



Lawyer Representatives in the Ninth Circuit

Year in Review

Activities and Accomplishments 2014-2015

I. The Ninth Circuit's Lawyer Representatives

Lawyer Representatives, chosen to represent attorneys practicing in each of the Ninth Circuit's fifteen districts in nine western states and two Pacific Island jurisdictions, serve an important role in the administration of justice in the Ninth Circuit. Currently, 168 Lawyer Representatives work to foster open communications among judges and attorneys, and provide support and advice in the functioning of the courts. In 2009, the first group of Appellate Lawyer Representatives was appointed by the Ninth Circuit Judges and report to the Ninth Circuit Court of Appeals. Anne Voigts (N.D. Cal.) currently serves as the Chair of the Appellate Attorney Representatives. The 18 Appellate Lawyer Representatives serve 3-year terms. District Lawyer Representatives communicate with the Appellate Lawyer Representatives about district-related programs and activities. Attorney support and contributions to the administration of justice in the Ninth Circuit have been invaluable and have resulted in positive changes that have improved the functioning of the courts.

II. The Lawyer Representatives Coordinating Committee ("LRCC")

The LRCC functions as a separate committee and is composed of the chairperson or co-chairs of each delegation of Lawyer Representatives from each of the fifteen districts. The LRCC acts as a liaison for the Lawyer Representatives to the Ninth Circuit Judicial Council's Conference Executive Committee.

LRCC members are required to communicate periodically with the Conference of Chief District Judges to "plan and accomplish such activities within the districts as shall be requested by the Executive Committee or as shall be necessary and proper to accomplish the purpose of the conference." See Judicial Council Order adopted December 12, 1978, as amended through 1994, paragraph 4.

The LRCC has three officer positions: Vice Chair, Chair-Elect, and Chair. During the 2014-2015 term, Rebecca L. Pennell (E.D. Wash.) served as Chair; Margaret Foley (D. Nev.) served as Chair-Elect; and Autumn Spaeth (C.D. Cal.) served as Vice Chair.

Members of the LRCC plan educational programs for the annual meetings with the Conference of Chief District Judges and Chief Bankruptcy Judges of the Ninth Circuit. As in past years, the educational programs presented in 2015 were very well received by the Judges:

A. Conferences of Chief District Judges/LRCC Meetings

On February 26, 2015, the LRCC presented a four-hour educational session at the Chief District Judges' meeting in Las Vegas, Nevada. Vice Chair Autumn Spaeth (C.D. Cal.) worked with Jay McEntire (E.D. Wash.) to organize a presentation entitled Best Practices for Facilitating Feedback between Bench and Bar. Hon. Joseph J. Farnan Jr. (Ret., U.S. Dist. Ct. Delaware) gave a lively presentation about his work as an ombudsman in the District of Delaware, responsible for receiving attorney concerns regarding judges in the district. Chair Rebecca Pennell organized a discussion on Media Relations: What the Bench Can Do and How the Bar Can Assist, featuring Chief District Judge Susan Mollway (D. HI) as discussion leader and David Madden (Asst. Circuit Executive) as speaker. Anne Voigts (N.D. Cal.), Chair of the Appellate Lawyer Representatives joined us and gave a presentation regarding the Appellate Lawyer Representatives' proposal for a resolution regarding electronic storage of trial exhibits. Finally, Chair-Elect Margaret Foley (D. Nev.) organized a timely panel discussion on the Federal Government and Courts' Relationships with Local Police Departments. The speakers included: Hon. James L. Robart (W. D. Wash.); Liesl Freedman, General Counsel, Las Vegas Metropolitan Police Department; Asst. Sheriff Kirk Primas, Las Vegas Metropolitan Police Department; and Tim Mygatt, Civil Rights Division, U.S. Department of Justice.

B. Conferences of Chief Bankruptcy Judges/LRCC Meetings

The Conference of Chief Bankruptcy Judges, Clerks of Court & Lawyer Representatives occurred April 7-9, 2015 in Santa Barbara, California. Thirteen Bankruptcy Lawyer Representatives, including Vice Chair Autumn Spaeth (C.D. Cal.), attended and participated in the Conference. On April 8, 2015, the Ninth Circuit's Bankruptcy Lawyer Representatives presented a four-hour educational session. The Bankruptcy Lawyer Representatives organized a morning presentation on the Sovereign Citizen's Movement, with speakers United States Marshal David Singer (C.D. Cal.) and Joanna Mendelson, Director of Special Projects for the Anti-Defamation League. The Bankruptcy Lawyer Representatives also organized a presentation by the U.S. Marshal's Office regarding their procedures related to the issuance and execution of warrants to enforce court orders. Steven Beirne, Deputy U.S. Marshall, District Threat Investigator (C.D. Cal.) presented.

C. Other Activities

1. Planning the Ninth Circuit Judicial Conference

On September 26, 2014, members of the LRCC participated in a joint meeting with the Ninth Circuit's Conference Executive Committee. The joint meeting, held in San Francisco, allowed the LRCC to provide input and participate in a brainstorming session to develop topics and discuss potential speakers for the Circuit Conference. For the 2015 Conference, the Conference Executive Committee is Chaired by Ninth Circuit Court of Appeals Judge Jay Bybee. U.S. Bankruptcy Judge Margaret Mann (S.D. Calif.) serves as Program Chair.

The Conference Executive Committee is comprised of the Chief Judge of the Ninth Circuit, three active Ninth Circuit judges, three active district judges, one bankruptcy judge, one magistrate judge, and nine lawyer representatives (the three LRCC officers plus six at-large members). The following lawyer representatives served on the Conference Executive Committee for the 2014 Conference: Rebecca Pennell (LRCC Chair, E.D. Wash.), Margaret Foley (LRCC Chair Elect, D. Nev.), Autumn Spaeth (LRCC Vice Chair), Robert Charles (D. Ariz.), Geoffrey Cheshire (D. Ariz.), Sean Frink (D. N. Mariana Is.), Kimberly Winick (C. D. Cal.), Angela Woolridge (D. Ariz.) and Jim Shea (D. Nev.).

2. Welcoming Breakfast for New Lawyer Representatives

Each year, LRCC members organize a special welcome for new Lawyer Representatives at the Ninth Circuit Judicial Conference to give them a better understanding of their role as lawyer representatives and how the conference functions. For 2015, Autumn Spaeth is developing the meeting with the help of Walt Sinclair (D. Idaho), Anne Voigts (Appellate Chair, N.D. Cal.), Sarah Wang (D. HI), Lori Isley (E.D. Wash.), and Andy Schopler (S.D. Cal.).

3. Business Meeting for Lawyer Representatives

On the same day as the new Lawyer Representatives orientation meeting at the Ninth Circuit Judicial Conference, the LRCC hosts the Lawyer Representatives Business Meeting. At this meeting, there is a review of Lawyer Representative activities for the past year as well as a discussion about the resolution process and district activities for the past year. In addition, elections for the incoming LRCC Vice Chair and At-Large Members of the Conference Executive Committee are conducted. This year, Chair Elect Margaret Foley (D. Nev.) is organizing the business meeting with the help of Jay McIntire (E.D. Wash.), John Mansfield (D. Ore.), Mia Giacomazzi (E.D. Cal.) and Craig Denney (D. Nev.).

4. Ninth Circuit Advisory Board

The LRCC Chair is the liaison to the Ninth Circuit Advisory Board. During the 2014-2015 term, Michael Heimbold (C. D. Cal.) served as the advisory board's liaison to the LRCC.

5. LRCC Look Book

The LRCC is proud to continue to develop the “Look Book” with information regarding all lawyer representatives and appellate lawyer representatives. The look book was the brain child of former LRCC Chair Madeleine Wanslee. Current Chair, Rebecca Pennell (E.D. Wash.), is organizing the update of this year’s Look Book.

6. LRCC Website

The LRCC, through its officers and members has supported the hard work of the Ninth Circuit Executive Office, including in particular Renée Lorda and AzizA Bledsoe, as the professionals in that office have built and maintained an increasingly valuable web reference for lawyer representatives at:

http://www.ce9.uscourts.gov/lawyer_reps/

The website not only provides helpful guidance about serving as a Lawyer Representative, and rosters of Lawyer Representative groups such as the LRCC and Appellate Lawyer Representatives, it also sets forth highlights from District Conferences and other meetings organized and attended by Lawyer Representatives, so that others may benefit from them.

7. District Conferences

Each year the Lawyer Representatives, led by their District Chairs and Co-Chairs, plan educational conferences for the judges and attorneys in their respective districts. Lawyer Representative Chairs and Co-Chairs shared thoughts and ideas regarding potential educational programs on the various LRCC calls that occurred throughout the year. Some of the agendas for the District Conferences can be found on the LRCC Website noted above.