



Year in Review Ninth Circuit Lawyer Representatives Activities and Accomplishments in 2016-2017

I. The Ninth Circuit's Lawyer Representatives

The Ninth Circuit's Lawyer Representatives have an important role in the administration of justice within the Circuit. Approximately 178 Lawyer Representatives represent attorneys practicing in each of the Ninth Circuit's 15 districts in nine western states and two Pacific Island jurisdictions. These Lawyer Representatives, selected by the District Courts, work throughout their 3-year terms to foster open communication among the Circuit's nearly 400 judicial officers and the attorneys who practice before them, and to provide support and advice regarding the functioning of the courts to better the administration of justice.

In 2009, the first group of 18 Appellate Lawyer Representatives was appointed by the Ninth Circuit Judges; they report to the Ninth Circuit Court of Appeals. The Appellate Lawyer Representatives also serve 3-year terms. The 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

The Lawyer Representatives' Coordinating Committee (LRCC) coordinates the activities of the Lawyer Representatives and functions as a separate committee within the Ninth Circuit. The LRCC is comprised of the chairperson or co-chairpersons of each district's delegation of Lawyer Representatives, and a three-person Executive Committee. The LRCC Executive Committee is comprised of three members, each a former district chairperson or co-chairperson, elected by the Lawyer Representatives during the Ninth Circuit Conference to serve a 3-year term. During 2016-2017, Autumn Spaeth (CAC) served as Chair; Darrel Gardner (AK) served as Chair-Elect; and Jay McEntire (WAE) served as Vice Chair.

The LRCC also acts as liaison for the Lawyer Representatives with the Appellate Lawyer Representatives. James Azadian (CAC) currently serves as Chair of the Appellate Lawyer Representatives. In addition, the LRCC acts as liaison to the Ninth Circuit Judicial Council's Conference Executive Committee (CEC). The LRCC Executive Committee members also serve on the CEC.

LRCC members are involved in planning meetings with the Chief District Judges and Chief Bankruptcy Judges each year. The Lawyer Representatives 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). As in past years, the educational programs presented in 2017 were very well received by the Judges; they include:

A. Conference of Chief District Judges and the LRCC

The Conference of Chief District Judges and the LRCC occurred on February 21-22, 2017, in San Diego, California. On February 21, 2017, the LRCC presented a 4-hour educational session. Chair Autumn Spaeth and Chair-Elect Darrel Gardner worked with Chief Judge Ramona Manglona (NMI) to plan a program to foster communication between the Chief Judges and their districts' Lawyer Representatives. Chair Autumn Spaeth moderated a panel presentation titled "District Differences Involving the Selection and Utilization of Lawyer Representatives." The panel included members of the LRCC, Rodney Jacob (GU), Lori Nakaoka (ID), Christy Tobin Presser (WAW), and Geana Van Dessel (WAE). Chair-Elect Darrel Gardner moderated a program titled "Electronically Stored Information: How eDiscovery is Really Working." Hon. Mitchell Dembin (CAS), Ruth Hauswirth (Cooley, LLP), and William Kammer were panelists. Vice Chair Jay McEntire moderated a presentation titled "What Lawyers Wish Judges Knew." LRCC members Scott Cameron (CAE), Kiely Keene (MT), and Lori Nakaoka participated in the program.

B. Conferences of Chief Bankruptcy Judges and the LRCC

The Conference of Chief Bankruptcy Judges, Clerks of Court, and Lawyer Representatives occurred on March 1-3, 2017, in Seattle, Washington. Chair Autumn Spaeth worked with Chief Judge Bryan Lynch (WAW) and Chief Judge Sherri Bluebond (CAC) to plan a substantive and interactive program of interest to both the Chief Judges and the bankruptcy attorneys in attendance. Approximately 15 Bankruptcy Lawyer Representatives attended and participated in the first day of the conference. The Ninth Circuit's Bankruptcy Lawyer Representatives prepared 4 hours of educational programs for the day's session.

The Bankruptcy Lawyer Representatives organized a morning presentation on the Alternative Dispute Resolution practices throughout the Ninth Circuit. Panelists

included Lawyer Representatives Jody Corrales (AZ), Thomas Phinney (CAE), Thomas Linde (WAW), Kim Winnick (CAC), and Corey Weber (CAC). The Bankruptcy Lawyer Representatives also organized a presentation on Valuations, Practices, Procedures, and Case Law. Panelists included Lawyer Representatives Misty Perry Isaacson (CAC), Robert Marticello (CAC), Thomas Stilley (OR), and CEC member James Shea (NV). A third substantive program titled “Expediting Small Business Cases” was presented by panelists Hilary Barnes (AZ), Mikel Bistrow (CAS), and Lori Winkelman (AZ).

III. Other Activities

A. Planning the Ninth Circuit Judicial Conference

On September 23, 2016, 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 2017 Circuit Conference. For the 2017 Conference, the Conference Executive Committee is chaired by Chief District Judge Timothy Burgess (AK). District Judge Edward Davila (CAN) 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, the Circuit Executive, a member of the Advisory Board, a Clerk of Court, a Chief Probation Officer, and nine Lawyer Representatives (the three LRCC Executive Committee members and six at-large members). The following Lawyer Representatives served on the Conference Executive Committee for the 2017 Conference: Autumn Spaeth (LRCC Chair), Darrel Gardner (LRCC Chair-Elect), Jay McEntire (LRCC Vice Chair), Angela Woolridge (AZ), James Shea (NV), Holly Lake (CAC), David Stern (CAC), Magdalena Bordeaux (CAC), and Michelle Pettit (CAS).

B. Orientation 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 roles as lawyer representatives and how the conference functions. For 2017, Vice Chair Jay McEntire is developing the meeting with the help of LRCC members Fred Peterson (AZ) and Geana Van Dessel.

C. Lawyer Representatives Business Meeting

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 Autumn Spaeth and Chair-Elect Darrel Gardner are developing the meeting with the help of LRCC members Scott Cameron, Danielle Hunsaker (OR), Kiely Keane, and Blaine Rogers (HI).

D. Ninth Circuit Advisory Board

LRCC Chair Autumn Spaeth is the LRCC's liaison to the Ninth Circuit Advisory Board. During the 2016-2017 term, Harvey Saferstein (CAC) served as the Advisory Board's liaison to the LRCC.

E. LRCC Look Book

The LRCC is proud to continue to develop the Lawyer Representative "Look Book," which contains information regarding each of the Lawyer Representatives. LRCC member Doreen Hartwell (NV) produced this year's Look Book with assistance from LRCC Vice Chair Jay McEntire.

F. LRCC Website

The Ninth Circuit maintains a website for the Lawyer Representatives, which serves as an increasingly valuable reference resource. The Office of the Circuit Executive maintains the website and updates it with current information at: http://www.ce9.uscourts.gov/lawyer_reps/.

The website provides helpful guidance about serving as a Lawyer Representative. It contains rosters and lists of various Lawyer Representative groups, including the LRCC, the Appellate Lawyer Representatives, and bankruptcy Lawyer Representatives. It also contains agendas and other highlights from District Conferences and other meetings organized and attended by Lawyer Representatives.

G. District Conferences

Each year the Lawyer Representatives, led by their district chairperson or co-chairpersons, plan educational conferences for the judges and other attorneys in their respective districts. Agendas for District Conferences can be found on the LRCC website at http://www.ce9.uscourts.gov/lawyer_reps/