

Lawyer Representatives Coordinating Committee

September 25, 2015

Minutes

(Revised Version 2)

Participants: Margaret G. Foley (NV), Chair, Autumn Spaeth (CDCA), Chair Elect, Craig Denney (NV), Vice Chair, Darrel Gardner (AK), Cary Forrester and Lori L. Winkelman (AZ), Anna Park (CDCA), Mia Giacomazzi, (EDCA), Thomas Koegel (NDCA) substituting for Angel Garganta, Andrew Schopler and Shireen Becker (SDCA), Rodney J. Jacob (GU), Clare Connors (HI), Howard D. Burnett (ID), Jordan Crosby (MT), Carol Davis Zucker (NV), Colin Thompson (CNMI), Danielle Hunsaker (OR), Geana Van Dessel and John (Jay) B. McEntire (EDWA), and Wayne C. Fricke (WDWA)

Unable to Participate: Anne M. Voigts, ALR Chair, Liaison from the Appellate Lawyer Representatives (Tried but circuit's phone was not operating properly.)

I. **Roll Call and Welcome** Margaret G. Foley (NV), LRCC Chair

Ms. Foley welcomed all participants to the LRCC meeting and after everyone introduced themselves, she welcomed Hon. Sidney R. Thomas, Chief Judge of the Ninth Circuit Court of Appeals.

II. **Remarks by the Chief Judge** Hon. Sidney R. Thomas, Chief Judge

Chief Judge Thomas welcomed all the members of the LRCC and expressed his appreciation to them for their service to the Circuit. He said that the advice provided is invaluable. Chief Judge Thomas described his visit to Washington, D.C. the previous week where in addition to attending the JCUS Committee Meeting, an update about the revised FRAP rules was provided. Chief Judge Thomas encouraged the attorneys to continue suggesting new ideas and working to improve the administration of justice. He thanked them for their involvement and left the meeting.

III. **Planning District Conferences** Autumn Spaeth (CACD), Chair Elect

Ms. Spaeth explained that the discussion about district conferences had begun at the circuit conference during the Lawyer Representatives Business Meeting. The discussion began because of concerns and questions expressed by LRCC members who find themselves handling logistical and financial/accounting issues that can complicate holding district conferences.

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There was general discussion about who handles the funds. The District of Alaska simplifies the matter by holding a district conference during their district dinner. Darrel Gardner added that they also have instituted a local district conference that is cohosted by the Alaska Bar Association and the Federal Bar Association. They use the resources of the State Bar's CLE planner.

Clare Connors explained that the District of Hawaii uses funds from the District's Library Fund. The University of Hawaii's Richardson School of Law gets involved and helps keep expenses down. They use the same hotel every year and charge fees in addition to receiving some assistance from the Attorney Admission Fund.

Carol Zucker explained that the location alternates every year between Las Vegas and Reno. All members of the bar are invited. All the lawyer representatives are on the planning committee with a magistrate judge, federal defender, the U.S. Attorney, and District Court Clerk Lance Wilson, who does most of the planning and procures funding from the Attorney Admission Fund. They coordinate with the University of Nevada Boyd School of Law for speakers. They present an ethics program over lunch. They charge a standard fee of \$75 or \$80 and public attorneys are charged \$60. Bankruptcy attorneys also have a good session. Lawyer Reps participate in all parts of the planning process.

Colin Thompson explained that CNMI has 100 practicing lawyers and that they often join forces with the District of Guam for programs. They had a CLE for lawyers one year that was presented to 40 practitioners.

Danielle Hunsaker explained that the District of Oregon raises funds by soliciting local law firms for sponsorships. The firms pledge money and get a certain number of tickets in return. Ticket sales provide another source of funds. Generally, the charges are: \$70 for lawyers, \$40 for public lawyers, and free admission for judges and federal employees.

In the Central District of California, the main source of funding comes from the lawyers. Members of the bar pay \$790 and the judges stay at per diem. The LRCC Co-Chairs handle the budgeting. Dinner is between \$100 and \$150. The CDCA invites lawyer representatives and attorneys who serve on support committees. The conference is not open to the general bar.

Jordan Crosby explained that the District of Montana does not have a district Conference. Instead, it is a work session that includes the lawyer representatives and the U.S. Attorney's office. They did an implicit bias program which was not open to all

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attorneys. They have separate breakout sessions and Lawyer Representatives go to their own sessions. They also have been trying to work with the FBA to put together a federal practice. The District Court pays for the district conference with the Attorney Admission Funds. The judges are very supportive of the FBA's involvement. They usually have an attendance of 75 people in Billings.

Howard Burnett of the District of Idaho explained that the Lawyer Representatives and the designated U.S. Magistrate Judge, plan the entire conference. They have a one day conference, but hold two conferences, one in Boise and the other in eastern or northern Idaho, alternating between eastern and northern Idaho because of the geographic expanse. Registration fees and non-appropriated funds derived from pro hac vice fees are used to pay for the conference that is open to all attorneys. There were 220 attendees in Boise last year. There is a dinner the night before with the judges, speakers and lawyer representatives. They do their best to have an interesting keynote speaker.

Cary Forrester and Lori Winkelman explained that the District of Arizona has a one day event, with a dinner preceding the meeting with the judges and lawyer representatives. The lawyers handle the budget. It will be in Phoenix this year and is open to the public.

Andrew Schopler and Shireen Becker of the Southern District of California explained that the district's library fund covers the conference. The Chief Judge reviews the budget and sometimes, presents the information to all the judges for approval on expenses. All the judges and lawyer representatives, about 50-60 people, attend. Each lawyer representative pays their own way. They have a dinner the night before which costs about \$100 that the lawyer representatives pay for. They don't get CLE credit.

Ms. Spaeth explained that the Central District of California offers CLE credit.

Jay McIntyre explained that in the Eastern District of Washington, all the Lawyer Representatives sit on the board with the FBA and jointly plan the program. They had 140 persons attending in early September in addition to an "experiment" of including 40 additional participants from Idaho. The cost is \$75 and includes FBA dues for the year. They also offer CLE for the conference and a breakfast with the bench program.

Thomas Koege representing the Northern District of California explained that the local rules stipulate that the District Conference has to be out of the cities where the court sits. It is always either in Napa or Chaminade, in the Santa Cruz area. The Lawyer

Representatives do all the planning and they receive some non-appropriated funds. The conference costs \$625 for members of the bar and is \$275 for judges and AUSAs. They also have a price break for non-profit attorneys. The conference begins Friday night and they have a full day on Saturday which ends with a group dinner.

Wayne Fricke of the Western District of Washington explained that their conference is similar to the Eastern District of Washington's format. They will have a program on May 13 that will be a half day seminar put on by the Lawyer Representatives with about 120 people in attendance. They arrange for a keynote speaker and hold a dinner for judges, lawyers and speakers at the end of the day.

Rodney Jacob of Guam explained that he handles the budget and tries to invite judges who have not been to the islands to speak. They also try to get the circuit judges to sit in Guam.

Mia Giacomazzi said that the Eastern District of California's district conference is over one weekend that starts off with a Friday evening reception and programs all day programs on Saturday and half a day on Sunday. The funds run through a private account managed by the two co-chairs. Some of the money comes from charging the attendees. It used to be FBA members, and the bankruptcy bar was by invitation only by the bankruptcy judges. More recently, it has been opened up to the larger bankruptcy bar. The cost for dinner is \$80. If they have to increase costs, they have to get authorization from the planning committee which includes the lawyer representatives, the chief judge, and probation representatives. They need consensus from that group to raise prices.

Howard Burnett discussed the fact that the District Court in Idaho is concerned about being a signor for the conference contract, and may arrange for the FBA to assume that role. In Idaho, there are three lawyer representatives and all three must approve every expense.

There was a general discussion about hand-offs from one year to the next.

Before adjourning to assemble for the group photograph, there was a separate discussion about substantive programs that will be discussed during the brainstorming session.

IV. Adjournment

The meeting was adjourned at 8:50 a.m.