



# Bar Talk

March 27, 2013

[www.fedbar.org/Chapters/Minnesota-Chapter.aspx](http://www.fedbar.org/Chapters/Minnesota-Chapter.aspx)

## State of the District of Minnesota: Continuing to Serve Justice in High Demand

Speaking to a sold-out crowd, Chief Judge Michael J. Davis presented his annual State of the District address on Wednesday, December 12th at the Minneapolis Club.

Prior to Chief Judge Davis giving remarks, however, Chief Judge Gregory F. Kishel of the United States Bankruptcy Court for the District of Minnesota offered a remembrance of Bankruptcy Judge Nancy C. Dreher, who passed away in late November. Chief Judge Kishel recalled Judge Dreher as a jurist who accomplished great things through the sheer force of her character, intelligence, and wonderful personality. He concluded his remarks by urging all present to remember her gracious and welcoming presence by sharing a glass of wine with friends.



Chief Judge Michael J. Davis (center, front row) and United States District Court Judges (left to right, back row) David S. Doty, Donald D. Alsop, Patrick J. Schiltz, Susan Richard Nelson, Paul A. Magnuson, Richard H. Kyle, (left to right, front row) Donovan W. Frank, John R. Tunheim, Ann D. Montgomery, and Joan N. Ericksen. (Photograph courtesy of U.S. District Court.)

Chief Judge Davis began his summary of the activities of the District of Minnesota by noting how often he hears from attorneys that they love practicing in this District. In a brief run-down of statistics from this year, he observed that 2012 saw 18 civil trials and 23 criminal trials, some of which lasted several weeks. The district is known for its efficiency, which according to the Chief Judge can be attributed to hard-working district court judges, federal magistrate judges, and senior-status judges who still take what he de-

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scribed as a “full pay load” each year. Despite decreasing filings in both the civil and criminal dockets, the judges still average approximately 600 cases each—far higher than the national average of 430 cases per judge.

Other significant accomplishments in this District include improvements to CM/ECF (although Chief Judge Davis quipped that litigants still cannot select their own judge), the naturalization of 1100 new citizens hailing from all over the globe, and the modernization of the Duluth courtroom. The Chief Judge told the audience that he looks forward to presiding over an admiralty trial there in February—it is sure to be an enviable winter getaway.

The Chief Judge then pointed out some of the honors that members of the federal bench received this year. Notable among them was Judge Donovan W. Frank’s Paul G. Hearne Award for his work to raise consciousness about the rights of people with disabilities, and retired Magistrate Judge Jonathan G. Lebedoff’s Earl Larson Award, given annually by the ACLU to an attorney who makes an outstanding contribution to preserving civil liberties. Chief Judge Davis also recognized Chief Magistrate Judge Arthur J. Boylan, who was reappointed to another eight-year term, Judge David S. Doty, who celebrates 25 years on the bench, and Senior Judge Donald D. Alsop, who turned 85 and who is the “Dean of the Bench” in this District. Finally, Chief Judge Davis recognized the newest addition to the Bankruptcy Court, Judge Kathleen Hvass Sanberg, and noted that the Bankruptcy Court will likely see the appointment of two other new judges in 2013.

Judges from this District have also been active internationally, whether traveling to developing nations like Albania, or welcoming foreign delegations such as the group of Ukrainian legal professionals who visited the District



Chief Magistrate Judge Arthur J. Boylan (center, front row) and United States District Court Magistrate Judges (left to right, back row) Jeanne J. Graham, Jeffrey J. Keyes, Leo I. Brisbois, Steven E. Rau, Tony N. Leung, Mary Kay Klein, (left to right, front row) Franklin L. Noel and Janie S. Mayeron.

*(Photograph courtesy of U.S. District Court.)*

this fall. The Chief Judge praised District Judges Tunheim, Montgomery, Magnuson, and Magistrate Judge Rau for sharing their experience and expertise with colleagues from around the world.

This year has also been a sterling one for the Office of the United States Attorney and the Office of the Federal Defender. The Chief Judge noted that criminal justice occupies thirty percent of the District docket. Despite their equally heavy workloads, the prosecution, defense, U.S. Marshal’s staff, and tribal police have excelled in handling a number of complex criminal and civil cases.

The Chief Judge’s remarks concluded with a preview of the year to come, including enhancements to the Minneapolis Courthouse entrance area, a major effort to examine the painful legacy of the *Dred Scott* decision, and continued work on the *Pro Se* Project. If 2012 is any measure, 2013 will be another busy and productive one for the District of Minnesota.

**Kate T. Buzicky** is a member of the Communications Committee and law clerk to Magistrate Judge Steven E. Rau.

## Mark Your Calendars for May 22 and Don't Miss Lynne M. Jackson

at the May monthly luncheon of the Minnesota Chapter of the FBA, where she will be speak on "A Family Member's View of the Dred Scott Supreme Court Decision." Also on May 22, in the evening she will be at the Bloomington Civic Plaza Schneider Theater and Lobby, which is a speaking engagement that is open to the public and is being offered in conjunction with the Open Doors program hosted through the U.S. District Court of Minnesota.

Lynne M. Jackson, president and founder of The Dred Scott Heritage Foundation, is a great-great granddaughter of Harriet and Dred Scott of the Dred Scott Decision of 1857. The Foundation's goal is to promote the commemoration, education and reconciliation of our histories with an eye towards helping to heal the wounds of the past. She holds a Bachelor of Science in Business Administration and Marketing from Southern Illinois University Edwardsville. Her career started at The Girl Scout Council of Greater St. Louis where she became Business Operations Director. After enjoying administrative positions at Ford Motor Company and Cass Logistics, she was Manager of General Services at Bryan Cave LLC law firm until 2009.

She travels around the country sharing the history of this landmark case, the family story and attendant histories. The Missouri Senate honored her with a recognition resolution in 2008. In 2011, she received the Edwin P. Hubble Award of Initiative from the City of Marshfield, Missouri, where Dred Scott received a star on their Walk of Fame in 2007. Mrs. Jackson received The Phenomenal Woman Award in 2011 from the Center for Racial Harmony in Belleville, Illinois. In 2012, under her leadership, the Dred Scott Heritage Foundation erected the first statue of Harriet and Dred Scott, designed and created by sculptor Harry Weber, which stands outside the Old Courthouse in St. Louis, Missouri. She was born in St. Louis, where she and her husband, Brian, live. They have two children.



**Lynne M. Jackson**, president and founder of The Dred Scott Heritage Foundation and great-great granddaughter of Harriet and Dred Scott.

### **Federal Bar Association Annual Judges' Dinner-Dance**

**Saturday May 18, 2013**

**The Minnesota Chapter of the Federal Bar Association  
will once again host its annual Judges' Dinner-Dance at the  
Minikahda Club in Minneapolis.**

*Come and join us for a fun-filled evening of great food,  
music, and dancing.*

**See you there!**

For more information contact  
Arthur G. Boylan at (612) 335-1957 ([Art.Boylan@leonard.com](mailto:Art.Boylan@leonard.com))  
or Jeannine Lee at (612) 335-1543 ([Jeannine.Lee@leonard.com](mailto:Jeannine.Lee@leonard.com)).



## Law School Outreach Committee Continues to Foster Growth of Local FBA Law School Chapters

Law student outreach in the District of Minnesota continues to expand, with the Minnesota Chapter's Law Student Outreach Committee entering its second year. The committee works with the student FBA chapters to promote FBA involvement on campuses.

"We offer the student chapters assistance and resources that they may not know about," said Karin Ciano, of Karin Ciano Law PLLC, who co-chairs the committee along with Adine S. Momoh, an attorney at Leonard, Street and Deinard, P.A.

The Minnesota Chapter has a long history of engagement with the local law schools. The Minnesota Chapter's Board of Directors has had a Law School Liaison since 1982, when the Chapter began sponsoring a law student scholarship for one graduating student at each local school. The Chapter also began hosting an annual reception for law students in 2006. Shortly thereafter, students at the University of Minnesota started the first FBA student group in Minnesota. Professor Alex Klass, then the Chapter's Law School Liaison, served as the group's faculty advisor.

The Chapter further enhanced its outreach efforts in January 2012, when the Chapter's board approved the creation of the Law Student Outreach Committee. The committee consists of a diverse group of federal practitioners and educators as well as students from each of the four local law schools. The committee, which meets four times a year, is charged with sponsoring activities for students interested in federal practice, providing organizational support for the FBA student chapters, and promoting Minnesota Chapter events at each school. There is currently an FBA student group at each of the four local law schools, which helps boost student involvement with Chapter activities, Ciano said.

"Having an FBA chapter on each campus gives us greater visibility," Ciano said. In the past few years, students who became involved have been more likely to stay involved with the FBA after passing the bar, she said.

The student chapters have their own events and activities, and some of the student chapters have hosted larger events. In 2010, the University of St. Thomas chapter co-hosted a panel discussion on the prosecution of Tom Petters, and in 2011 the Hamline chapter sponsored a CLE on the Affordable Care Act.

*(Pictures of Annual Law Student Reception are located at pp. 6-7.)*

Lauren D'Cruz, a 3L at William Mitchell College of Law, got involved with the FBA as a 1L and is now the William Mitchell Chapter's president. In January, the William Mitchell Chapter hosted a Federal Practitioners' Dinner at Axel's Bonfire in St. Paul. According to D'Cruz, the purpose of the event was for students to learn about different federal careers and interact with federal practitioners in a casual environment. Seven attorneys attended the dinner, along with 15 students from William Mitchell. "It was one of our most successful events," D'Cruz said.

The William Mitchell Chapter also hosted a happy hour at the beginning of the year, and co-sponsored a federal judicial externship information session. In addition, two William Mitchell law students will be competing in the FBA's Sixteenth Annual Thurgood A. Marshall Memorial Moot Court Competition in Washington, D.C. in April, which will be co-directed by Adine Momoh. The team is sponsored in part by a grant from the Minnesota Chapter. William Mitchell will be the first Minnesota team to compete in the competition.

The University of Minnesota student chapter is governed by a six-member board and has 200 students on its mailing list. According to Adam Thorngate-Gottlund, president of the U's chapter, the chapter usually has several lunch events per semester, each with a federal judge or practitioner, and is planning two lunch events and a panel discussion for this spring. He said that new students are expressing interest in getting involved in the student chapter's activities.

"The people who are getting involved seem to be excited, and want to be very active," Thorngate-Gottlund said.

The Chapter's outreach efforts have resulted in increased student involvement in FBA activities, according to Ciano. This year's law student reception, which was hosted by Lindquist & Vennum, LLP, attracted 80 students, judges and attorneys. Students members benefit greatly from the networking opportunities that FBA membership provides, Ciano said.

"The FBA is one of the best networking groups if you want to be a litigator in Minnesota," she said. Students also have the opportunity to publish in *The Federal Lawyer*, the FBA's flagship publication. Ciano said that the committee is exploring the possibility of developing a formal mentoring program, and is also looking for ways to reach out to students who attend school out of state but plan to return to



The William Mitchell College of Law student chapter of the FBA hosted a federal practitioners' dinner, providing an opportunity for federal practitioners and law students interested in federal practice to dine in the company of those with similar interests and experiences.

Minnesota to practice. The Minnesota FBA Chapter's annual scholarship awards will be presented in April by Chief Judge Michael J. Davis, Judge Paul A. Magnuson, Judge Donovan W. Frank and Judge Susan Richard Nelson at a reception at Hamline University School of Law.

D'Cruz and Thorngate-Gottlund both cited networking opportunities as one of the most significant membership benefits. The local federal bench and bar are very generous with their time. Local FBA members have shown a genuine interest in engaging with students, Thorngate-Gottlund said.

"We get a great response from people when we reach out to the FBA membership," Thorngate-Gottlund said.

FBA members interested in joining the Law Student Outreach Committee or participating in student outreach events should contact Karin Ciano or Adine Momoh. The next committee meeting is scheduled for April 30 at 12 p.m. at the offices of the Wilson Law Group in Minneapolis.

**Michael Goodwin** is a member of the Communications Committee and an attorney at Jardine, Logan & O'Brien, PLLP.



Pictured above: Officers of the William Mitchell College of Law student chapter of the FBA: From left to right: Casey Stanley (Secretary), Lauren D'Cruz (President), Grant Gorker (Vice-President). Andrew Schmid (Treasurer) is not pictured.

(Photographs courtesy of William Mitchell College of Law Law FBA Chapter.)





*(Photographs courtesy of  
Lindquist & Vennum, LLP and  
Tammy Schemmel, Co-Chair of  
the Communications Committee.)*



## Annual Law Student Reception Well-Attended and Enjoyed by All!

The Chapter hosted its annual law student reception at the law firm of Lindquist & Vennum LLP in February to introduce law students to the work of the FBA and to recognize the work of the law student chapters of each of the local law schools. The reception was well-attended by students from all four law schools, judicial law clerks, **District Court Judge David S. Doty, Magistrate Judges Franklin L. Noel and Jeffrey J. Keyes, Chief Bankruptcy Judge Gregory F. Kishel** and visiting **Bankruptcy Judge Anita Shodeen**, as well as **Eric Janus, Dean of William Mitchell College of Law**. Chapter President **Rachna B. Sullivan**, along with **Karin Ciano** and **Adine S. Momoh**, the Minnesota Chapter's law school liaisons and co-chairs of the Law School Outreach Committee, gave remarks at the event. The law students in attendance enjoyed the opportunity to mingle and learn from the judges and federal practitioners in attendance.



## 16<sup>th</sup> Street Church Bombing Prosecutors William Baxley and Douglas Jones to Speak at May 21, 2013 Federal Practice Seminar

**Mark your calendar!** This year's 39<sup>th</sup> Annual Federal Practice Seminar and 11<sup>th</sup> Annual Mason Memorial Luncheon will take place on **May 21, 2013** at The Depot in downtown Minneapolis. An exciting array of speakers and panel discussions is scheduled. And, as always, this event will be a great opportunity to connect with members of our federal bench and bar. Don't miss it!

The Seminar will feature a powerful presentation on the 16<sup>th</sup> Street Baptist Church bombing case by the very people who prosecuted it. That tragic event occurred fifty years ago in Birmingham, Alabama, when Ku Klux Klan members planted a bomb at the Church where members of the civil rights movement often gathered. The bomb killed four young African American girls, Addie Mae Collins, Cynthia Wesley, Carole Robertson, and Denise McNair. In 1977, Alabama Attorney General **William Baxley** tried and convicted Robert Chambliss for his involvement in the murders. At the time, law student **Douglas Jones** sat in the courtroom to observe Mr. Baxley's closing argument. In 2001, nearly forty years after the bombing, Mr. Jones, who had since become U.S. Attorney for the Northern District of Alabama, would successfully prosecute the other surviving suspects. Guest speakers Mr.

Baxley and Mr. Jones will present the remarkable story of how they persisted in bringing these cases to justice despite years of delay.

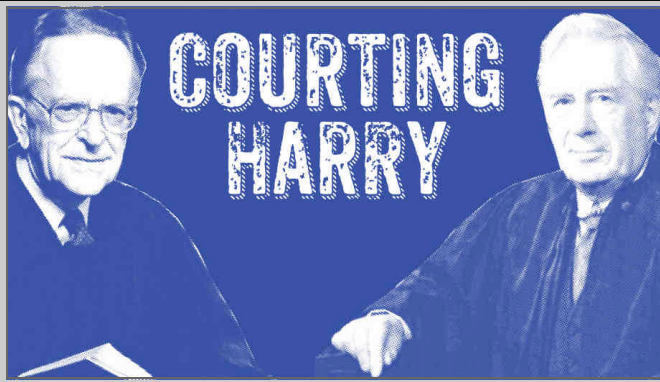
The Seminar will also include welcome remarks from **Chief Judge Michael J. Davis**; a Supreme Court Year in Review presentation by University of Minnesota Law School Professor **Dale Carpenter**; a panel discussion with recent jurors moderated by **Judge Joan N. Ericksen**; and a panel of judges led by **Judge Susan Richard Nelson** who will discuss their perspectives regarding the role of judges in the justice system. A reception will follow the Seminar. Please look for registration information, which will soon be available at <http://www.fedbar.org/minnesota.html>. An application for CLE credit, including Elimination of Bias credit, is pending.

On behalf of the 2013 Federal Practice Seminar Planning Committee, we hope to see you at what promises to be a thought-provoking and engaging event!

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*Jenni Ives is an attorney at Leonard, Street and Deinard, P.A. and a member of the 2013 Federal Practice Seminar Planning Committee.*





"You see plays about lawyers in your free time?"

I was asked this question recently at a gathering of lawyers and, although I answered yes, I wasn't entirely sure how much I would enjoy the production. I half-feared a stodgy tale that would trigger flashbacks of reading *Roe v. Wade* and *Planned Parenthood v. Casey* with bleary eyes in law school. How wrong I was.

The History Theatre's *Courting Harry*, a new play by Lee Blessing and directed by Joel Sass, tells the amazing 70-year story of Warren Burger and Harry Blackmun, spanning the formation of their friendship in kindergarten in St. Paul to the eventual tearing apart of that friendship when they both sat on the United States Supreme Court.

*Courting Harry* is less about lawyers and more about the transformation of a life-long friendship centered around one of the most divisive issues of our time. The production is told posthumously by both Warren Burger and Harry Blackmun, and is set against a simple backdrop of shelves upon shelves of bankers boxes holding the voluminous records that Blackmun kept of everything he ever wrote. Indeed, it is these writings—from draft opinions, receipts, and letters he received to a pro/con list of joining the Eighth Circuit Court of Appeals—that provide us with a view into Blackmun's innermost thoughts and opinions, including those on his best friend, Warren Burger.

The play is told through the characters' heated arguments, the fuel for which becomes increasingly apparent as the play progresses. It illustrates each man's character in living color: Blackmun was brilliant but unambitious, and Burger was assertive, a self-described "pusher" who craved respect. After law school, Blackmun held a variety of positions, including private counsel and adjunct faculty at the University of Minnesota Law School and at William Mitchell College of Law (then known as the St. Paul College of Law). Later he was resident counsel for the Mayo Clinic in Rochester. Meanwhile, after a political career that thrust him into the national spotlight, Burger was appointed to the U.S. Court of Appeals for the District of Columbia Circuit where he remained for thirteen years. He was not on the bench long before he began courting his old friend Blackmun to aim higher than his com-

fortable role at the Mayo Clinic. When Blackmun was offered the nomination to the Eighth Circuit, Burger urged him to accept it, which he eventually did after a characteristically careful deliberation.

In 1969, Burger, having become known as an advocate of a literal, strict-constructionist reading of the U.S. Constitution, was nominated to the Chief Justice position of the Supreme Court by Richard Nixon. Blackmun attended Burger's swearing-in, not realizing that he would join his friend on the Court only a year later, in part due to Burger's recommendation to Nixon. Because they were both from Minnesota and both conservatives, the media dubbed Burger and Blackmun "The Minnesota Twins." In the beginning, Blackmun often voted with Burger on closely divided cases. But everything changed when *Roe v. Wade* arrived at the Supreme Court and Burger assigned Blackmun to write the opinion.

*Courting Harry* illustrates the personal battle Blackmun fought with himself when writing the majority opinion of the historic case. Just prior to *Roe*, his daughter found herself unexpectedly pregnant while in college. Although she decided not to have an abortion (a choice available at the time to those with sufficient money or connections), the struggle she went through left a strong impression on her father. Blackmun's holding in *Roe* angered Burger—it was not just a liberal holding but it went much farther in recognizing individual rights than Burger would have liked. After *Roe*, Blackmun voted less and less often with Burger on closely divided cases. By 1995, when Blackmun retired, he was the most liberal justice on the bench and his friendship with Burger was all but nonexistent.

Dorsey & Whitney, one of the sponsors of the play, said that "Harry Blackmun was a great alumnus of the Dorsey firm, and *Courting Harry* was a wonderful tribute to him as a judge, a lawyer, and a man." *Courting Harry* received additional support from several law firms, including Foley & Mansfield who said that it supported the play because it "found the topic of two Minnesota-raised Supreme Court justices especially compelling—bringing a slice of Minnesota's past to life and providing the audience with historical context" of such a seminal opinion.

*Courting Harry* is an entertaining, humorous, and informative production that should be required viewing for all law students. Justices Blackmun and Burger are no longer vague, drab jurists in my mind, but rather living, memorable human beings. Blessing based his play on Linda Greenhouse's *Becoming Justice Blackmun: Harry Blackmun's Supreme Court Journey*. Now I'm going to read about lawyers in my free time, too.

**Katherine Kelly** is a member of the Communications Committee and an attorney at Heins, Mills & Olson, P.L.C.

## Judicial Profile: Honorable Michael J. Davis

### Chief United States District Judge, District of Minnesota

(Published in *The Federal Lawyer*, September 2012)

In 1994, President William Jefferson Clinton appointed Chief Judge Michael J. Davis to the U.S. District Court for the District of Minnesota. He is the first African-American judge appointed to the district and, in 2008, he became the first African-American chief judge of the district.

Chief Judge Davis' unparalleled work ethic, attention to detail, unique background, and impressive achievements have had a profound impact on the district and the citizens of the state of Minnesota. Although Chief Judge Davis' upbringing, personal integrity, and talent for the law significantly influenced his rise in the legal profession, his sincere compassion and respect for the individual, along with his genuine resolve to accept nothing less than equal justice for all, are distinguishing characteristics of Chief Judge Davis and his remarkable career.

In 1994, then Chief Judge Diana Murphy presided over Judge Davis' investiture ceremony. She recalls being extremely pleased and proud to speak about his commitment to inclusiveness and justice as she welcomed him to the federal bench. "I was familiar with his work as a lawyer and a vigorous advocate for justice, and I knew he would make a profound impact on the federal court system."

No one can dispute that Judge Murphy was right. Chief Judge Davis is well known for being very active and engaged during the four years he has presided as chief judge of the district. According to Judge Ann Montgomery: "He has really embraced the job. He understands every detail of what happens in the courthouse and knows every member of the staff. His hands-on approach has been truly admired by the entire court staff." Rich Sletten, the district's clerk of court, characterizes the chief judge as a "tireless worker" who is interested in every aspect of managing the court, from top to bottom. "He encourages everyone to strive for excellence in what they do," says Sletten. "He is the first person here and the last to leave." Sletten notes that Chief Judge Davis has been very engaged in issues involving technology



United States District Court Chief Judge Michael J. Davis.  
(Photograph courtesy of U.S. District Court.)

and related advances that are shaping the federal courthouse for the future.

Chief Judge Davis' commitment to the district extends far beyond his current role. For example, Minnesota has a very active chapter of the Federal Bar Association. As president of the chapter from 2004–2005, Chief Judge Davis helped contribute to making it the strong and growing organization it is today. Lora Friedemann, a recent past president of the chapter, says: "His achievements as a jurist and as a leader in this district cannot be underestimated. The programs and policies he has initiated, both in the association and in the federal court system, will have a deep and lasting impact in Minnesota."

His leadership in Minnesota is widely recognized in the legal community. The Minnesota Black Lawyers Association established a Law Student Scholarship in Chief Judge Davis' name. In 2000, the William Mitchell College of Law bestowed upon Chief Judge Davis



the Distinguished Service Award, and the following year, Macalester College awarded the chief judge an Honorary Doctor of Laws degree. Chief Judge Davis has also been the commencement speaker at both schools, along with the University of Minnesota Law School. The Hennepin County Bar Association, which is based in Minneapolis, presented the Judicial Professionalism Award to Chief Judge Davis in 2004. Yet, none of these awards and honors completely captures the depth of his contributions to making Minnesota a place where everyone has equal access to the justice system.

### **Justice for All: An Institutional Approach**

Chief Judge Davis' focus on equal and meaningful access to the court system can be seen in every role he takes on. A prime example of this commitment is the Pro Se Project, which resulted from a collaboration between the Minnesota District Court and the Minnesota Chapter of the Federal Bar Association. Chief Judge Davis saw a need for the economically disadvantaged to have access to a skilled and qualified lawyer; he made the project a top priority of his tenure as chief judge.

Since its inception in May 2009, the Pro Se Project has had a goal of providing civil pro se litigants with free legal consultation. When a civil pro se litigant appears in Minnesota District Court, the judge or magistrate judge may refer the case to the Pro Se Project to find a volunteer lawyer to consult with the pro se litigant. The judge's referral letter to the pro se litigant contains contact information for the Pro Se Project coordinator, Tiffany Sanders, and the judge copies her on the letter with any relevant court documents. Sanders then connects the litigants with a volunteer lawyer to evaluate their case and advise them. If the case has merit, the attorney will often choose to enter an appearance on the litigant's behalf.

The Pro Se Project has had far-reaching impact. One litigant went to the hospital seeking care for his mental health issues. The hospital staff, unsure of how to handle him, called the police, who arrested the litigant and took him to the county detention center. Unfortunately, he was placed in painful restraints for hours, which exacerbated his behavior. As part of the resolution of this case, his Pro Se Project attorney got the detention center to change their policies regarding how they hold inmates with mental health issues. Sanders reports: "As a result of the skilled representation and counseling [the litigant] received, he

completely turned his life around. I recently met with him at [his lawyer's] office and he looks great, is doing great, and is truly thankful to the Pro Se Project for helping him regain his life." The litigant later wrote the following letter in support of the Pro Se Project:

For nearly a year I was a very heavy burden on the Court. People who don't know what they are doing often are. Competent counsel early on would have saved much. It took extra time, effort, and patience, but fortunately the Court saw through my mistakes and mistakes it made because of me. The judge asked a Pro Se Project leader to consider this case. The first face-to-face meeting was with [two local attorneys] ... They treated me as professionally as if I had been an executive with a major company ... The expertise and kindnesses of many attorneys with already full plates have rippled through countless lives in unimaginable ways.

Last year, the American Bar Association selected the Pro Se Project to receive the Harrison Tweed award, one of the ABA's most respected honors. Magistrate Judge Franklin L. Noel, the court's liaison to the Pro Se Project, gave credit to Chief Judge Davis, noting that it was the chief judge "who had the vision to see the need for the program."

### **Justice for All: An Individualized Approach**

Matthew G. Tveite, a U.S. probation officer in the District of Minnesota, has worked with Chief Judge Davis for 10 years. "He is a firm believer in individual justice," says Tveite, "which is not defined by a book or mandated by a group. Chief Judge Davis is always focused on the person before him." The chief judge strongly promotes integration for those who are serious about reforming their lives. Tveite has seen the difference that this individualized attention, from someone in a position of power, can make for individuals with extreme challenges, such as addictions and multiple convictions. In one of Tveite's first cases, a robbery, the defendant had a lengthy criminal history that dated back to 1977. He was also a longtime IV drug user. "During a probation hearing, Chief Judge Davis addressed him directly," Tveite recalls. Among other things, the judge assured the defendant that he could still have a life if he really wants it, if he could use the resources offered and figure out how to change. Chief Judge Davis' words made a huge impression on the defendant, who noted that the judge "treated him like a human being." Tveite

**(Judicial Profile: Chief Judge Davis, continued)**

recalls that the defendant was released in 2007. “He was clean and doing well enough on probation that he was allowed to go on a fishing trip to Mexico.”

Those who have worked for Chief Judge Davis universally remark on his sensitivity to those who appear before him and his demand that everyone be treated with respect, regardless of race, gender, disability, or other circumstance. Brenda Anderson was Chief Judge Davis’ court reporter for many years when he was on the Hennepin County Bench and for several years after he became a federal judge. When asked, she said she could speak for hours about cases where he made a real difference in the lives of individuals. “He was all about respect—respect for those appearing before them, for their lawyers, for his staff,” Anderson recalls. “Judge Davis is very sensitive to people and their unique circumstances.”

Bill Manning, a lawyer in Minneapolis and longtime friend of the chief judge, remembers that on Nov. 21, 2000, President Nelson Mandela attended the NAACP annual banquet in Minneapolis. “Judge Davis and I got the opportunity to meet the president. I informed President Mandela that Judge Davis was one of the finest federal judges in this country.”

As Manning recalls, President Mandela looked very warmly into Chief Judge Davis’ eyes, studied his face, and said, “I can tell by his face that he is a good judge and that he makes compassionate decisions.”

**A Family Man at Heart**

Born in the late 1940s in Cincinnati and raised by his mother in Aurora, Ill., Michael Davis did not have the advantages that many others have. Early in his life, few may have predicted that he would one day become chief judge of one of the busiest federal districts in the country. His great-great-grandfather was a slave in Kentucky who escaped to Illinois, enlisted in the Union Army in 1863, and fought valiantly with the U.S. Colored Troops. Chief Judge Davis credits his mother, Doris Ruth Davis, with ensuring his future success through her love, care, and commitment to a good education for him and his brother. Although circumstances prevented Mrs. Davis from being able to complete her college education until she was in her 50s, she worked tirelessly to ensure her sons went to good schools and had a chance for success.

Chief Judge Davis graduated from Macalester College in St. Paul, Minn., in 1969. Influenced by the events surrounding the Civil Rights movement in the 1960s, he opted to attend law school and received a J.D. from the University of Minnesota Law School in 1972. During law school, Chief Judge Davis met his wife, Sara Wahl, who is a local attorney. The Davises have two sons: Mike, who is a community organizer; and Alex, who will be entering law school this fall.

**Eliminating Bias in the Court System**

Before becoming a judge, Chief Judge Davis was a criminal defense lawyer. He served as a law clerk for the Legal Rights Center from 1971–1973, and a criminal defense lawyer for the Neighborhood Justice Center in 1974. He later returned to the Legal Rights Center as an attorney for three years, before being hired at the Hennepin County Public Defender’s Office.

The Legal Rights Center is a community-driven, nonprofit law firm that specializes in adult and juvenile criminal defense and restorative justice practices and advocacy. Founded in 1970 by community leaders such as Doug Hall, leaders of the American Indian movement, and leaders of The Way (a North Minneapolis African-American youth organization), the center’s objective is to be a law firm “Of and For the People.” Chief Judge Davis’ early experience as a law clerk and attorney at the center had a profound impact on his legal career and his understanding of what meaningful access to justice for the individual entails.

“You have to understand the historical context to understand why the Legal Rights Center has been so important to the Twin Cities community,” explains Craig Boone, who worked at the center with Chief Judge Davis during its early years. As Boone tells it, there was a strong sense among the African-American and American Indian communities that they were disenfranchised from the justice system. From arrest to conviction to incarceration, racial and ethnic minorities were surrounded by a sea of white faces. “The Legal Rights Center used advocates from these communities as liaisons between the center lawyers and their minority clients,” Boone says. “Michael Davis was deeply involved in this effort to obtain equal access to justice for the community. Mike was the best lawyer of us all. When he speaks in court, people listen.”

One of the earliest community advocates was Willie Mae Dixon. Chief Judge Davis speaks of her fondly: “She was only about four feet, 10 inches tall,



but she was incredibly important to the center. She opened many doors in the African-American community. Despite her death from breast cancer at age 40, she was one of the strongest people I've ever known."

Chief Judge Davis carried these early experiences into the courtroom as a lawyer and judge. In addition, from 1977–1981, he served as an attorney commissioner at the Minneapolis Civil Rights Commission. In 1990, he was appointed to the Minnesota Supreme Court Racial Bias Task Force. Hon. Rosalie Wahl, the first woman Supreme Court justice in the state of Minnesota and, incidentally, Chief Judge Davis' mother-in-law, chaired the committee. As Editorial Committee chair, Chief Judge Davis was largely responsible for the comprehensive and influential Final Report the Task Force issued in 1993. Minnesota Supreme Court Justice Alan Page, who chaired the committee tasked with implementing the recommendations in the report, speaks very highly of Chief Judge Davis' work: "Judge Davis and Justice Wahl were central in starting the task force and producing the final report. Many of their specific recommendations have been implemented. But the key accomplishments were to cast light on disparities in the treatment of racial minorities in Minnesota and to highlight the need for some serious focus on this problem."

#### **An Excellent Lawyer, An Excellent Judge**

Hennepin County Judge Lyonel Norris clerked at the Public Defender's office in the early 1980s and was assigned to Chief Judge Davis' trial team. "He was an astonishingly good trial lawyer," says Norris. "He made criminal defense look really easy, and then educated us about why it wasn't easy at all." Those who had the opportunity to see Chief Judge Davis try cases recall his strong courtroom presence. Well over six feet tall, he strikes an imposing figure. "But he was very soft-spoken, precise in his questioning, and extremely engaging in his openings and closings. He often had the jury at the edge of their seats, hanging on his every word," Norris recalls. "And he was always prepared. He knew his cases inside out." Later, Judge Norris served as his law clerk in both state and federal court.

This excellence carried over into his 29-year career on the bench. Judge Diana Murphy, who now sits on the Eighth Circuit Court of Appeals, states that she is continually "impressed with the quality of his opinions."

During his 18-year tenure on the federal bench, Chief Judge Davis has made a number of important and impactful rulings. For example, in a dispute between the United States and the Mille Lacs Band of Chippewa Indians over treaty rights, Chief Judge Davis ruled that various laws and regulations would not be applied to reduce the band's share of natural resources and interfere with their exercise of hunting, fishing, and gathering rights under an 1837 treaty.<sup>1</sup> This decision was upheld by both the Eighth Circuit and the U.S. Supreme Court.

In 1999, a candidate for judicial office sued the state boards and offices responsible for establishing the judicial code of ethics, alleging that certain canons violated their constitutional rights. Chief Judge Davis upheld the judicial code, which included canons restricting candidates' attendance at political functions, prohibiting candidates from personally soliciting campaign contributions, and barring candidates from announcing their positions on legal and political questions that might come before them in court.<sup>2</sup> The Supreme Court reversed this decision in a 5-4 vote, which retired Justice Sandra O'Connor later regretted. In a talk at the New York University School of Law on Oct. 11, 2006, Justice O'Connor said that she wished she had voted with the minority given the decision's implications for judicial independence.

Chief Judge Davis presided over the first trial in the ongoing battle between the music industry and individuals who download music from file-sharing websites. After the defendant was initially found liable, he granted her a new trial on the grounds that violation of the exclusive distribution right requires actual dissemination.<sup>3</sup> Two trials later, the parties' cross appeals are pending in the Eighth Circuit.

Chief Judge Davis also presided over one of the largest multidistrict litigation (MDL) cases to date, *In re: Baycol Products Litigation*. Attorneys who worked on that case are highly complementary of the way his office handled such a large and complex MDL. Charles "Bucky" Zimmerman, who served as co-lead attorney for the Baycol Plaintiffs, recalls that Chief Judge Davis approached the case with a great amount of commitment and creativity. "He wasn't afraid to handle things outside of typical federal court protocol," Zimmerman said. "For example, he had joint hearings for related state and federal cases. He even appointed a special master as a liaison between the state and federal judges. Chief Judge Davis provided

**(Judicial Profile: Chief Judge Davis, continued)**

opportunities for the lawyers on both sides to meet and work things out in a civil manner—even if he had to travel all over the country.” Professor Roger Haydock, the court-appointed special master in the Baycol MDL, said that the judge is “one of the preeminent judges in America. He is fair, open-minded, and courageous. Judge Davis focuses on what’s fair to the parties and what produces the best civil justice.”

Despite a very demanding caseload and involvement with a myriad of other community organizations, Chief Judge Davis also served as a judge on the Foreign Intelligence Surveillance Court (FISC) from 1999–2006. Judge James C. Carr, who served with Chief Judge Davis on the FISC, recalls him as softspoken and insightful member of the court: “Judge Davis typically spoke less but said more than the rest of us. He did so with thoughtfulness, grace and civility, even when we were discussing very challenging and contentious issues under the Fourth Amendment and other provisions of the Constitution. It was a pleasure to serve with him.”

More recently, Chief Judge Davis has traveled repeatedly to the District of Arizona to help reduce that district’s case backlog. Currently, he sits on the Board of Directors of the Legal Rights Center, the University of Minnesota Foundation, as well as on the advisory board of the Jack Mason Law and Democracy Initiative, a project of Books for Africa. He is also a former national board member of Equal Justice Works.

**Educator, Mentor, Friend**

For more than 30 years, Chief Judge Davis has served as a trial practice instructor or adjunct professor at William Mitchell College of Law and the University of Minnesota Law School. He loves training and mentoring law students and young lawyers to become better courtroom advocates. Recently, one of his students, who participated in a mock trial, wrote him an e-mail thanking him for his time and attention to her development. She wrote:

As you know, I adore trial lawyers, probably because I know I have some natural weakness to talk in front of a lot of people, [and] to deliver a presentation. However, today, I was not nervous at all when I was standing right in front of so many jury members, judges, colleagues, and

other auditors ... I really want to overcome my weakness and now I know how to do it[:] preparation, preparation and preparation. Judge, you have been so nice to us. You might still remember the night when each of us wanted to take a picture with you at your courtroom. I recall that it was almost 11 p.m. ... however, you were so patient to let us take pictures one by one ... I was pretty touched at that moment. Everything you did was like a father ... instead of a highly prestigious Chief Judge at a Federal Court.

Chief Judge Davis was also one of the first judges to become knowledgeable in forensic DNA identification testing. This expertise led the FBI to invite him to lecture at the FBI Academy on the use of DNA evidence in the courtroom. In addition to local law schools, he has enjoyed years of service as a lecturer or instructor in trial practice and other areas at various institutions, including the Hubert H. Humphrey School of Public Affairs and Oxford University’s Magdalen College. In recent years, his role as educator has taken on an international reach. Educating judges in other countries about the American legal system has led Chief Judge Davis to Egypt, Uganda, and Senegal. He recently visited the Kingdom of Saudi Arabia to assist the State Department in an effort to invite Sharia judges to visit the United States to learn, compare, and contrast their legal system with ours.

Chief Judge Davis has served as a mentor to lawyers at various stages in their legal careers. Judge Wilhelmina Wright of the Minnesota Court of Appeals met Chief Judge Davis in 1995, shortly after arriving in the Twin Cities to take a position at the U.S. Attorney’s Office in Minneapolis. While appearing before him, she was struck by the manner in which he conducts legal proceedings. His seriousness of purpose and his expectation that prosecutors treat all defendants with respect, as he does, impressed her and set the tone for her practice. She also speaks highly of his balanced approach to sentencing, which involves consideration of both the punitive and rehabilitative aspects. Chief Judge Davis encouraged her to apply for a state-court judgeship and served as an important resource during her preparation for the bench. Judge Wright says that his mentorship, friendship, and counsel is not reserved for fellow lawyers and judges, but is given to children and law students who aspire to be lawyers or judges themselves.





Chief Judge Davis and Pro Se Project volunteers accepting the ABA's Harrison Tweed award.

U.S. District Judge Donovan Frank also attests to this commitment. He has worked with Chief Judge Davis for more than 22 years and considers him his best friend. Before they were nominated to the federal bench, they served together as state court judges in different districts and worked on several statewide committees, including the Racial Bias Task Force. Along with Judge Frank, Chief Judge Davis has served as a host judge of the Minnesota FBA chapter's Open Doors to Federal Courts Program, an educational program designed to expose school-age children to the workings of the federal court system. In addition, both judges regularly invite legal and community groups to federal court for mock trials or other programs. Chief Judge Davis has frequently hosted African-American students from Just the Beginning Foundation. Judge Frank also noted: "Judge Davis can address those students and say, 'Look at me. I came from a very modest background. If I can be a federal judge, so can you. Set your dreams and goals high. Don't be discouraged by your circumstances.'"

Chief Judge Davis recognizes Justice Thurgood Marshall as the greatest lawyer of the twentieth century. Those who know the chief judge best are certainly familiar with the framed picture of Justice Marshall's July 4, 1992, challenge to America that hangs in his office, which states in part:

*The legal system can force open doors, and, sometimes, even knock down walls. But it cannot build bridges. That job belongs to you and me. We can run from each other, but we cannot escape each other. We will only attain freedom if we learn to appreciate what is different and muster the courage to discover what is fundamentally the same. Take a chance, won't you? Knock down the fences that divide. Tear apart the walls that imprison. Reach out; freedom lies just on the other side.*

*No one I know embodies these principles more than Chief Judge Michael J. Davis.*

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**Lousene Hoppe** is a senior associate at Fredrikson & Byron, P.A., in Minneapolis, Minnesota. She served as a law clerk to Chief Judge Davis in 2007.

#### Endnotes:

- 1 *Mille Lacs Band of Chippewa Indians v. Minnesota*, 952 F. Supp. 1362 (D. Minn. 1997), *aff'd* 124 F.3d 904 (8th Cir. 1997), *aff'd* 526 U.S. 172 (1999).
- 2 *Republican Party of Minnesota v. White*, 63 F. Supp. 2d 967 (D. Minn. 1999), *aff'd* 247 F.3d 854 (8th Cir. 2001), *rev'd and remanded*, 536 U.S. 765 (2002).
- 3 *Capitol Records v. Jammie Thomas*, Civ. No. 06-1497 (D. Minn. 2008).

## FBA Government Relations Committee Continues to Pursue the Interests of the Federal Judiciary and the Federal Courts on Capitol Hill

As you probably know from flipping through the channels on TV or listening to the radio on your way to work, on Friday, March 1st, a budget process known as sequestration went into effect. As legal professionals actively participating in the federal judicial branch, the impacts of such government-wide budget cuts are, naturally, of great concern to us. This past February at the monthly luncheon, the Minnesota Chapter of the FBA was able to host Bruce Moyer, the FBA government relations counsel. As the government relations counsel for the FBA, Mr. Moyer represents the FBA and educates Washington regarding the FBA's position on various issues, including sequestration. The FBA's involvement in Washington stems from the FBA government relations program, which is a national program whose mission is "to advance the federal judicial system and promote effective legal practice before the federal courts and federal agencies." The program accomplishes its goals through the cooperation of several individuals including Mr. Moyer and members of the Government Relations Committee, chaired by West Allen and comprised of FBA members with public policy experience. While the work of Mr. Moyer and the Committee is always challenging, the issues of sequestration and pending budget cuts have presented additional obstacles, but have also presented an opportunity to get FBA members involved in the FBA government relations program.

As mentioned above, due to a budget process known as sequestration, government-wide budget cuts, including cuts to the federal courts and the Department of Justice, took effect March 1st. It has been estimated that federal courts and domestic agencies will encounter a 5.1% cut in their budgets for 2013. Unfortunately, this could result in furloughs of court staff, furloughs of clerk's office personnel, shutting down operations once a week, reduction in U.S. Marshals and security officers, or, in a worst case scenario, suspension of civil jury trials (although such furloughs are not likely to begin until April 1st at the earliest). Potential for government shutdown continues absent further legislative action; the resolution that has been funding the government was scheduled to expire on March 26th. Due to the extreme negative impact that sequestration could have on the federal courts, the government relations program has been addressing and focusing on this issue.

In addition to educating Congress, the public, and the legal community about the troubles such budget cuts reap, the FBA has also taken a grassroots approach. FBA leaders and members at all levels have coordinated a campaign that involves contacting House and Senate lawmakers in order to emphasize the potential consequences of sequestration. In fact, the government relations website provides model letters for members to send to Congress and newspaper editors.

Although addressing sequestration is a top priority, the government relations program actively involves itself in numerous other initiatives. 2012-2013's Issues Agenda highlights the FBA's position regarding important topics and issues to be addressed, such as:

- Independence of the Federal Judiciary;
- Federal Judgeships and Caseloads;
- Federal Judicial Vacancies;
- Courthouse Security;
- Indian tribal Court Jurisdiction over Non-Indian Domestic and Family Violence Offenders; and
- Authority of Bankruptcy Judges in "Core Proceedings."

The above listed items are just a few of the several topics that the program believes to be key in meeting its mission of advancing the federal judicial system and promoting effective legal practice.

According to Mr. Allen, the top three concerns of the Government Relations Committee currently are:

1. Adequate financial resources for the federal courts;
2. Prompt action by the President and Congress to fill federal judicial vacancies; and
3. Congressional establishment of new federal judgeships to respond to rising caseloads.

Of course, like most things, addressing these concerns is easier said than done. Mr. Allen explained that the Government Relations Committee faces both external and internal chal-

allenges. Washington is filled with groups, organizations, and lobbyists, including the FBA, all of which are fighting for Congress and the President's attention. And it is not just Washington's attention that the Government Relations Committee must vie for; they are also vying for the attention and time of FBA members, asking members to contact representatives, write letters, and simply support the government relations program.

During his lunch presentation, Mr. Moyer echoed and elaborated on Mr. Allen's points, and he provided a unique, on-the-ground perspective. In addition to discussing concerns about sequestration, Mr. Moyer also described the current situation regarding federal judgeships and judicial vacancies. Due to inaction by Congress and the President, to date, there are eighty-eight total judicial vacancies—thirty-three of which are considered judicial emergencies. As caseloads increase, the pressure on the federal judiciary intensifies, which is why the FBA government relations program considers filling judicial vacancies to be a top priority. However, it is not enough to simply fill vacancies; creation of new federal judgeships is necessary. In fact, Minnesota is scheduled to get one new federal judgeship, but, unfortunately, a bill providing for this new judgeship has not passed.

Mr. Moyer closed his presentation with a quick summary of developments that members might be interested in following. The first development involves judicial pay. In the past twenty years judicial pay has been withheld eight times, and a recent decision by the Federal Circuit has pushed this issue into the limelight. Sitting *en banc*, the Federal Circuit held that Congress may not suspend a system of automatic pay increases that protects the judiciary from the effects of inflation. The case has been appealed to the Supreme Court, and the FBA has filed amicus briefs in favor of just compensation for the federal judiciary. The second development involves the issue of cameras in federal courts. Currently, the Second and Ninth Circuits have cameras

in their courtrooms, and there is a pilot program in which select district courts will have cameras in their courtrooms for three years in order to better understand the pros and cons. This is a somewhat heated topic, and the FBA has not taken a position on the topic. Regardless of one's feelings on the issue, it is certainly an interesting development and one to keep an eye on.

As sequestration, judicial vacancies, creation of new federal judgeships, and a plethora of other matters directly impact us, as legal professionals, we are lucky to have Mr. Moyer, Mr. Allen, and the FBA Government Relations Committee advocating for our best interests. The work they have done, and continue to do, in these difficult financial times is a testament to their belief that the federal judiciary is vital to the administration of justice. Their work helps ensure that justice can be served, that federal courts and judges can do their jobs, and that litigants and practitioners get their day in court. In short, the FBA Government Relations Committee continues to make progress toward its ultimate goal of advancing the federal judicial system and promoting effective legal practice before the federal courts and federal agencies.

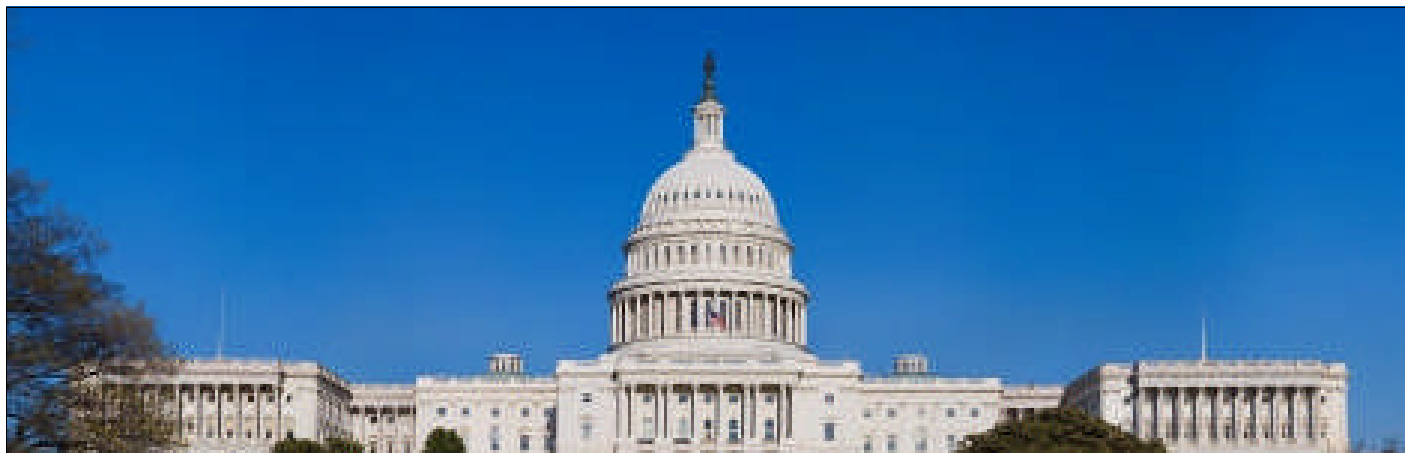
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**Paige S. Stradley** is a member of the Communications Committee and an attorney at Merchant & Gould, P.C.

### Visit . . .

**[www.fedbar.org/Resources/Chapter%20Resources/Model-Letters-to-Congress.aspx](http://www.fedbar.org/Resources/Chapter%20Resources/Model-Letters-to-Congress.aspx) if you are interested in voicing your concerns regarding automatic budget cuts.**

**Remind Congress that they are federally mandated to adequately fund the federal judiciary, a co-equal third branch of the U.S. government.**





## U.S. DISTRICT COURT EXPANDS *PRO SE* PROJECT WITH PILOT EARLY SETTLEMENT CONFERENCE PROJECT

The United States District Court, District of Minnesota ("Court") recently expanded the *Pro Se* Project in approving a Pilot Early Settlement Conference Project ("ESCP"), which the Court will implement in late March. For a period of one year, the Court will test whether the Pilot ESCP assists in expediting the Court's busy civil docket and in improving access to justice for the underserved.

The Pilot ESCP is in part the product of a brain-storming meeting Chief Judge Michael J. Davis initiated to explore options for recruiting additional volunteer attorneys to assist *Pro Se* Project employment litigants. Chief Judge Davis charged Tiffany Sanders, *Pro Se* Project Coordinator, with selecting and inviting key plaintiff employment lawyers to his chambers to meet with him, Magistrate Judge Franklin L. Noel, the Court's liaison to the *Pro Se* Project, Jeffer Ali, FBA *Pro Se* Project Chair, and Ms. Sanders. Steven Andrew Smith of Nichols Kaster, Clayton D. Halunen of Halunen & Associates, Kelly A. Jeanetta of Kelly A. Jeanetta Law Firm, Nicholas G.B. May of Fabian May & Anderson, and Beth Bertelson of Bertelson Law Offices, attended the meeting and actively collaborated to help develop the idea that resulted in the Pilot ESCP.

The distinctive feature of the Pilot ESCP is that the Court will allow a volunteer lawyer to enter a limited appearance for the sole purpose of assisting the *pro se* litigant with a Court-annexed early Settlement Conference. In short, the Pilot ESCP will operate as follows:

- At the initial scheduling conference of every civil case involving a *pro se* litigant, the Magistrate Judge will make an individual judgment as to whether the case will benefit from referral to the Pilot ESCP.
- If the Court makes a referral to the Pilot ESCP, the *Pro Se* Project Coordinator will determine whether the *pro se* litigant is interested in participating in the Pilot ESCP. If so, the *Pro Se* Project Coordinator will attempt to locate a lawyer willing to assist the *pro se* litigant. The lawyer will enter a Notice of Limited Appearance as Special Settlement Conference Counsel.
- After the *pro se* litigant and Special Settlement Conference Counsel meet and discuss the Pilot ESCP, the *pro se* litigant will sign a Declaration of the *Pro Se* Party ("Declaration"), which describes the Pilot ESCP and the limited scope of assistance

Special Settlement Conference Counsel will provide. The lawyer will file the Declaration with the Court.

- The Court will thereafter schedule a Settlement Conference to occur within ninety (90) days of the filing of the Notice of Limited Appearance.
- The Special Settlement Conference Counsel will assist the *pro se* litigant in preparing for and participating in the Court-annexed Settlement Conference.
- If the case settles at the Settlement Conference, the Court will handle it as any other settled case. If the case does not settle, the *pro se* litigant and the Special Settlement Conference Counsel will decide whether the Special Settlement Conference Counsel will enter full appearance.
- If within 15 days after the Settlement Conference, Special Settlement Conference Counsel has not entered a full appearance, the Court will enter an Order Relieving Special Settlement Conference of Limited Appearance and the case will proceed pursuant to the Pretrial Scheduling Order.
- At the conclusion of the Settlement Conference, the *pro se* litigant, Special Settlement Conference Counsel, opposing counsel, and Magistrate Judge will complete a survey regarding their participation in the Pilot ESCP.

### Court and FBA Held Reception to Recognize 2012 *Pro Se* Project Volunteer Attorneys

The Court and the Minnesota Chapter of the Federal Bar Association ("FBA") held a reception on March 14, 2013, on the 15th floor of the Minneapolis Courthouse to recognize the volunteer attorneys who generously donated their time to assist *Pro Se* Project litigants in 2012.

More than 75 people attended the reception including volunteer attorneys, judges, Rich Sletten, Clerk of Court, Lisa Rosenthal, Chief Deputy Clerk, and other Court personnel. Chief Judge Michael J. Davis, Judges Donovan W. Frank and Patrick J. Schiltz, and Magistrate Judge Franklin L. Noel personally thanked the volunteer attorneys for their important work on behalf of the underserved of our judicial sys-

tem and for the significant and positive impact each volunteer attorney makes. To give a bit of perspective on the value of the volunteer attorneys' work through the *Pro Se* Project, Judge Schiltz explained that for each hour the attorney spends on a *Pro Se* Project case, it saves the Court 10 to 20 hours on that case.

Daniel C. Hedlund of Gustafson Gluek, PLLC, thanked the volunteer attorneys on behalf of the FBA and spoke on the importance of their work through the *Pro Se* Project, not only in assisting those in need and helping the Court, but also in accomplishing the goals of the FBA. Chief Judge Davis presented the volunteer attorneys with a certificate of appreciation from the Court and commended the volunteer attorneys for generously donating their time in the important and shared quest for equal justice.

Throughout the reception, a slideshow scrolled slides providing quotes from numerous *Pro Se* Project participants expressing their gratitude. The following quote sums up the tremendous impact volunteer attorneys make in the lives of *Pro Se* Project litigants:

It is difficult for me to adequately express my gratitude to [the *Pro Se* Project] and to the Court for the efforts made on my behalf . . . [P]lease extend my gratitude to the Court for the program that made this representation -- and the justice I believe it will secure -- possible.

I am deeply, truly, thankful.

- *Pro Se* Project Plaintiff

### Upcoming *Pro Se* Project Seminars to Educate and Recruit Volunteer Attorneys

The *Pro Se* Project will host two training sessions in the Minneapolis Courthouse jury assembly room to educate and recruit volunteer attorneys to handle the three types of cases the Court most frequently refers to the *Pro Se* Project: employment discrimination claims, civil rights violations, and Social Security disability income ("SSDI") appeals. Both seminars will be free to attendees on a first-come, first-serve basis. The *Pro Se* Project will provide lunch to attendees, and a networking reception with cocktails and hors d'oeuvres will follow.

The *Pro Se* Project will hold a full-day employment and civil rights seminar on Thursday, April 18, 2013. Steven Andrew Smith of Nichols Kaster, PLLP, and Kelly A. Jeanetta of the Kelly A. Jeanetta Law Firm will present on Employment Law 101. Karin Ciano of Karin Ciano Law will join the panel to discuss working outside of your comfort zone

in handling a *Pro Se* Project employment law case. After lunch, David Shulman of Shulman Law Office and Ryan Vetteson of Gaskins, Bennett, Birrell, Schupp will present on Civil Rights Law 101, and Mr. Shulman will discuss representing clients with mental illness. Daniel C. Hedlund of Gustafson Gluek will join the panel to discuss working outside of your comfort zone on a *Pro Se* Project civil rights case. Magistrate Judges Arthur J. Boylan and Steven E. Rau will round off the day-long seminar with a discussion on shifting your center of gravity when reviewing and accepting *Pro Se* Project referrals.

The *Pro Se* Project will hold a half-day SSDI appeals session on Thursday, May 16, 2013. Magistrate Judge Noel and Fay E. Fishman of Peterson & Fishman will present on SSDI appeals 101, and Ms. Fishman will also discuss petitioning for attorney fees under the Equal Access to Justice Act. Laurence Reszetar of Maslon Edelman Borman & Brand will join the panel to discuss working outside your comfort zone on a *Pro Se* Project SSDI appeal.

### 2012 In Review

The Court referred 86 cases to the *Pro Se* Project in 2012. Thirteen *pro se* litigants either declined to participate in the *Pro Se* Project or failed to respond to inquiries. The *Pro Se* Project Coordinator requested the Court's permission to discontinue working with two *pro se* litigants. The *Pro Se* Project placed the remaining 71 *pro se* litigants with volunteer attorneys. Counsel entered notices of appearance in 22 of those 71 *Pro Se* Project cases, or in approximately one-third of the cases.

Fifty-eight *Pro Se* Project litigants applied for *In Forma Pauperis* ("IFP") status. Fifteen *Pro Se* Project litigants did not qualify to submit an IFP application as their case was either removed from state court or the *Pro Se* Project litigant was the defendant in the action. The Court dismissed eight actions prior to the IFP determination, eight IFP applications are pending, and the Court denied five IFP applications. Of the 42 IFP applications where the *pro se* litigant's case was either not dismissed prior to the IFP determination or the IFP application is not pending, the Court granted IFP status in 88% of *Pro Se* Project cases.

**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 interested in volunteering may contact **Tiffany Sanders** at [proseproject@q.com](mailto:proseproject@q.com) or (612) 965-3711.

(Continued from p. 19.)

2012 Pro Se Project Referrals by Type of Case	
Employment Discrimination	25
Civil Rights	19*
Consumer Debt (including FDCPA, TILA, foreclosures)	14
Social Security Administration Appeals	10
IP/Trademark	4
Contract (diversity)	3
Immigration	3
ERISA	1
Tort/PI (diversity)	1
Defamation (diversity)	1
Fraud (diversity)	1
Individual with Disability Education Act	1
Return of Child/Rights of Access to Child	1
Student Loan Recovery	1
Tax	1
<b>TOTAL</b>	<b>86</b>

2012 PRO SE Project Participating Law Firms	Referrals Accepted
Anderson, Helgen, Davis & Nissen	2
Anthony Ostlund & Baer	1
Baillon, Thome, Jozwiak, Miller & Wanta	1
Barna Guzy & Steffen	1
Barry, Slade, Wheaton & Helwig, LLC	2
Bassford Remele	1
Battina Law, PLLC	1
Bertelson Law Offices, P.A.	1
Blethen, Gage & Krause (Mankato)	1
Bowman & Brooke	1
Briggs and Morgan	5
Carlson, Caspers, Vandenburg & Lindquist	2
Christensen Law Office PLLC	2
Ecklund & Blando	2
Fabian, May & Anderson	1
Faegre Baker Daniels	1
Foley & Mansfield	2
Fredrikson & Byron	1
Frey Law Office	3
Fruth, Jamison & Elsass	2
Gaskins, Bennett, Birrell, Schupp	1
Greene Espel	1
Gustafson Gluek	2*
Halunen & Associates	2
Hinshaw & Culbertson	2
Jardine, Logan & O'Brien	2
Karin Ciano Law PLLC	1
Kelly A. Jeanetta Law Firm, LLC	2
Keogh Law Office	1
Koch & Garvis LLC	1
Leonard Street and Deinard	4
Lind, Jensen, Sullivan & Peterson P.A.	1
Lockridge Grindal Nauen	2
Lyons Law Firm/Consumer Justice Center	2
Madia Law Office	1
McGarry Law Office	1
McGrann Shea Carnival Straughn & Lamb, Chartered	1
Merchant & Gould	1
Nichols Kaster PLLP	1
Oppenheimer Wolff & Donnelly	1
Pemberton, Sorlie, Rufer & Kershner (Fergus Falls)	1
Peterson & Fishman	2
Robins, Kaplan, Miller & Ciresi	1
Snyder & Brandt	2
The Law Office of Zorislav R. Leyderman	1
The Todd Murray Law Firm, PLLC	1
Thibodeau, Johnson & Feriancek (Duluth)	1
Unger Law Office	1
Wilson Law LLC	1
Winthrop & Weinstine	1
Zimmerman Reed	1

\* The Court 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 over 600 individuals, all of whom the Gustafson Gluek firm represents as class counsel.



**Pro Se Project Reception Hosted by the United States District Court  
to Recognize the Efforts of Volunteers with the Pro Se Project.**



(Above) Chief Judge Michael J. Davis, Dan Hedlund, Gustafson Gluek, PLLC, Magistrate Judge Franklin L. Noel, Judge Patrick J. Schiltz, Judge Donovan W. Frank, and Tiffany Sanders, *Pro Se* Project Coordinator.



(Above Right) Chief Judge Michael J. Davis giving remarks at the reception, also pictured, Magistrate Judge Franklin L. Noel and Tiffany Sanders, *Pro Se* Project Coordinator.

(Below and Right) Chief Judge Michael J. Davis, Judge Donovan W. Rank and Magistrate Judge Steven E. Rau converse with attendees at the Court's reception in honor of those who give their time and effort to the *Pro Se* Project.

*(Photographs courtesy of Tammy Schemmel, Co-Chair Communications Committee.)*



## Calendar of Upcoming Events

**April 18, 2013 |**

**Employment and Civil Rights Pro Se Project Training**  
Minneapolis Courthouse Jury Assembly Room

**April 24, 2013 | 12:00 p.m.**

**Monthly Luncheon: Federal Courts and the State's Business**  
**Thomas K. Berg, Attorney and Author of Minnesota's Miracle: Learning from the Government that Worked**  
Minneapolis Club

**May 7, 2013 | 12:00 p.m.**

**Newer Lawyers Luncheon**  
**Bankruptcy Judge Kathleen H. Sanberg**  
Minneapolis Courthouse

**May 16, 2013 |**

**SSDI Appeals Pro Se Project Training**  
Minneapolis Courthouse Jury Assembly Room

**May 18, 2013 | 6:00 p.m.**

**Annual Federal Judges' Dinner Dance**  
Minnekahda Club, Minneapolis

**May 21, 2013 |**

**Annual Federal Practice Seminar and Mason Memorial Luncheon**  
The Depot

**May 22, 2013 | 12:00 p.m.**

**Monthly Luncheon: A Family Member's View of the Dred Scott Supreme Court Decision**  
**Lynn M. Jackson, President and Founder, Dred Scott Heritage Foundation**  
Minneapolis Club

**June 19 and 20, 2013 | 12:00 p.m.**

**Annual Summer Associate Law Student Luncheon**  
**Chief Judge Michael J. Davis**  
Minneapolis Courthouse

**GET CONNECTED! Look for the FBA at:**



*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) or Tammy Schemmel (tschemmel@bgs.com).

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*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 L.L.P.*

**Jon Marquet**

*Bassford Remele, P.A.*

**Adine S. Momoh**

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

**Kerri Nelson**

*Bassford Remele, P.A.*

**Erin Oglesbay**

*Target Corp.*

**Timothy O'Shea**

*Fredrikson & Byron, P.A.*

**Paul Sand**

*Larson King, L.L.P.*

**Tammy Schemmel (Co-Chair)**

*Barna, Guzy & Steffen, Ltd.*

**Ryan Schultz**

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

**Paige Stradley**

*Merchant & Gould, P.C.*

**Bridget Sullivan**

*Shepherd Data Services*

**Vildan Teske**

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

**Kathryn Uline**

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

**Joe Wearmouth**

*Barna, Guzy & Steffen, Ltd.*

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



# 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

- |  |  |
|--|--|
| <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  |
| <input type="radio"/> Bankruptcy             | <input type="radio"/> International          |
| <input type="radio"/> Communications         | <input type="radio"/> Labor/Employment       |
| <input type="radio"/> Criminal               | <input type="radio"/> Military               |
| <input type="radio"/> Environment/Energy     | <input type="radio"/> Social Security        |
| <input type="radio"/> Federal Litigation     | <input type="radio"/> State/Local Government |
| <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 .....		

### 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.