

Late Summer/  
Early Fall 2011



# The Scrivener

Scribes — The American Society of Legal Writers

## Featured Articles

*An Interview with the Other  
Holmes*

*Bryan Garner on Law School*

*Photos from the Annual  
Luncheon*

## The President's Column: Good Writing Gets Us Closer to Real Justice

by Steven Smith, Dean, California Western School  
of Law

On a sunny day in Toronto, the Honorable Beverley McLachlin, Chief Justice of Canada, gave a memorable and inspiring address to Scribes members. The theme of this year's annual meeting was "good writing gets us closer to real justice." The Chief Justice, the keynote speaker at the Scribes luncheon, outlined practical suggestions for clear, honest legal writing. And she reminded us why good legal writing is so important.

Chief Justice McLachlin told us that legal writers are "about justice." And justice is not likely to survive bad writing. Good writing is more than a matter of professional satisfaction for lawyers; it is a necessary condition for justice. Sloppy writing clouds issues, muddies facts, and confuses logic. Justice can be easily sidetracked in the fog of misunderstanding. The legal writer's task is to think clearly and honestly, to understand what really is at issue and what the facts are, and to convey those thoughts with precision and honesty.

Honesty is the key.

The hard work of knowing the truth is the first step toward good writing. In my experience, a good deal of bad writing is really bad thinking—or a failure to work hard enough to understand the issues or the facts. Without this work, any legal writer is just guessing. Inadequate thought and preparation create a kind of fraud—pretending to know something well enough to tell someone else.

The second step, of course, is communicating effectively. Chief Justice McLachlin suggested that this requires understanding our roles as writers. Most legal writers seek to explain and persuade, but the writer should consider the specific purposes of the piece. For example, appellate courts must give clear guidance to lower courts. The writer must not be seduced by clever language that does not communicate clearly or honestly.

*(continued on page 2)*

## *Scribes Journal* Featured on NPR and in *NYT*

Volume 13 of *The Scribes Journal of Legal Writing* was featured in a front-page article of *The New York Times*, in a piece by Nina Totenberg on National Public Radio, and in several legal blogs, including The BLT: The Blog of LegalTimes, *The Wall Street Journal's* Law Blog, and the Legal Skills Prof Blog.

What's all the buzz about? Bryan Garner published transcripts of his interviews with Supreme Court Justices in volume 13 of *The Journal*. The Justices offered their thoughts on oral argument and legal writing. The consensus: Our Supreme Court Justices prefer plain language.

Thanks to Scribes directors Bryan Garner and Joe Kimble, editor of *The Journal*, for this groundbreaking publication of *The Scribes Journal of Legal Writing*. Don't miss your copy.

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(President's Column: Good Writing Gets Us Closer to Real Justice *continued from page 1*)

The Chief Justice also noted that we must understand our audience. This is familiar advice but important to remember. Tailoring arguments and language to specific individuals or groups helps avoid sloppy, verbose, and ineffective writing.

Chief Justice McLachlin also asked us to remember that good writing requires us to understand ourselves. There are many great writers. Learning from them improves writing, but trying to emulate or copy them will not. In the words of the Bard, we need “to our own selves be true.” In the words of the modern cliché, “We need to find our own voices.”

Chief Justice McLachlin's presentation was filled with good advice. Everyone learned something practical; I was particularly impressed by the risk of quoting language without careful analysis of it first. But the core idea for me was that Scribes is involved in a noble undertaking: to promote the clear communication of the ideas of the law, a necessary element for justice.

Chief Justice McLachlin noted that Canada does not have a Scribes organization, so the Scribes board made her an honorary member of Scribes.

In the end, Chief Justice McLachlin's presentation reminded us of a critical point: good writing is not just a matter of professional pride—“it gets us closer to real justice.” What a great incentive to spread the work of Scribes!

### **Scribes to Cosponsor International Conference in Washington, D.C., May 2012**

President Steven Smith has announced that Scribes will cosponsor a conference with Clarity and the Center for Plain Language in May of 2012. Clarity is an international organization dedicated to clear writing in law, government, and business. The Center for Plain Language, located in Washington, D.C., is a national organization that promotes plain language in government and that spearheaded passage of the Plain Language Act in 2010. Tentative plans are for the conference to be held in May at the National Press Club. Watch for more information in upcoming newsletters.

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## **Three Years, Better Spent**

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*Legal education is in a time of reassessment and, I think, change. Our colleague Bryan Garner commented in The New York Times, and I thought you would be interested.* —Steve Smith, July 21, 2011

Reforming legal education—an urgent societal need—is a glacial process. And the glacier has been flowing the wrong way. Entrenched pedagogical mediocrity infects even the best law schools, and almost all the schools simply mimic the anemic methods of the schools just above them in the rankings. But the key to better health has little to do with changing the time requirement: three years is about right.

The problem is not that students are spending too much time in law school. It's that they are not mastering essential skills.

The biggest failure at most law schools is the dearth of seriously good skills courses, especially training in legal writing. Law schools generally reward scholarship, not teaching excellence, and there is a built-in bias against one-on-one teacher–student time. Too often the only feedback a student gets from a professor is a single letter grade after the final exam. Now add this: of all law-school courses, legal writing is both the single most time-intensive subject and the least respected.

Most legal scholarship is poorly written and is mired in nonpractical abstraction that few can understand and fewer still can benefit from. Most law professors don't know how to write well, so they could hardly teach the subject if they wanted to. On top of that, lawyers of all kinds—both academic lawyers and practicing ones—rationalize their linguistic ineptitude by claiming that legal jargon is necessary (most of it isn't); that writing instruction is elementary, remedial stuff (it should progress to advanced techniques); and that writing style doesn't matter anyway. But it does matter: clear writing equates with clear thinking, and judges and employers cry out for both. Put all these things together, and you have serious educational pathologies.

So what's the cure? For starters, the second and third years of law school ought to include much more research, writing, and editing, with three to six short papers required in each course (not, as is the standard, one “major” research paper during the whole three

(Three Years, Better Spent *continued from page 2*)

years). Each paper should be subjected to rigorous editing, then rewritten and resubmitted. (This is perfectly doable. I've done it for classes of 30 at the University of Texas and at Southern Methodist University.) Law schools should get their priorities straight and better meet the needs of their students' future employers.

Short of such reform, the future for new law-school graduates looks dismal. And the future of continuing-legal-education seminars for the practicing lawyers—the kind whom I teach—looks very bright indeed.

*Bryan A. Garner is the editor in chief of Black's Law Dictionary, a distinguished research professor at the Dedman School of Law at Southern Methodist University, and the founder of LawProse, a consulting group.*

### **Kimble Wins Unprecedented Second Burton Award**

On June 13, 2011, past Scribes executive director, current editor of *The Scribes Journal*, and professor at Thomas M. Cooley Law School Joseph Kimble received his second Burton Award for Legal Achievement. Professor Kimble received his award at the Burton Awards 12th Annual Awards program and gala held at the Library of Congress in Washington, D.C.

The Burton Award is considered the most prestigious national award for legal writing. Professor Kimble won the Reform in Law Award for his drafting work on the completely restyled Federal Rules of Evidence. In 2007, he received the same award for his work redrafting the Federal Rules of Civil Procedure. He has served as the drafting consultant for all federal court rules since 1999.

The Burton Awards for Legal Achievement are designed to award major achievements in the law ranging from literary awards to the greatest legal reforms. The award recipients are selected by professors from Harvard Law School, University of Pennsylvania Law School, and University of California at Irvine School of Law, among others.

The awards are funded by the Burton Foundation, a nonprofit, academic effort devoted to recognizing and rewarding excellence in the legal profession. Since its beginnings in 1999, the organization has focused on the refinement and enrichment of legal writing.



*Professor Joseph Kimble accepting his Burton Award.*

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## **Submit Your Articles**

Please send items for upcoming issues of *The Scrivener* (electronically) to the e-mail address shown below.

### **Deadlines**

Fall	October 15
Winter	January 15
Spring	April 15

Jane Siegel  
siegelj@cooley.edu

# Scribes 2011 Annual Luncheon Meeting

The 2011 Scribes membership luncheon was held in Toronto, Canada, in August.



CN Tower (right next to the InterContinental Toronto Centre, where the lunch was held)



Scribes guest Terra “Brooke” Geiger, Frank McArdle (the Chief Justice’s husband), Scribes member Associate Dean Kristen Adams of Stetson, and Scribes Vice President Darby Dickerson



Featured speaker the Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada



University of Mississippi School of Law student Robert Parrott accepts the 2011 Scribes Brief-Writing Award



Scribes board member and Brief-Writing Award Committee member Charles D. Cole, Jr. (a.k.a. Dewey Cole) presents the 2011 Scribes Brief-Writing Award to University of Mississippi School of Law students Rachel Mullen and Robert Parrott



Scribes President Steven R. Smith and the Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada



Place setting and program



Scribes Vice President Darby Dickerson introduces the featured speaker, the Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada

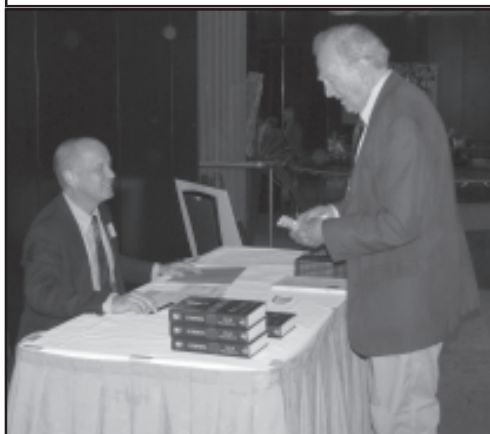




The Honorable Michael B. Hyman, Scribes treasurer and chair of the Scribes Book-Award Committee, announces the winner of the 2011 Scribes Book Award, Noah Feldman, for *Scorpions: The Battles and Triumphs of FDR's Great Supreme Court Justices*



The Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada; the Honorable Michael B. Hyman, Scribes treasurer; Scribes guest Eric Drogin; and Scribes member Dr. Anton Maurer



Scribes Executive Director Norm Plate greets guests as they arrive for the 2011 Scribes Annual Luncheon



The InterContinental Toronto Centre, where the lunch was held



Scribes Executive Director Norm Plate and the Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada



Scribes Journal Editor in Chief Joe Kimble and the Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada



2011 Scribes Brief-Writing Award winners and University of Mississippi School of Law students Robert Parrott and Rachel Mullen and Scribes President Steven R. Smith

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*The Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada, and Frank McArdle (the Chief Justice's husband)*



*Scribes President Steven R. Smith; the Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada; Scribes guests Jacqueline Runner and Kevin Magennis; and Frank McArdle (the Chief Justice's husband)*



*Scribes board member Frank Wagner; his wife, Carol Oakes; Marge Kimble (Joe's mom); and Scribes Journal Editor in Chief Joe Kimble*

## 2011 Scribes Book Award: *Scorpions* by Professor Noah Feldman

*Professor Feldman was unable to attend the luncheon but sent the following letter, which was read aloud by the Scribes Book-Award Committee Chair, the Honorable Michael B. Hyman.*

Dear Director Plate and Scribes Committee:

It means more than I can say to receive the Scribes Book Award for *Scorpions*. No one knows better than the members of Scribes the challenge—and the pleasure—of writing for a general audience about legal ideas and the people who think them. I feel sure that you share my belief that, in a democracy governed by law, the job of making legal thought and legal institutions accessible is a basic responsibility for all of us who can do it. FDR's Justices, about whom I wrote, themselves tried to write clearly and for a general audience. I tried to emulate them in this task, and I am deeply gratified that you think I may have succeeded, in some small part.

I am especially proud for *Scorpions* to appear alongside three wonderful books by three authors I respect deeply: the Marthas Nussbaum and Minow, and Jim Ryan. Looking at the books honored by Scribes over the last fifty years (amazing!), I am even more humbled to have been included.

One of the two winners in 1961 was Helen Shirley Thomas's book about Felix Frankfurter. I'm confident that Justice Frankfurter, who cared a lot about biography—especially his own!—would have been pleased to appear in works that bookend such a terrific run of writing. I also noticed books by or about numerous other characters who appear in *Scorpions*: E. Barrett Prettyman Jr., Paul Freund, Hugo Black, William O. Douglas, Benjamin Cardozo, the Jehovah's Witnesses who appeared in the *Gobitis* and *Barenette* cases, and of course Oliver Wendell Holmes Jr. I benefited tremendously from all these works in writing my book. I'm proud to join their number, and I thank you for letting me.

With sincerest gratitude,

Noah Feldman

Bemis Professor of Law, Harvard

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## Scribes Guidelines for Excellence in Law Reviews

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*Scribes board members Bryan A. Garner and Richard C. Wydick drafted the Scribes Guidelines for Excellence in Law Reviews on behalf of the Scribes Law-Review Award Committee. Last fall, the guidelines were sent to law reviews and journals at schools across the country to help student editors improve their skills. Along with the guidelines, each law review and journal received an invitation to enter the best student-written note or comment from the 2010–2011 school year in the 2011 Scribes Law-Review Award competition.*

Scribes—more formally known as the American Society of Legal Writers—is the oldest, most prestigious organization devoted to the betterment of legal writing. Its members have worked vigorously since 1952 to promote what is good and to denounce what is bad in law-review publishing. Here are some ways to be good—and to produce articles that stand a chance of winning awards.

A law review wishing to be taken seriously by its readers would do well to equip its members with knowledge about scholarly editing and publishing. Specifically, every member should be required to buy and learn the current editions of these books:

- The citation manual the law review uses (e.g., *The Bluebook* or *The ALWD Citation Manual*).
- Eugene Volokh’s *Academic Legal Writing*.
- Bryan A. Garner’s *The Redbook: A Manual on Legal Style*.

Each edit suggested by a new member of the review should be supported by a citation to one of those texts.

Further, your office should have in its library current editions of the following books:

- Two copies of each of the three books listed above.
- *Black’s Law Dictionary*.
- *Garner’s Modern American Usage*.
- Wydick, *Plain English for Lawyers*.
- Garner’s *Dictionary of Legal Usage*.
- Kimble, *Lifting the Fog of Legalese*.
- Trimble, *Writing with Style*.
- Garner, *The Elements of Legal Style*.

Anyone wishing to become an editor of the law review should be able to certify that he or she has read at least three of the books listed above.

Beyond all this—by which you’re creating a local culture of intensive rhetorical knowledge that will alter the course of each individual law-review member’s legal career (in a good way, we promise)—you’d be well advised to do these things:

- Fret about the opener for each piece: an interesting lead that immediately predisposes readers to continue (be wary of stultifying “roadmaps”).
- Insist on good, idiomatic English of the kind to be found in such publications as *The New Yorker* or *The Economist* and other first-rate nonfiction publications.
- Delete every unnecessary paragraph, sentence, and word.
- Footnote sensibly, not rabidly. Use your head—and repeal any “rule” that requires a footnote after every sentence.
- As a tonic to your style, and as a caution to your members, have everyone affiliated with your review read Fred Rodell’s *Goodbye to Law Reviews—Revisited*, 48 Va. L. Rev. 279 (1962). While you’re at it, you should also read George Orwell’s “Politics and the English Language,” 4 *The Collected Essays, Journalism and Letters of George Orwell* 127 (1968) (and widely reprinted).

You should be proud of whatever role you might play in advancing excellence in law reviews. We hope to see you and your successors atop a prominent podium to accept one of our awards. In the meantime, good editing to you!

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### Help Scribes Grow

Would you be willing to help promote Scribes? Do you have friends or colleagues who might like to join? Will you be speaking at or attending any program involving legal writing or legal language? We would be happy to send you some of the attractive Scribes brochures to distribute. Just send an e-mail to our executive director, Norman E. Plate: [platen@cooley.edu](mailto:platen@cooley.edu).

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# An Interview with the Other Holmes\*

by Judge Michael B. Hyman

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As I placed my final brushstrokes on a memorandum opinion striking the affidavit of an expert witness, a Professor Moriarty, the phone rang. The Chief Judge's office wanted me to meet with a visitor from London. I was told that the man's dress was a bit peculiar for late June—a russet brown-and-green plaid cape, lined in red silk, with slits at each side for arms, and a matching wool hat, featuring a visor at the front and back and earflaps.

He arrived in my chambers a few minutes later, his right hand outstretched to me, holding in his left a large magnifying glass and a curly, black-clay pipe, well chewed at the tip. *My name is Sherlock Holmes. Possibly it is familiar to you. It is my business to know what other people don't know.*

"Of course. You are the renowned consulting detective admired for your methodical thinking, fly-trap mind, and meticulous observation."

*I am a brain, Watson. The rest of me is mere appendage.*

"Mr. Holmes, sir, the name is Hyman, not Watson."

*You'll excuse me, I trust,* said Holmes, as he launched into a series of questions probing me about the use of expert witnesses in criminal trials, whether Basil Rathbone played him better than Robert Downey Jr., and where he might find English pipe tobacco, an inquiry that stumped me, and caused Holmes to mutter under his breath, *I am lost without my Boswell.*

*Ask me what you like,* he said, regaining his composure.

"Tell me about detective work."

*They say that genius is an infinite capacity for taking pains. It's a very bad definition, but it does apply to detective work. I am the last and highest court of appeal in detection. When Gregson or Lestrade or Athelney Jones are out of their depths—which, by the way, is their normal state—the matter is laid before me. Detection is, or ought to be, an*

*exact science, and should be treated in the same cold and unemotional manner. You (Americans) have attempted to tinge it with romanticism, which produces much the same effect as if you worked a love-story or an elopement into the fifth proposition of Euclid.*

"Americans seem obsessed with private eyes."

*Pshaw, my dear fellow, what do the public, the great unobservant public, who could hardly tell a weaver by his tooth or a compositor by his left thumb, care about the finer shades of analysis and deduction!*

"Since you brought it up, would you be kind enough to share some of your choicest secrets about analysis and deduction?"

*It has always been my habit to hide none of my methods, either from my friend Watson or from anyone else who might take an intelligent interest in them.*

Holmes became animated, almost rhapsodic, as he responded.

*It is of the first importance not to allow our judgment to be biased by personal qualities. Next, the temptation to form premature theories upon insufficient data is the bane of our profession. It is a capital mistake to theorize in advance of the facts. Insensibly one begins to twist facts to suit theories, instead of theories to suit facts.*

He gazed with apparent interest at the ceiling, looked at me through his magnifying glass, and continued.

*Data! Data! Data! I can make no bricks without clay! Each fact is suggestive in itself. Together they have a cumulative force,* he said, slowly surveying every single object on my desk, the walls, and shelves as if each were a rare artifact on display.

*It is of the highest importance in the art of detection to be able to recognize, out of a number of facts, which are incidental and which vital.*

A transcription of my conversation with Sherlock Holmes was reviewed by his alter ego, Arthur Conan Doyle, who assured me that every word in italics, except for a few minor alterations, was his.



*Otherwise, your energy and attention must be dissipated instead of being concentrated.*

Holmes puffed on his empty pipe. *Another thing: never trust to general impressions, my boy, but concentrate yourself upon details. It has long been an axiom of mine that the little things are infinitely the most important. The smallest point may be the most essential.*

“You are proficient at drawing inferences from facts.”

*It is not really difficult to construct a series of inferences, each dependent upon its predecessor and each simple in itself. One true inference invariably suggests others. My inferences are my own, but I shall be answerable for the facts.*

“Give me an example of an obstacle that you encounter from time to time.”

*Principal difficulty can lay in the fact of there being too much evidence. What was vital was overlaid and hidden by what was irrelevant. We must look for consistency. Where there is a want of it, we must suspect deception.*

“Do you ever guess?”

*I never guess. It is a shocking habit—destructive to the logical faculty. A clever counsel would tear it all to rags. And I presume nothing.*

“Mr. Holmes, no wonder criminals fear you and your clients, the police, and the public revere you.”

*It is my business to know things. Perhaps I have trained myself to see what others overlook. I put myself in the person’s place and, having first gauged his or her intelligence, I try to imagine how I should myself have proceeded under the same circumstances. What one man or woman can invent another can discover.*

“To me, good legal work is like good detective work—both require logical, dispassionate, and unemotional thinking.”

*You are an enthusiast in your line of thought, I perceive, sir, as I am in mine. The emotional qualities are antagonistic to clear reasoning. I assure you that the most winning woman I ever knew was hanged for poisoning three little children for their insurance-money, and the most repellent man of my acquaintance is a philanthropist who has spent nearly a quarter of a million upon the London poor.*

“What about common sense?”

*If I have one quality upon earth, it is common*

*sense. For example, I know that when a fact appears to be opposed to a long train of deductions, it invariably proves to be capable of bearing some other interpretations.*

“What are your thoughts on circumstantial evidence?”

*Circumstantial evidence is a very tricky thing. It may seem to point very straight to one thing, but if you shift your own point of view a little, you may find it pointing in an equally uncompromising manner to something entirely different.*

“How has your friend Watson helped you in your work?”

*Nothing clears up a case so much as stating it to another person.*

“So true. Lawyers should do more of that. We all need our Watsons. How would you describe the ideal reasoner?”

Sherlock Holmes closed his eyes and placed his elbows upon the arms of his chair, with his fingertips together. *The ideal reasoner*, he remarked, *would, when he had once been shown a single fact in all its bearings, deduce from it not only all the chain of events which led up to it but also all the results which would follow from it.*

“And that takes a heightened sense of observation?”

*You know my method. It is founded upon the observation of trifles. The world is full of obvious things which nobody by any chance ever observes. But I believe as well that there is nothing more deceptive than an obvious fact.*

Holmes shook his head. *There is an appalling directness about your questions, Watson.*

“Excuse me, but you called me Watson again.”

*What has become of any brains that God has given me? Don’t be hurt, my dear fellow. You know that I am quite impersonal.*

“No offense taken. I see it is almost time for you to move on to meet another judge. Any final thoughts you wish to impart?”

*The law is what we live with. Justice is sometimes harder to achieve.*

“But, Mr. Sherlock Holmes, how do we achieve justice?”

*Elementary, my dear Judge. It’s every judge’s business to see justice done.*

\* Reprinted from the Chicago Bar Association’s *CBA Record*, June–July 2011.

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## 2011 Scribes Brief-Writing Award Screeners

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Scribes would like to thank these busy people who took time to read and screen the many briefs that were submitted for the 2011 Scribes Brief-Writing Award. A special thank-you to those who have helped us with this award year after year. And a special welcome and thank-you to our first-time screeners.

**California Western School of Law**

Roberta (Bobbie) Thyfault

**Florida Coastal School of Law**

Leigh Scales  
David Simon  
Cynthia Stroud

**Hofstra University School of Law**

Barbara Barron  
Frank Gulino  
Amy R. Stein

**University of Houston Law Center**

Tobi Tabor

**Illinois Institute of Technology,  
Chicago-Kent College of Law**

Elizabeth De Armond

**The John Marshall Law School**

Ardath Hamann

**Lewis & Clark Law School**

Toni Berres-Paul  
Daryl Ann Wilson

**Michigan State University College of Law**

Paul Stokstad

**University of Nevada, Las Vegas, William S.  
Boyd School of Law**

Terrill Pollman  
Jean Whitney

**Northern Kentucky University College of Law,  
Salmon P. Chase College of Law**

Lawrence Rosenthal

**Oklahoma City University School of Law**

Jean Giles

**The University of Oklahoma Law Center**

Michelle Johnson

**Saint Louis University School of Law**

S. Paige Canfield

**Seattle University School of Law**

Mary Bowman  
Mimi Samuel

**Southwestern Law School**

Paul Bateman

**Stetson University College of Law**

Linda S. Anderson  
Brooke Bowman  
Ann Piccard

**The University of Texas School of Law**

Kamela Bridges  
Robin Meyer

**Texas Wesleyan University School of Law**

Neil Sobol

**Thomas M. Cooley Law School**

Eileen Kavanagh

**Washburn University School of Law**

Jeffrey Jackson

**Western New England College School of Law**

Jocelyn Cuffee  
Harris Freeman  
Jeanne Kaiser  
Bruce Miller  
Pat Newcombe  
Myra Orlen

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## New Members

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Julie Agueros\* (Lansing, Michigan)  
William Bernhardt (Midwest City, Oklahoma)  
Joshua Castillo\* (Warrenton, Virginia)  
Wick Chambers (Hamden, Connecticut)  
Kevin M. Chavez (Houston, Texas)  
Margaret Cleary (Newcastle, NSW—Australia)  
Sean Costello (Galena, Ohio)  
Robert Crotty (New York, New York)  
Chad Doellinger (Oak Brook, Illinois)  
William M. Driscoll (Chelmsford, Massachusetts)  
Eric Drogin (Weymouth, Massachusetts)  
Georgette Escobar (Tucson, Arizona)  
Joyce J. George (Flagler Beach, Florida)  
Carol Gillam (Los Angeles, California)  
Kevin Green (San Diego, California)  
William Harris (Macon, Georgia)  
Scott Harrison (Atlanta, Georgia)  
Marilyn Heiken (Eugene, Oregon)  
Paul J. Herskovitz (Brooklyn, New York)  
James C. Ho (Dallas, Texas)  
Barbara Kalinowski (Canton, Michigan)  
Gretchen E. Leonhardt (Clinton Twp., Michigan)  
Paul Linden (Cincinnati, Ohio)  
Victoria Lowery (Jackson, Mississippi)  
John Lunstroth\* (Houston, Texas)  
Annika K. Martin (New York, New York)  
Kelley Mauerman (Costa Mesa, California)  
Anthony Mauro (Alexandria, Virginia)  
Carlyn McCaffrey (New York, New York)  
Joseph McCaffrey (Bala Cynwyd, Pennsylvania)  
Jacob Mitrani (Miami Shores, Florida)  
Michael Murphy (Philadelphia, Pennsylvania)  
Olumide K. Obayemi (Oakland, California)  
Michael Pettersen (Seattle, Washington)  
Gregory A. Phillips (Cheyenne, Wyoming)  
Susan Provenzano (Downers Grove, Illinois)  
Bonnie Puckett (Atlanta, Georgia)  
Stuart Raphael (Arlington, Virginia)  
Dan Regan (Vienna, Virginia)  
Joel Samaha (Minnetonka, Minnesota)

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Tom Scott (Houston, Texas)  
Walter Senette (Franklin, Louisiana)  
Amanda Steiner (San Francisco, California)  
Carol Svolos Anderson (Omaha, Nebraska)  
Elizabeth L. Thompson (Dallas, Texas)  
Trevor Thorpe (San Francisco, California)  
Rosemary Townley (Larchmont, New York)  
Matthew Vansuch (Warren, Ohio)  
Bret Walker (Sydney, NSW—Australia)  
Christina Wallis (Santa Rosa, California)  
James Washinawatok II (Fruitland, New Mexico)  
Benjamin Williams (Dallas, Texas)  
Ted A. Wisnefski (Milwaukee, Wisconsin)  
Michael J. Zomcik (Houston, Texas)

\* Student member.

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## Member News

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**Tim Hassinger**, a director in the Mandeville, Louisiana, office of Galloway, Johnson, Tompkins, Burr & Smith, has been elected president of the St. Thomas More Catholic Lawyers Association. The Association is known for its sponsorship of the annual Red Mass, celebrated on the first Monday of October at the St. Louis Cathedral in New Orleans. Judges, lawyers, and officials of all faiths attend; judges from across Louisiana process from the Supreme Court in the French Quarter to the cathedral.

**James A. Johnson**, a trial lawyer in Southfield, Michigan, has published “Construction Defect Claims as Occurrences” in the *SMB: Journal of Insurance and Indemnity Law*. He also had two articles published in the *Michigan Bar Journal*: “Persuasion in Opening Statement” in the January 2011 issue, and “Jury Argument: Winning Techniques” in the March 2011 issue.

**Mary Massaron Ross** recently coauthored a book on state and appellate practice. She wrote chapter 6, “Introductory Appellate Review,” in *Appellate Practice in Federal and State Courts*, published by Law Journal Press.

**Stuart Shiffman** recently published “No Resolution in Sight,” a review of *Peculiar Institutions: America’s Death Penalty in an Age of Abolition* by David Garland. It’s in the May/June 2011 issue of *Judicature*, 94 *Judicature* 309.



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## Life Members

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David Abney (Phoenix, Arizona)	Judge Michael B. Hyman (Chicago, Illinois)	Judge Mark P. Painter (Cincinnati, Ohio)
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