## Federal Bar Association Tucson Chapter Newsletter

#### President's Address

Isaac Rothschild



On September 6, 2012, the William D. Browning Tucson Chapter of the Federal Bar Association will unveil a bust of the late Honorable John M. Roll at the Evo A. DeConcini Courthouse. The bust shall be a permanent memorial to the respected jurist who spent almost 40 years in public service. Judge Roll was not only a consummate professional but also a strong advocate for the need to maintain appropriate caseloads for the judges in the District of Arizona. Everyone who saw Judge Roll speak as

Chief Judge will remember him reciting the caseload statistics for the District off the top of his head and then quipping with his dry sense of humor about the effectiveness of his advocacy in resolving the issue.

Prior to his death, Judge Roll initiated the process of having the District of Arizona declare a judicial emergency. After his death, Chief Judge Silver formally declared a judicial emergency for the District of Arizona. The declaration of the emergency provided a reprieve from the Speedy Trial Act allowing federal criminal trials to start 180 days after the filing of the indictment instead of the mandated 70 days. The District took this step because of inadequate resources, including an insufficient number of judges on the bench.

Eighteen months later, the District of Arizona still has two judicial vacancies (one in Phoenix and one in Tucson). One nominee, nominated in June 2011, remains stuck in committee with the Senate unable to vote on the nomination. The failure to (continued on page 3)



On page 4, check out our newest section of the Newsletter where we profile Tucson FBA Chapter members involved in service activities within our community. This issue, we introduce you to an attorney who volunteers with the Flying Samaritans.



## Clerk's Corner Updates & Tips for Fall of 2012



Mike O'Brien Chief Deputy Clerk

## 1. New General Order Regarding Character Letters in Support of Sentencing

General Order 12-22 was filed on July 12, 2012. The general order states that no more than ten (10) characters letters shall be submitted by defense counsel in criminal cases, unless ordered by the court. This has been the practice in the Tucson Division, but the policy has now been expanded to apply district-wide. Character letters must be submitted by defense counsel in paper form with the original to the U.S. Proba-

tion Office and copies to the sentencing judge and opposing counsel at least five (5) business days prior to the hearing.

With his family watching, on Tuesday afternoon, July 3, 2012, Judge John S. Leonardo was sworn in as the U.S. Attorney for the District of Arizona by U.S. District Judge Cindy Jorgenson. The Tucson Chapter of the FBA welcomes Judge Leonardo as the District's U.S. Attorney.

#### 2. Electronic Submission of Prisoner Documents Pilot Project

The District of Arizona and the Arizona Department of Corrections (ADC) have agreed to participate in a one-year pilot project designed to reduce the cost of processing prisoner civil filings. The District Court is providing five digital senders for use in five units of the ADC Eyman Complex: Cook, Meadows, Rynning, Browning, and SMU I. Eyman Complex staff will scan to PDF and, after quality review, email the court all documents presented by prisoners for filing with the court. The Clerk's Office will receive and file the prisoner's documents electronically. After traditional service of the prisoner's complaint or petition and appearance by an opposing party, transmission of the Notice of Electronic Filing (NEF) to opposing parties who are Electronic Case Filing Registered Users will constitute service of the hyperlinked documents. The Clerk's Office will mail a copy of the prisoner's electronically filed documents to Non-registered Users.

The Eyman Complex Units will each establish an email address for receipt of NEFs of documents filed electronically. Staff in these units will print the NEFs, and the hyperlinked orders and other documents filed by the court. Receipt of the copies of the NEFs and hyperlinked documents by the prisoner constitutes service of the document on the prisoner. Opposing parties must still serve filings on Eyman prisoners by means other than the electronic filing. In the Spring of 2012, the District Court and ADC will evaluate the pilot project to determine if it should be continued, terminated, modified, or expanded.

## 3. Proposed Historical Room for DeConcini U.S. Courthouse

A room has been designated in the DeConcini U.S. Courthouse for a historical display on the history of the federal court in Southern Arizona. The room is across the hall from the Special Proceedings Courtroom on the second floor. A Historical Committee has been appointed to coordinate this project, and has been collecting

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## President's Address

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bring nominations to a vote has forced an undue burden upon the District and continues to stretch the Court's limited resources. Extended delays filling critical vacancies impede all of our work in federal court.

In an election year, where Arizona will elect a new senator to fill the seat held by Jon Kyl for 18 years, it is important for the Federal Bar Association and its members to bring the issue of judicial vacancies to the attention of senate candidates. Please help us by contacting your preferred candidate and informing the candidate of the judicial emergency, the need for adequate resources, and the need to fill judicial vacancies in our District.

---Isaac



Pictured above and to right: The Executive Committee of the Tucson Chapter of the FBA met on Saturday, July 21, 2012 to plan the upcoming year's events.

#### Clerk's Corner

(continued)

items of historical interest for display. The Committee is also looking for a historian/curator to assist them with this project. If you have any suggestions for the proposed historical display, you can submit them to michael\_o'brien@azd.uscourts.gov.

### 4. Unveiling of Bust to Honor Judge Roll on September 6, 2012 at 3:00 PM

After the civil seminar scheduled for September 6, at the Evo A. DeConcini U.S. Courthouse, there will be an unveiling ceremony for the bust created as a memorial to Judge John M. Roll. The ceremony is scheduled for 3:00 PM in the newly named Hon. John M. Roll Jury Assembly Room. Speakers will include Chief Judge Roslyn O. Silver. The local artist, Nicholas L. Burke, will be in attendance for the unveiling. The Foundation of the Federal Bar Association and the Tucson Chapter of the Federal Bar Association donated the majority of the funds for the memorial. Members of the federal bar and court family are invited to attend this event. A reception is planned, following the unveiling, to take place in the public hallway on the sixth floor of the courthouse.



# FBA Service Profile CJA Panel Attorney Vince Lacsamana

#### **Member Notes**



Congrats to our Tucson FBA Chapter Member Sean Brearcliffe, National Chair of the FBA's Professional Ethics Committee, for being published in the August issue of The Federal Lawyer. Vince, how did you discover the "Flying Sams," as you affectionately call them?

An Arizona Daily Star article caught my attention on Christmas morning in 1996. The front page showed a small aircraft taking off from a dirt strip with the caption "Flying Samaritans Help Those In Need In Mexico." The picture and the caption spoke to me.

#### Who are the Flying Samaritans and what do they do?

Flying Sams is a volunteer-based, nonsectarian organization that provides free medical care to residents in remote, underserved regions of Mexico. The volunteers fund the trips; there are no outside funding resources. We have doctors, nurses, dentists, pilots, translators and many other people who volunteer.

#### What role do you play as a volunteer?

I am a pilot, an interpreter and a dental assistant. I also help out with other jobs as needed.

Was there ever a time when you thought you might be out of your element?

No, it was a wonderful fit. It was always exciting and fun. The

group was founded by two women in 1961: an American aviator and a Mexican woman from El Rosario. Both women are amazing human forces of nature. I doubt they ever imagined what they would start.

## What surprised you about your experience with the group?

How much more I got back from the experience of helping others than I ever gave or donated. The feeling of satisfaction of helping others who are so much less fortunate and getting others involved.

#### Looking back, can you pinpoint a favorite moment?

Bringing a little boy back from Mexico to UMC who had impaired liver function.

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#### Membership Categories and Optional Section, Division, and Chapter Affiliations

#### **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	<u>Public Sector</u>
Member Admitted to Practice 0-5 Years	O \$155	O \$135
Member Admitted to Practice 6-10 Years	O \$215	O \$190
Member Admitted to Practice 11+ Years	O \$255	O \$220
Retired (Fully Retired from the Practice of Law)	O \$155	O \$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.

<u>Privat</u>	e Sector	<u>Public Sector</u>
Member Admitted to Practice 0-5 Years	O \$95	O \$75
Member Admitted to Practice 6-10 Years	O \$155	O \$130
Member Admitted to Practice 11+ Years	O \$195	O \$160
Retired (Fully Retired from the Practice of Law)	. 🔾 \$95	O \$95

#### ASSOCIATE MEMBERSHIP

Foreign Associate Admitted to practice law outside the U.S	\$195
Law Student Associate Currently enrolled in law school O S	\$30

Dues Total: \$

#### **Practice Area Sections**

O Alternative Dispute Resolution \$15
O Antitrust and Trade Regulation \$15
O Bankruptcy Law\$10
O Civil Rights Law\$10
O Criminal Law \$10
O Environment, Energy, and
Natural Resources\$15
O Federal Litigation\$10
O Government Contracts\$20
O Health Law\$10
O Immigration Law\$10
O Indian Law\$15

O Intellectual Property Law\$10
O International Law\$10
O Labor and Employment Law \$15
O Securities Law Section\$0
O Social Security\$10
O State and Local Government
Relations\$5
O Taxation\$15
O Transportation and
Transportation Security Law \$20
O Veterans Law\$10

#### Caroor Divisions

Career Divisions	
O Federal Career Service (past/present employee of federal governme	nt)N/C
O Judiciary (past/present member or staff of a judiciary)	N/C
O Corporate & Association Counsels (past/present member of	
corporate/association counsel's staff)	\$10
O Senior Lawyers* (age 55 or over)	\$10
O Younger Lawyers* (age 36 or younger or admitted less than 3 years	i)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,

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

#### Payment Information and Authorization Statement

O Tampa Bay

TOTAL DUES TO BE CHARGED (membership, section/division, and chapter	dues): \$	
O Check enclosed, payable to Federal Bar Assoc Credit: O American Express O MasterCard O Visi		
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.

Chapter Total: \$

### Signature of Applicant Date (Signature must be included for membership to be activated)

O At Large

\*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.

# 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.

Title (e.g. Attorney At Law, Partner, Assistant U.S. Attorney)

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

## expand your connections, expand your career

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

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

Suffix (e.g. Jr.)

#### **Applicant Information**

M.I.

Last Name

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

First Name

O Male O Female

Firn	n/Company/Agency		Number of	Attorneys	Address	Apt. #
Add	lress		Suite/Floor		City	State Zip Country
City		State Zip	Cou	intry I	Phone	Fax
(	( )				/ /	
Pho	ne Fax	E-mail		Ī	Date of Birth E-mail	
Bar	Admission and Law Sch	ool Information (	required)	Practice	nformation	
	Court of Record:			PRACTICE TY		
U.S.	Court of Record:			Private Secto	or: O Private Practice	O Corporate/In-House
Ö	State/District:	Original Admission:	/ /	Public Secto	r: O Government O Nonprofit O Military	O Association Counsel O University/College O Judiciary
_	Court of Record:			PRIMARY PR	ACTICE AREAS	
Tribal	State:		/ /		<ul><li>Administrative</li><li>Admiralty/Maritime</li><li>ADR/Arbitration</li></ul>	O Health O Immigration O Indian
					O Antitrust/Trade	O Intellectual Property
gn	Court/Tribunal of Records				O Bankruptcy	O International
Foreign	Caratra	0.1-11-1-1-1-1-1	, ,		O Communications O Criminal	O Labor/Employment O Military
5	Country:	Original Admission:	/ /		O Environment/Energy	O Social Security
					O Federal Litigation	O State/Local Government
					O Financial Institutions	O Taxation
žų;	Law School:				O General Counsel	O Transportation
Students	State/District:	Expected Graduation:	/ /		O Government Contracts	O Veterans
10		•				

### **Calendar of Upcoming Events**



Final preparations are being made for the unveiling of the Hon. John M. Roll Memorial Sculpture on September 6th, 2012 at 3:00 p.m. on the first floor of the courthouse.

September 6, 2012 FBA Civil Law Seminar 10:15 a.m.— 2:45 p.m. Jury Assembly Room

September 6, 2012

Hon. John M. Roll Memorial Sculpture
Unveiling and Reception
3:00 p.m.
Jury Assembly Room

September 20-22, 2012
FBA National
Annual Meeting and Convention
San Diego
www.fedbar.org

October 19, 2012
Investitures for
Magistrate Judge Bowman and Magistrate
Judge McDonald

November 2012
Criminal Law Seminar
Time and Location TBA
www.tucsonfba.org

Save the Date Thursday, February 28, 2013 12:00 p.m. – 1:00 p.m.

Because of the Judge Roll Memorial Unveiling, we will host our annual Bench and Bar Luncheon on Thursday, February 28, 2013. Chief Judge Silver, Magistrate Judge Bowman and Magistrate Judge Macdonald are confirmed to speak.

### FBA Service Profile CJA Panel Attorney Vince Lacsamana

(continued)

It took a while to get the logistics like legal documents and lodging complete, but it was one of my best memories. Of course, seeing the grateful smiles from the people we help is its own reward too.

You've used the past tense some as you've talked about the Flying Samaritans. Do you fly with them as often as you'd like?

Since I have become a father of a little girl who is now six, I focus most of my time and effort for her benefit. I hope that in a few years when she is a little older, she will accompany me on a few clinic trips.







## A Brief History of the Flying Samaritans

November 16, 1961;

Female aviator, Aileen Saunders Mellott, was flying a small group of people back to San Diego from Baja California. One of the passengers, John A. Vietor who owned and published San Diego Magazine, was anxious to reach San Diego in time to catch a flight to San Francisco so he could attend Ingrid Bergman's birthday party. While en route to San Diego, the plane encountered severe dust storms and strong winds. Aileen was forced to land on a small isolated dirt strip in El Rosario, Baja California, Mexico.

A woman in the small town near the strip, Dona Anita Espinosa de Grosso,

sent her husband to fetch the people in the plane and give them food and lodging. There was a sick child in town and when Aileen asked about medical attention, she was told there was none. The next month, Aileen flew back to El Rosario with some friends to give Dona Anita and her family Christmas presents and repay the favor of the recent kindness. One of the pilots on that trip was a doctor. He treated patients from the village on Dona Anita's kitchen table. The Flying Samaritans group was born. Nine chapters of the Flying Samaritans in Arizona and California now operate clinics in approximately 13 remote regions of Baja California. There are now over 2,000 members of the organization.

#### William D. Browning Tucson Chapter Federal Bar Association

CIVIL LAW SEMINAR
Thursday, September 6, 2012
10:15 a.m. - 2:45 p.m.
JURY ASSEMBLY ROOM
Evo DeConcini U.S. Courthouse



Seminar will Conclude with the Unveiling of THE HONORABLE JOHN M. ROLL MEMORIAL SCULPTURE 3:00 p.m.

Tucson, AZ 85701

Courthouse Lobby with Reception Following

#### **AGENDA**

10:15 Registration/Check-in

10:30 - 12 noon Opening Statements and Closing Arguments

Practical pointers and various philosophies on opening statements and closing arguments

Hon. David Bury, U.S. DISTRICT COURT OF ARIZONA Raymond Slomski, LAW OFFICES OF RAYMOND J. SLOMSKI Peter Akmajian, UDALL LAW FIRM

Moderator: Michael Rusing, RUSING LOPEZ & LIZARDI

12:15 - 1:00 Lunch and Reflections on the Roberts Court

Toni Massaro, Regents' Professor, JAMES E. ROGERS COLLEGE OF LAW

1:15 - 2:45 Effects of the Vanishing Trial and Pro Bono Opportunities

In an era of vanishing trials, how do young attorneys get experience?

How do established attorneys perfect their craft?

Hon. Susan Bolton, U.S. DISTRICT COURT OF ARIZONA

Georgia Staton, JONES, SKELTON & HOCHULI

Patricia Lee Refo, SNELL & WILMER

Moderator: Hon. Charles Pyle, U.S. DISTRICT COURT OF ARIZONA

Pro Bono Opportunities to Gain Critical Trial Experience

Andrew Jacobs, SNELL & WILMER

For reservations call or email Leila Gimino at 520-529-4285 ~ lgimino@rllaz.com or go to www.tucsonfba.org Seminar and Lunch: FBA Members \$45 ~ Non-Members \$75.

Join the FBA today and receive membership prices to all seminars and the free year-end CLE.

Brown Bag Lunches from Baggins ~ please specify Turkey, Roast Beef or Vegetarian.

May qualify for up to 4 hours of CLE

# Federal Bar Association Executive Committee



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Contact the Executive Committee by emailing Isaac Rothschild at irothschild@mcrazlaw.com

#### **Newsletter Subcommittee**



