

Eastern District of Washington

**2009-2010 District Report
Eastern District of Washington
Federal Bar Association and LRCC**

I. The Eastern District of Washington

The Eastern District of Washington includes twenty of the thirty-nine counties in the state and, in general, encompasses all of Washington east of the Cascade Mountains. The Eastern District covers 62.6% of the geographic area of Washington,¹ but includes only 22% of its population. The U.S. District Court for the Eastern District of Washington maintains courtrooms in Spokane, Yakima and Richland.

The Eastern District of Washington currently has three full time Article III Judges (Chief Judge Robert H. Whaley, Judge Edward F. Shea, and Judge Lonny R. Suko), three Senior Judges (Hon. Justin L. Quackenbush, Hon. Wm. Fremming Nielsen, and Hon. Fred Van Sickle), and two Magistrate Judges (Hon. Cynthia Imbrogno and Hon. James P. Hutton).

The U.S. Bankruptcy Court for the Eastern District of Washington maintains courtrooms in Spokane and Yakima. The District currently has three full time Bankruptcy Judges (Chief Judge Frank L. Kurtz, Judge Patricia C. Williams and Judge John A. Rossmeissl).

II. FBA Officers, Lawyer Representatives and Trustees

Officers

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President Jane Parry Ewers Turner Stoeve & Gagliardi	421 W. Riverside Ave. Spokane, WA 99201	509.326.1552	jpewers@tsglaw.net

¹ See “Jurisdiction of the Court” located at the website for the U.S. District Court for the Eastern District of Washington: www.waed.uscourts.gov/courtinfo/index.html.

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<p>Secretary</p> <p>Kevin D. O'Rourke Southwell O'Rourke, PS</p>	<p>421 W. Riverside Ave. Suite 960 Spokane, WA 99201</p>	<p>509.624.0159 509.624.9231</p>	<p>kevin@southwellorourke.com</p>

III. Lawyer Representatives for the Eastern District of Washington and LRCC Membership.

The District has five Lawyer Representatives. Each serves a three-year term which normally begins in October. Typically, the District Judges ask the Federal Bar Association to notify the Court of any impending vacancy and to request that attorneys submit letters of interest in being appointed as a Lawyer Representative. Depending upon the number of applicants, the Board of Trustees of the Federal Bar Association either will submit all the letters of application to the Court or may narrow the list to a manageable size for consideration by the Court. Diversity among the Lawyer Representatives is encouraged. Traditionally, the Eastern District's Lawyer Representative in his/her third year will serve as the District's LRCC official representative.

IV. Lawyer Representative Relationship to the Federal Bar Association.

There are multiple models of organization and interrelationships between Lawyer Representatives and their respective Bar Associations throughout the Districts in the Ninth Circuit. In the Eastern District of Washington, the leadership of the Federal Bar Association is comprised of Officers, who serve one year terms but typically progress through the Secretary to President positions, Trustees who serve two-

year terms, and the Lawyer Representatives who serve three-year terms. All have equal voting rights. A Trustee or Officer may also serve as a Lawyer Representative.

Essentially, there is no difference in status or leadership responsibility between a Trustee of the Federal Bar Association and one of the District's Lawyer Representatives *within* the District. Each has common responsibilities and voting status on the Board. *Outside* the District, the Lawyer Representatives also participate in the annual Ninth Circuit Judicial Conference and LRCC activities.

V. Relationship with the Court.

The Lawyer Representatives and the Federal Bar Association have an excellent working relationship with the Court. The Court is not hesitant to ask for comments or participation on issues where that is deemed helpful. Likewise, the Court is very respectful of and encourages the independence of the Bar.

Historically, the District Court Judges and the Lawyer Representatives from the Eastern District of Washington have held a meeting together at each Conference. Those discussions have always been open and candid. Likewise, during the year, the Chief Judge and the senior LRCC Representatives have met periodically in order to keep each other informed of the Federal Bar's activities and topics of interest. This year, the Court and the Bar have decided to hold the annual district meeting in conjunction with the Federal Bar Association's annual conference and CLE in Spokane on September 25, 2009, at Spokane's historic Davenport Hotel.

VI. Admission to Practice in Federal Court.

When a lawyer is sworn in to practice in the U.S. District Court for the Eastern District of Washington, the Court provides the new admittee with a congratulatory letter from the President of the Federal Bar Association. This letter encourages the new admittee to join the Association. Similarly, the Spokane County Bar Association's Young Lawyers' Division regularly sponsors an orientation program for new admittees at the time they are sworn in to practice before the Courts of the State of Washington. A representative from the Federal Bar Association is always invited to speak at that session about admission to practice in the Eastern District as well as membership in the Federal Bar Association.

VII. Membership in the Federal Bar Association.

The Federal Bar Association for the Eastern District of Washington is a voluntary bar association. Its Mission Statement is:

The Federal Bar Association seeks to enhance bench and bar communications, provide specialized educational programs for federal practitioners and to serve as a liaison with the public.

The Federal Bar Association strives to make membership relevant and beneficial for all of its members. Dues are set at a mere \$40 per year – which price includes admission to the annual conference and CLE -- to make membership easy and affordable. The volunteer leadership of the Association through its Officers, Trustees and Lawyer Representatives has been able to provide meaningful services to the members even with this nominal membership fee. Membership over the past several years has ranged between 350 and 400 attorneys.

VIII. Eastern District Conference and Federal Bar Association CLE.

The major annual event sponsored by the Court and the Federal Bar Association is the annual Eastern District Conference and Federal Bar Association CLE. This Conference is typically held in Spokane, Washington in the Fall. The 2009 event is scheduled for September 25th at the Davenport Hotel. The Fall seems to be the best time to hold the Conference because summer vacations are over and many members are looking for ways to complete their Washington State Bar Association mandatory CLE requirements.

The Bar and the Court typically collaborate in developing the Conference Agenda. The Chief Judge will usually provide a brief review of the State of the District, followed by a CLE on a topic of interest to federal practitioners. Past conferences have included national caliber speakers on trial advocacy such as Professor Thomas A. Mauet and James McElhaney. This year's program will feature "Guantanamo Bay – A Discussion of Constitutional Issues" by Michael J. Berrigan, Principal Deputy Chief Defense Counsel for the Office of Military Commissions. Mr. Berrigan will present a discussion regarding the constitutional issues attendant to his experience defending Guantanamo Bay detainees.

IX. Annual Federal Bar Reception.

For the past five years, the Federal Bar Association has also sponsored an informal hosted reception for the Court, presenters at the District Conference and CLE and its members. This reception is held immediately following the District Conference and provides the members of the Bench and the Bar the opportunity to visit and network informally. This interaction contributes to the development of civility and professionalism within the District.

X. Federal Bar Association Website: www.fedbar.com

The Federal Bar Association for the Eastern District of Washington maintains its website at www.fedbar.com. Members and the public can access important information about the Court and background information on our Judges, membership information, newsletters and seminar materials, links to helpful legal and court websites, and other useful information.

The Association maintains its membership roster through its website using the "background" access to the site. As a result, with the annual change in leadership of the Federal Bar Association, this "easy to use, easy to access" information has enabled the Association to maintain continuity and communication with its members from year to year. In this way, we are able to send a "mass e-mail" to all of our members, generate newsletters which are then both posted on the website and e-mailed to members in .html format, and list important upcoming events, dates and information.

XI. Communicating to the Federal Practitioner using ECF.

As previously discussed, our Federal Bar Association utilizes its website and its web-based database to communicate with its members. Likewise, the Court has been very accommodating in publishing the Federal Bar Association newsletters and notices to all practitioners admitted in the Eastern District using the ECF system.

XII. Newsletters and Notices.

The Federal Bar Association attempts to periodically publish its newsletter entitled "The Federalist" using articles of interest written by its members. As with many associations, the Officers, Trustees and Lawyer Representatives are often called upon to generate the articles. Ideally, the newsletter is published three to four times per year. The newsletter is also the vehicle utilized to invite membership renewal and payment of the annual dues to the Association.

As newsletters are generated, the Association has also paid to publish its notices and newsletters in "hard copy" in the monthly Calendar Call, which is published by the Spokane County Bar Association. Copies of the Federal Bar Association's newsletters are also distributed by e-mail through the Chelan-Douglas County, Yakima County, Benton-Franklin County and Walla Walla County Bar Associations.

XIII. Lawyer Representative and LRCC Activities.

In addition to the Lawyer Representatives' active participation in the leadership of our Federal Bar Association, they also participate in the Ninth Circuit Judicial Conferences and are available to assist with special projects as requested by the Court.

Traditionally, the Lawyer Representatives entering their third year of service serve as the District's representatives on the LRCC. For the 2008-2009 time frame, the District has had two LRCC representatives participating in Conference planning activities: John Ray Nelson has participated in the Lawyer Representative Conference Committee and the Chief District Judge's Annual Meeting, and Nancy Isserlis participated in developing and presenting at the program for the Bankruptcy Judges' Annual Meeting.

XIV. Conclusion.

The Federal Bar Association and the Eastern District's Lawyer Representatives are always looking for ways to provide services and information to the Court and to the federal practitioners in our District. The information set forth above is a synopsis of our organization and our activities for the 2008-2009 year. We hope the information provided here is helpful to other Districts and we look forward to learning more how we can best serve our Courts and other lawyers.

Respectfully submitted,

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Lawyer Representative and LRCC Member
for the Eastern District of Washington