

e-Common Defense Newsletter

April, 2009

Editor: Scott Day Freeman

Up Coming Events

Go to www.azadc.org to register for any of these events:

Seminars

Govt. Liabilities

"Defending Public Entities at Trial"

April 14, 2009, 8:30am-4:30pm

No charge

Jennings Strouss & Salmon, PC

Auto Negligence

"Achieving Success at Mediation and Arbitration"

April 16, 2009, 4:30pm-6:00pm

\$15 Members

\$35 Nonmembers

Fennemore Craig

Medical Malpractice

"Catching Flies with Honey: The Affirmative Obligations of Counsel When Dealing with Electronically Stored Information"

April 22, 2009, 4:30pm-6:00pm

\$15 Members

\$35 Nonmembers

Fennemore Craig

Barry Fish Memorial Golf Tournament

April 25, 2009

ASU Karsten Golf Course

Tempe, AZ

Membership Spring Retreat

Four Seasons Resort Scottsdale at

Troon North

June 5-7, 2009

Call 480-513-5039 to make your room reservation.

Mention you are with AADC

Limited rooms available at our group rate of \$150 per night. Deadline for this rate is May 4th and there is 31 day cancellation policy.

Registration information will be coming soon!

Advocacy Luncheons

September 10, 2009

October 8, 2009

November 12, 2009

December 10, 2009

Lewis and Roca

40 N. Central, 15th Floor

Phoenix, AZ

(Speakers to be announced)

The Arizona Association of Defense Counsel (AADC) and
Lewis and Roca, LLP Invite you and Your Guests to Participate in the
**AADC 14th Annual Barry Fish Memorial Golf Tournament
Auction & Awards Luncheon**

Saturday, April 25, 2009
ASU Karsten Golf Course,
Tempe, Arizona

6:30 to 7:15 AM - Golfer Check-In & Registration
7:15 AM - Shotgun Start

11:30 AM - Awards Luncheon & Silent Auction

Proceeds to Benefit the ALS Association, Arizona Chapter

[Register for Barry Fish Memorial Golf Tournament](#)

PRESIDENT'S MESSAGE
by Peter Kelly, II

In January, the AADC sent out a membership survey that asked members to provide the organization with feedback as to what areas within the organization are liked, disliked and which could be improved. To spur participation in this survey, the AADC offered a drawing for a \$100 gift certificate to Best Buy for one member. (The lucky member who won the gift certificate is Louis Seletos.)

The results of the membership survey are in. The two items that emerged as areas that the organization can respond to in a positive manner are the Advocacy Luncheons and our organization's participation in the Arizona State Legislative process.

As most members know, the Advocacy Luncheon Program has been a highly successful program where members obtain one hour of free CLE credit, as well as a free lunch. Traditionally, this program involved six lunches per year. (I have always been somewhat puzzled as to what the true drawing card is for this program. I suspect it has much to do with the free lunch and free hour of CLE.)

Beginning in the fall 2009, the AADC will host an additional three Advocacy Luncheons. The luncheons will now run consecutively from September through May. They will still be held at Lewis & Roca's 15th Floor Conference Room. (On a side note, kudos to this past year's Advocacy Luncheon chairs (Mike Ludwig and Lloyd Benner) for doing an excellent job with securing interesting speakers covering topics of significance to our membership.)

The second area that the membership survey results pointed us to was to become more active as an organization in representing our members' interests with the Arizona State Legislature. Admittedly, our organization has never been as active or organized as the plaintiff's bar. Therefore, our members perceive that the defense bar's interests are not as well represented as the plaintiff's bar's. Understand that many of the larger insurance companies some of us work for have their own lobbyists. However, defense attorneys' interests are not necessarily always aligned with insurance carrier's interests.

Based on this input from our members, the AADC will become more active in the legislative process. The details of how we will do this are still undecided. The organization will likely hire/retain a private lobbyist to track legislation that will affect our members' and clients' interests and notify the Executive Committee of the AADC as such bills are raised and considered.

I also want to remind our membership of the upcoming Barry Fish Memorial Golf Tournament. As all of you likely have seen in emails and/or flyers, this event will be held on Saturday morning, April 25, 2009, at the Karsten (ASU) golf course.

This has been our organization's signature charity event for fourteen years. All of the proceeds from this event go to the ALS (Lou Gehrig's disease) charity. Participation in this event has been noticeably weak last year and this year.

I am asking our membership to step up and fill the field of golfers for this event. There are a total of 144 slots available for this event. As of the time I am drafting this message, only 68 have been filled. Our organization is obligated to the golf course for a minimum of 100 golfers.

While all of us have been affected, in one way or another, by the economic downturn, the members of this organization are extraordinarily fortunate.

Numerous excuses re-emerge as to why people don't want to participate in this event. The most frequent are that the member is not a golfer, or that the member has other commitments on a Saturday morning. If you are not a golfer, come out to the lunch after the tournament and bid on the silent auction items. (This year, the Board Members of the AADC have an opportunity to participate

Created with www.PDFonFly.com

in creating their own silent auction package, with a prize going to the Board Member who raises the most money for his or her silent auction package.)

To those of you who have previous commitments, this is an excellent networking opportunity which you will be passing up. Consider that this is a horrible and devastating disease that chooses its victims at random. Please get out your checkbooks and support this event.

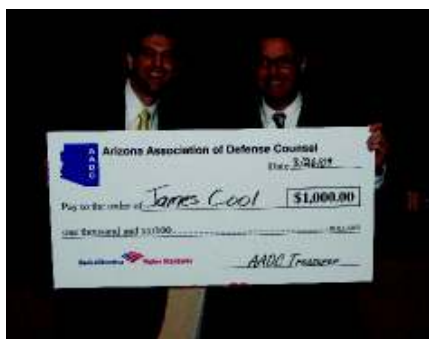
Thanks for your consideration and I look forward to seeing you on Saturday morning, April 25.

Pete Kelly

The AADC provided scholarship awards to the winners of the following high school and collegiate competitions.

ASU Closing Argument Competition Winners

On March 24th and 26th, The Sandra Day O'Connor College of Law at ASU hosted the 2009 AADC Oplinger Closing Argument Competition. The AADC congratulates this year's winners: First Place, \$1,000 - James Cool; Second Place, \$500 - Sam Efrid; Third Place, \$250 - Trish Stuhan; and Fourth Place, \$100 - Tyler Carrell. The AADC thanks all of the judges for their participation, as well as Lee Blake and The ASU Moot Court Board for their efforts in coordinating the Competition. Pictured below are the Competition winners.



James Cool \$1,000



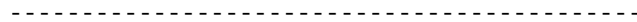
Sam Efrid \$500



Trish Stuhan \$250



Tyler Carrell \$100



We the People Winners

Over 250 students competed in the Arizona We the People: the Citizen & the Constitution State Competition held at Arizona State University West on January 9th, 2009. The students, who represented the top nine teams from across Arizona, showcased their depth of knowledge of the U.S. Constitution and complicated philosophical and legal issues arising from the contemporary interpretation of the Constitution. The winning team, Corona del Sol High School, will advance to the National Finals held in Washington D.C. in April.

The We the People program enhances students understanding of the institutions of American constitutional democracy. At the same time, students discover the contemporary relevance of the Constitution and Bill of Rights. Participants hold a simulated congressional hearing as the culminating activity for the program. The entire class, working in cooperative teams, prepares and presents statements before a panel of community representatives who act as Congressional committee members. Students then answer questions posed by the committee members. The format provides students an opportunity to demonstrate their knowledge and understanding of constitutional principles while providing teachers with an excellent means of assessing performance.

The program is sponsored by the Arizona Foundation for Legal Services & Education, in partnership with the [Center for Civic](http://www.CenterforCivic.com)



Corona del Sol High School

Mock Trial Winners

Nearly 120 students demonstrated their knowledge of the legal system and their Constitutional rights at the Arizona High School Mock Trial State Tournament held at the Sandra Day O'Connor Federal Courthouse on March 28th, 2009. The sixteen competing teams were the highest ranking among over fifty teams that competed in six regional competitions across the state on March 7th. Over 75 Arizona volunteer judges and attorneys helped in the state competition, sharing their legal expertise with the participants through constructive feedback after each trial. The winning team from University High School will advance to the National Championship held in Atlanta, Georgia, in April.

The Mock Trial program gives students interested in law, public speaking, or performing arts an opportunity to learn from practicing attorneys who share their legal experience as coaches. Mock Trial teams consist of six to eight students, a teacher coach, and a volunteer attorney coach. Each team must argue both sides of a fictional case and play both attorney and witness. This year's case is a civil matter addressing cyberstalking, a timely issue in today's technological age.

The Arizona High School Mock Trial Program gives students a better understanding of the legal system - from the rules of evidence to proper court decorum - increasing their awareness of the importance of law in a democratic society while strengthening their understanding of fundamental rights under the U.S. Constitution. The program also promotes increased confidence, poise, oral skills, critical thinking and teamwork.

The program is sponsored by the Arizona Foundation for Legal Services & Education, in partnership with the State Bar of Arizona's Young Lawyer Division.

\$500 Scholarship Winner



Will Hawkins
Blue Ridge High School

\$250 Scholarship Winner



Pro Bono

The AADC has an established program that provides recipients of bar complaints with a free initial consultation with one of several members experienced in ethical issues and the disciplinary process.

The Pro Bono committee is looking for more attorney's willing to provide a free initial consultations to these recipients of bar complaints.

If you're interested in volunteering, contact the Pro Bono committee chair, Elliot Wernick at 602-331-4600 or email him at ehw@kuzlegal.com