBA Seminar still visible in the rear-view mirror, planning is already underway for the 2013 FBA Seminar. A planning committee is forming and will be meeting soon to begin its work. This is a great way for Chapter members, new or old, to get more involved in helping our great organization. If you are interested, please contact Patrick Arenz at [pmarenz@rkmc.com](mailto:pmarenz@rkmc.com) or Bill Otteson at [william.otteson@usdoj.gov](mailto:william.otteson@usdoj.gov).



*First 24 Hours: Advice Regarding Your Clients' Surprise Visit with Law Enforcement:* (Left to right) Joe Dixon, UnitedHealth Group; John W. Lundquist, Fredrikson & Byron, P.A.; Andrew M. Luger, Greene Espel, P.L.L.P.; and Leif Simonson, Faegre Baker Daniels, L.L.P.



*Hot Topics for the IP Litigator:* (Left to right) Ann N. Cathcart Chaplin, Fish & Richardson; Chief Magistrate Judge Arthur J. Boylan, Judge Joan N. Ericksen, and Katherine Moerke, Leonard, Street and Deinard, P.A.



*Anna Nicole Smith Returns to the Supreme Court: Stern v. Marshall and Article I Jurisdiction:* Eric Tostrud, Lockridge Grindal Nauen P.L.L.P.; Steven Sifton, Hinshaw & Culbertson L.L.P.; Judge Nancy C. Dreher, and Scott Moriarity, Lockridge Grindal Nauen P.L.L.P.

## 2012 Mason Memorial Lunch Features Walter Echo-Hawk

The keynote speaker for this year's Mason Memorial Lunch was Walter Echo-Hawk, a Native American attorney, tribal judge, law professor, and author. Magistrate Judge Leo I. Brisbois gave a personal and powerful introduction of Mr. Echo-Hawk, who considered the notion of justice broadly. Mr. Echo-Hawk explained that for justice to exist, laws must apply equally to all segments of society. His message was clear: When miscarriages of justice occur, they diminish the human condition for all people. The audience found Mr. Echo-Hawk's speech moving, giving him a standing ovation.

Following Mr. Echo-Hawk's address, former Magistrate Judge Jonathan G. Lebedoff took the stage to honor Judge John M. Mason's enduring legacy, recounting stories from their long friendship and recalling the earnestness with which Magistrate Judge Mason carried out his judicial responsibilities. This year's luncheon was especially meaningful because it marked the ten-year anniversary of Judge Mason's passing. The Chapter was honored to host Judge Mason's wife, Vivian, and son, Peter at the luncheon.

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**Trish Furlong** is a member of the Communications Committee and is currently a law clerk to the Honorable Steven E. Rau. (Photographs courtesy of Kirstin D. Kanski, Lindquist & Vennum, P.L.L.P.)



(Left to right) Magistrate Judge Leo I. Brisbois, Walter Echo-Hawk, Matthew Webster, Law Clerk to the Honorable Ann D. Montgomery, and Forrest Tahdooahnippah, Law Clerk to the Honorable Ann D. Montgomery.



(Left to right) Former Magistrate Judge Jonathan G. Lebedoff and the family of Judge John M. Mason: Vivian Mason, Peter Mason and Melinda Williams.



## Local Rule Amendments Modify Civil Motion Practice

Recent amendments to the District of Minnesota Local Rules include significant changes to civil motion practice, according to Jeannine Lee, Leonard Street and Deinard, P.A., Chair of the Court's Federal Practice Committee. The amendments took effect on July 23, 2012.

### Local Rule 7.1

#### *Meet-and-confer*

The new rule requires the moving party to "meet and confer with the opposing party in a good-faith effort to resolve the issues raised by the motion." LR 7.1(a). An in-person meeting is not required. Local Rule 7.1(a)(1)(A) requires that the parties document the meet-and-confer with a separate meet-and-confer statement, a form for which has been added to the District of Minnesota website. The meet-and-confer statement must be filed together with the motion unless the non-moving party is unavailable prior to the motion, in which case the moving party may supplement the motion with a meet-and-confer statement.

The meet-and-confer requirement has long been a prerequisite to bringing discovery motions. The new rule applies to all civil motions except for motions for temporary restraining orders and motions for summary judgment. The separate meet-and-confer requirement of Local Rule 37.1 has been deleted as redundant of new Local Rule 7.1(a).

"The meet-and-confer rule is designed to encourage parties to take a second look at their pleadings," Lee said. After conferring with opposing counsel, parties may re-examine their pleadings and come to a voluntary agreement to narrow their claims, eliminating unnecessary motion practice. The meet-and-confer requirement exists in a number of jurisdictions already and district judges believe it will be a beneficial addition to Minnesota's local rules, Lee further explained.

#### *Motion Scheduling and Deadlines*

Rule 7.1(b) and (c) also require that parties file motions and supporting documents at the same time instead of filing a motion and then later filing supporting documents. Prior to filing, the parties must contact chambers to obtain a hearing date. "The rule change is intended to adopt a practice that is already followed by many judges in the district," Lee said.

The method for calculating deadlines for filing motion papers has changed. Instead of calculating deadlines by

counting backward from the hearing date, deadlines are based on the filing of the moving party's motion papers and supporting documents. Additionally, the time to file a reply brief is now 14 days instead of seven. If a party chooses not to file a reply brief, the new rule requires the party to file and serve a notice that no reply brief will be filed. LR 7.1(c)(3)(A)(ii).

### Local Rules 16.1-16.7

The changes to Local Rules 16.1-16.7 are "mostly in the nature of housekeeping," according to Lee. In accordance with Rule 83 of the Federal Rules of Civil Procedure, some of the amendments are intended to make the rule consistent with, and not redundant of, the Federal Rules of Civil Procedure. Amended Rule 16.3(a)-(b) clarifies that the parties' modification of a scheduling order requires a motion in accordance with Local Rule 7.1(b); the parties cannot simply stipulate to modifications of a scheduling order.

### Local Rule 26.1

The amendments to Local Rule 26.1 specify the contents of the parties' Rule 26(f) conference as well as the timing and form of the Rule 26(f) report. Unless the Court orders otherwise, the new rule directs parties in patent cases to use LR Form 4 and parties in non-patent cases to use LR Form 3. The new rule also requires that the parties discuss at the Rule 26(f) conference whether a protective order will be necessary, and if so, to jointly submit a proposed protective order as part of the Rule 26(f) report. Additionally, new Rule 26.1 includes matters previously found in Rule 16.2 related to the Rule 26(f) conference, a part of the "housekeeping" changes to the Local Rules, reorganizing rules of like subject matter.

### Restyling Process

The language of 15 local rules was also amended as part of a broader restyling process, an initiative to respond to restyling in the Federal Rules of Appellate Procedure, Criminal Procedure, Civil Procedure, and Evidence. Lee said that the restyling is an on-going project, and that additional groups of restyled rules will be submitted to the Court as future rule amendments are proposed.

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**Michael P. Goodwin**, is a member of the Communications Committee and a civil litigation associate at Jardine, Logan & O'Brien, P.L.L.P.



## A Great Turnout and a Great Time at the Annual FBA Golf Tournament

We had another full field of participants at the FBA Annual kickoff golf tournament and social event which was held on August 27th at the Midland Hills Country Club in St. Paul. The weather was perfect and a good time was had by all. Special thanks to the members of the federal judiciary who participated, as well as the many law firms who sponsored the tournament. Also special thanks to other members of the FBA Golf Committee, Dan Hedlund, Tom Jamison, Vince Louwagie, and Jim Simonson.

There was some low scoring and close competition for the top prizes this year. The winning foursome

of Tony Beasley, Logan Drew, John Harting and Cy Morton took 1st Place with a great score of 13 under par 59. Close behind were Chief Magistrate Judge Arthur J. Boylan, Dan Gustafson, Judge Richard H. Kyle and Eric Tostrud at 12 under (60) and just behind them, Art Boylan, Tom Jamison, Molly Thornton and Ben Webster at 11 under (61).

Unfortunately, the hybrid Toyota Camry went unclaimed again this year for the Hole-In-One competition (thanks again to Barbara Klas from Merrill Corporation for serving as the 16th hole host), but there will be another opportunity again next year! For any suggestions on next year's tournament, please contact Tracey Holmes Donesky at [tracey.donesky@leonard.com](mailto:tracey.donesky@leonard.com).

Stay tuned for more details and a Save the Date for next year's event!

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**Tracey Holmes Donesky** is currently the Chair of the Annual Golf Tournament Committee. She is a shareholder at Leonard, Street and Deinard P.A.

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## **PRO SE PROJECT'S NEED FOR VOLUNTEER ATTORNEYS IN EMPLOYMENT DISCRIMINATION REFERRALS**

Since the *Pro Se* Project's formal inception in May 2009, a consistent majority of the types of cases the Court refers to the *Pro Se* Project involve employment discrimination. As equally consistent as the number is the challenge in placing these cases with volunteer attorneys. Employment discrimination cases are time-consuming and expensive, both of which limit plaintiff employment attorneys' capacity and ability to accept these *Pro Se* Project cases. Large firms, which have more resources than the small and solo-practitioner firms that typically work with plaintiffs in employment cases, more often than not, reject employment discrimination referrals citing actual or positional conflicts of interest. As a result, the *Pro Se* Project has leaned heavily on a handful of generous, skilled, and efficient attorneys to accept these referrals, from law firms including:

Gustafson Gluek  
Nichols Kaster  
Fruth, Jamison & Elsass  
Miller, O'Brien Cummings  
Jardine, Logan & O'Brien  
Halunen & Associates

Not only have these firms performed tremendous service to the Court by assisting *pro se* plaintiffs who allege employment discrimination, they have been an invaluable asset to the *Pro Se* Project. Lawyers in these firms have worked with the *Pro Se* Project in strategizing ways to increase the number of volunteer attorneys who accept employment discrimination referrals, means of providing employment law training opportunities, and methods to incentivize volunteer attorneys to accept referrals. And, more recently, in response to the Chief Judge Michael J. Davis' request, attorneys in several of these firms have agreed to brainstorm with Chief Judge Davis, Magistrate Judge Franklin L. Noel, and Tiffany Sanders, the *Pro Se* Project Coordinator, regarding suggestions and solutions for how the *Pro Se* Project can better serve the Court in its efforts to place *pro se* litigants in employment discrimination cases with volunteer attorneys.

The *Pro Se* Project's emphasis for the Minnesota Chapter of the Federal Bar Association's (FBA) upcoming fiscal year will be on improving access to justice for *pro se* litigants alleging employment discrimination claims by providing them with more meaningful consultations with volunteer attorneys. By doing so, the *Pro Se* Project will continue to improve its service to the Court by expediting employment discrimination cases on the Court's busy docket, while meeting the goals of the FBA.

### ***Pro Se* Project's Efforts to Recruit Future Attorneys**

This summer, Chief Judge Davis graciously included the *Pro Se* Project at the annual summer associate and law clerk luncheons, hosted by the FBA's Newer Lawyer Committee. Chief Judge Davis permitted Ms. Sanders to address the future lawyers in the packed Courtroom, explain the *Pro Se* Project, the benefits to the Court and *pro se* litigants, and how their participation in the *Pro Se* Project provides terrific opportunities to obtain federal court experience while improving access to justice for the underserved of our judicial system. The promotion of the *Pro Se* Project to a captive audience with Chief Judge Davis provided a meaningful opportunity to generate interest among future lawyers, and the *Pro Se* Project is extremely grateful.

### ***Pro Se* Project Participation in the FBA's Federal Practice Seminar *Pro Bono* Panel Discussion**

At the request of Karin Ciano, and with permission from Judge Ann D. Montgomery, the *Pro Se* Project received a tremendous opportunity to participate in the FBA's Federal Practice Seminar on the *pro bono* panel discussion. As a means to showcase the important work of the *Pro Se* Project through its volunteer attorneys and the real difference being made in individuals' lives, Ms. Sanders had the pleasure of talking with a former *Pro Se* Project litigant, Michael Undlin, while on the *pro bono* panel.

In the discussion, Mr. Undlin explained how after 47 years of living a normal life, 25 years of marriage,

putting his children through undergraduate and graduate school, and a successful sales and marketing career, he fell into a severe and persistent mental illness state. During his discharge from hospitalization for mental illness, Mr. Undlin decompensated into a completely silent fetal position state. Instead of delaying discharge, calling family, or following patient rights grievance procedures, the hospital security lifted Mr. Undlin into a wheelchair and wheeled him to the street. After being left on the curb, a hospital staff eventually called 911. Police arrived and arrested Mr. Undlin for trespassing, handcuffed him, lifted him from the wheelchair, and dragged Mr. Undlin to a squad car. Police transported Mr. Undlin to the Hennepin County Adult Detention Center (HCADC), placed him in restraints that caused him excruciating pain, and left him restrained in a cell for hours. HCADC's staff responded to Mr. Undlin's requests for relief with indifference, mockery, and repeated false assurances a nurse was coming.

For two years after his release, Mr. Undlin's attempts to get assault charges brought against HCADC were unsuccessful. As a result, Mr. Undlin filed a *pro se* Complaint in federal court, and in response, Hennepin County brought a motion to dismiss. Magistrate Judge Noel issued a Report and Recommendation to dismiss the case in its entirety. Mr. Undlin, as best he could, objected; however, Judge Joan N. Ericksen adopted Magistrate Judge Noel's Report and Recommendation and issued an Order dismissing Mr. Undlin's case with prejudice.

Using his best efforts, Mr. Undlin filed a motion for reconsideration that Judge Ericksen converted into a Rule 59(e) motion to alter or amend judgment. Judge Ericksen overruled the Court's prior order dismissing the case and contacted Dan Gustafson, whose firm Gustafson Gluek, oversaw the *Pro Se* Project at the time. Judge Ericksen requested Mr. Gustafson represent Mr. Undlin.

Mr. Undlin described how Judge Ericksen's actions in reversing the Court's prior Order began the process of restoring his confidence in the judicial system, in his sense of fairness, and in himself. In

describing how the Court did not have to do what it did—reverse the Order dismissing his case which actually created more work for Court—Mr. Undlin saw it as another chance. Mr. Undlin also credited Mr. Gustafson's work, and the work of his colleagues, in helping him regain his trust in others, in the judicial process, and as being the first real step in his healing process.

The next significant event that Mr. Undlin discussed in his case was the settlement conference scheduled with Magistrate Judge Noel. Mr. Undlin articulated his hesitancy in attending such a conference with the same Judge that initially recommended the dismissal of his case. Mr. Undlin described this turn of events as a "big pill to swallow." Mr. Undlin complimented Mr. Gustafson and his colleagues for their hard work in helping Mr. Undlin work through his re-emerged sense of distrust and skepticism to again overcome his sincere belief that the judicial process is flawed and that he was being set up to fail.

Because of Mr. Gustafson's tireless efforts at establishing a rapport with Mr. Undlin and by gradually earning his complete trust, Mr. Undlin eventually accepted Mr. Gustafson's advice and agreed to attend the settlement conference with Magistrate Judge Noel. Much to his surprise and pleasure, Mr. Undlin described how Magistrate Judge Noel listened to his story and understood Mr. Undlin's primary concern that others with mental health issues not experience the same treatment when detained. During the settlement conference, Magistrate Judge Noel successfully facilitated a settlement that included a change in HCADC's policies for the detention of adults with mental health issues and the implementation of audio and video recordings of detentions. Mr. Undlin received all that he ever sought, and more, and felt a tremendous sense of pride and accomplishment in knowing that his efforts—as difficult and painful as they were—made a real difference in changing how HCADC detains individuals with mental health issues.

According to Mr. Undlin, Judge Ericksen, Magistrate Judge Noel, Dan Gustafson, Gustafson Gluek, and the *Pro Se* Project were instrumental in helping



him regain his life, his dignity, and his sense of purpose and well-being. Mr. Undlin demonstrated tremendous courage in sharing his experience to an audience full of judges and lawyers, and by doing so, he inspired so many to do *pro bono* work and strive to make a positive difference in the lives of others. Thank you, Mr. Undlin.

### 2012 *Pro Se* Project Referrals

For the months of January through August 2012, the Court referred 52 cases to the *Pro Se* Project and the following tables provide specifics regarding these referrals:

#### **PRO SE PROJECT REFERRALS IFP APPLICATIONS AND DETERMINATIONS January – August 2012**

IFP APPLICATIONS	
Filed	32
Not applicable ( <i>pro se</i> litigant Defendant or case removed from State Court)	12
Not filed	8
<b>TOTAL</b>	<b>52</b>

IFP DETERMINATIONS	
Granted*	19
Pending	6
Dismissed (voluntarily or involuntarily) prior to determination	5
Denied	2
<b>TOTAL</b>	<b>32</b>

\* Of the 21 cases where the *pro se* litigants' case was not voluntarily or involuntarily dismissed prior to the IFP determination, the *pro se* litigant was eligible to request IFP status. The Court granted IFP status in 90% of *Pro Se* Project cases.

### **TYPES OF PRO SE PROJECT REFERRALS JANUARY – AUGUST 2012**

CASE TYPE	
Employment Discrimination	17
Civil Rights*	14
IP	4
Consumer Debt	3
SSDI	3
TILA	3
Real Estate	2
Immigration	2
ERISA	1
Tax	1
Fraud (diversity)	1
Tort/PI (diversity)	1
<b>TOTAL</b>	<b>52</b>

\* The Court recently certified *Karsjens et al. v. Minnesota Department of Human Services, et al.*, 11-cv-03659 DWF/JSM, a *Pro Se* Project civil rights case, as a class action. The class includes approximately 600 individuals, all of whom the Gustafson Gluek firm represent as class counsel.

**Tiffany A. Sanders** is the Coordinator of the *Pro Se* Project. More information about the *Pro Se* Project is available at <http://www.fedbar.org/Chapters/Minnesota-Chapter/Chapter-Initiatives.aspx>.

FBA members who are interested in volunteering with the *Pro Se* Project may contact **Tiffany Sanders at [proseproject@q.com](mailto:proseproject@q.com) or (612) 965-3711**.

## Bar Talk Receives Outstanding Newsletter Award for the Second Year in a Row!

Congratulations to the Minnesota Chapter for again receiving yet another award from the National FBA for Outstanding Newsletter for the year 2012! A specific thank you and recognition for all of those who served on the Chapter's Communications Committee during the 2011-2012 year, which was led by **Molly Thornton**, Cargill, Inc., and **Kirstin D. Kanski**, Lindquist & Vennum, P.L.L.P. The award, however, could not have been won without all of the contributions and dedication of the following individuals. *Please join us in congratulating them on the award and thanking them for their nationally recognized efforts:*

### Members and Contributing Authors of the 2011-2012

### Communications Committee of the Minnesota Chapter of the FBA

**Rebecca Baertsch**

Judicial Assistant to the Honorable Donovan W. Frank

**Ashlee Bekish**

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

**Marc Betinsky**

Law Clerk to the Honorable Richard H. Kyle

**Karin Ciano**

Karin Ciano Law, PLLC

**Trish Furlong**

Law Clerk to the Honorable Steven E. Rau

**Michael Goodwin**

Jardine, Logan, & O'Brien, P.L.L.P.

**Wesley Graham**

Henson & Efron, P.A.

**L. Kathleen Harrell-Latham**

Larkin Hoffman Daly & Lindgren, Ltd.

**Jeff Justman**

Faegre Baker Daniels, LLP

**Steve Katras**

Law Clerk to the Honorable Janie S. Mayeron

**Adine S. Momoh**

Leonard Street and Deinard, P.A.

**Kerri Nelson**

Bassford Remele

**Erin Oglesbay**

Target, Corp.

**Timothy O'Shea**

Fredrikson & Byron, P.A.

**Ryan Schultz**

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

**Anita L. Terry**

Law Clerk to the Honorable Paul A. Magnuson

**Vildan Teske**

Crowder Teske, PLLP

**Todd Winter**

Greene Espel, PLLP

**Kathryn Uline**

United States District Court, Clerk of Court's Office

## Calendar of Upcoming Events

**October 17, 2012 | 6:00 p.m.**

**Fall Board of Directors Meeting**

The Woman's Club of Minneapolis

**October 24, 2012 | 12:00 p.m.**

**Monthly Luncheon: Local Rule Amendments**

**Magistrate Judge Franklin L. Noel and Jeannine Lee**

Minneapolis Club, Minneapolis

**October 25, 2012 | 3:00 p.m. to 6:00 p.m.**

**FBA Diversity Summit & CLE**

Leonard Street and Deindard, P.A.

**October 30, 2012 | 12:00 p.m.**

**Newer Lawyer Luncheon: Magistrate Judge Leo I. Brisbois**

Minneapolis Courthouse, Courtroom 8E

**November 14, 2012 | 12:00 p.m.**

**Monthly Luncheon: Diversity Presentation**

**Magistrate Judge Tony N. Leung, Eric Rucker, and Dulce Foster**

Minneapolis Club, Minneapolis

**November 29, 2012 | 12:00 p.m.**

**Newer Lawyer Luncheon: The *Pro Se* Project**

**Chief Judge Michael J. Davis and Tiffany Sanders**

Minneapolis Courthouse, Courtroom 15

**December 12, 2012 | 12:00 p.m.**

**Monthly Luncheon: State of the District**

**Chief Judge Michael J. Davis**

Minneapolis Club, Minneapolis

**December 19, 2012 | 12:00 p.m.**

**Newer Lawyer Luncheon: Judge Paul A. Magnuson**

St. Paul Courthouse

### Reserve your seat at the Monthly Lunches ... Purchase a Season Pass!!

For more information on how to purchase a Season Pass, or the monthly meetings, contact Ann Anaya, [ann.anaya@usdoj.gov](mailto:ann.anaya@usdoj.gov), or Rachel Zimmerman, [rzimmerman@merchantgold.com](mailto:rzimmerman@merchantgold.com), Co-Vice Presidents of Monthly Meetings.

For more information on the Newer Lawyers Monthly Lunches, contact Kelly Laudon, [klaudon@lindquist.com](mailto:klaudon@lindquist.com), or Molly Thornton, [mthornton@cargill.com](mailto:mthornton@cargill.com), Co-Chairs of the Newer Lawyers Committee.

## Communications Committee

**Ashlee Bekish**

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

**Marc Betinskyy**

*Law Clerk to the Honorable Richard H. Kyle*

**Kate Buzicky**

*Law Clerk to the Honorable Steven E. Rau*

**Tara Craft**

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

**Trish Furlong**

*Law Clerk to the Honorable Steven E. Rau*

**Michael Goodwin**

*Jardine, Logan & O'Brien, P.L.L.P.*

**Jeff Justman**

*Faegre Baker Daniels, L.L.P.*

**Steve Katras**

*Law Clerk to the Honorable Janie S. Mayeron*

**Katherine Kelly**

*Heins, Mills & Olson, P.L.C.*

**Kirstin Kanski (Co-Chair)**

*Lindquist & Vennum P.L.L.P.*

**Jon Marquet**

*Bassford Remele, P.A.*

**Adine S. Momoh**

*Leonard, Street and Deindard, P.A.*

**Kerri Nelson**

*Bassford Remele, P.A.*

**Erin Oglesbay**

*Target Corp.*

**Timothy O'Shea**

*Fredrikson & Byron, P.A.*

**Tammy Schemmel (Co-Chair)**

*Barna, Guzy & Steffen, Ltd.*

**Ryan Schultz**

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

**Vildan Teske**

*Crowder Teske, P.L.L.P.*

**Kathryn Uline**

*United States District Court, Clerk of Court's Office*

**Joe M. Wearmouth**

*Barna, Guzy & Steffen, Ltd.*

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

*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: Kirstin Kanski ([kkanski@lindquist.com](mailto:kkanski@lindquist.com)) or Tammy Schemmel ([tschemmel@bgs.com](mailto:tschemmel@bgs.com)).



# connect



## through the Federal Bar Association

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

### Advocacy

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

### Networking

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

### Leadership

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

### Learning

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

## expand your connections, expand your career

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

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

### Applicant Information

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

☐ Male ☐ Female

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

Which do you prefer as your primary address? ☐ business ☐ home

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

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

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

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

☐ Administrative

☐ Health

☐ Admiralty/Maritime

☐ Immigration

☐ ADR/Arbitration

☐ Indian

☐ Antitrust/Trade

☐ Intellectual Property

☐ Bankruptcy

☐ International

☐ Communications

☐ Labor/Employment

☐ Criminal

☐ Military

☐ Environment/Energy

☐ Social Security

☐ Federal Litigation

☐ State/Local Government

☐ Financial Institutions

☐ Taxation

☐ General Counsel

☐ Transportation

☐ Government Contracts

☐ Veterans

☐ Other: \_\_\_\_\_



### Membership Levels

#### Sustaining Membership

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

	Private Sector	Public Sector
Member Admitted to Practice 0-5 Years .....	<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 .....	<input type="checkbox"/> Intellectual Property & Communications Law .....
<input type="checkbox"/> Antitrust and Trade Regulation .....	<input type="checkbox"/> International Law .....
<input type="checkbox"/> Bankruptcy Law .....	<input type="checkbox"/> Labor and Employment Law .....
<input type="checkbox"/> Criminal Law .....	<input type="checkbox"/> Social Security .....
<input type="checkbox"/> Environment, Energy, and Natural Resources .....	<input type="checkbox"/> State and Local Government Relations .....
<input type="checkbox"/> Federal Litigation .....	<input type="checkbox"/> Taxation .....
<input type="checkbox"/> Government Contracts .....	<input type="checkbox"/> Transportation & Transportation Security Law .....
<input type="checkbox"/> Health Law .....	<input type="checkbox"/> Veterans Law .....
<input type="checkbox"/> Immigration Law .....	
<input type="checkbox"/> Indian Law .....	

### Career Divisions

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

\*For eligibility, date of birth must be provided

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

### Chapter Affiliation

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

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

Name on card (please print) \_\_\_\_\_

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

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

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

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

Date \_\_\_\_\_

(Signature must be included for membership to be activated)

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