

UPCOMING EVENTS:

- **BROWN BAG LUNCH FOR YOUNG LAWYERS**
January 13, 2015
- **HAPPY HOUR FOR YOUNG LAWYERS**
February 18, 2015
- **TAKING THE STEP TO FEDERAL COURT**
March 2015
- **STATE OF THE CIRCUIT/DISTRICT**
March 12, 2015
- **RECEPTION HONORING THE FEDERAL JUDICIARY**
May 13, 2015

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DEAN CHEMERINSKY ON THE SUPREME COURT

By Amy E. Pomerantz

On October 2, 2014, over 150 judges, attorneys, and law clerks attended the Federal Bar Association Los Angeles Chapter's annual "Supreme Court Review and Judge Barry Russell Scholarship Awards" luncheon at the Biltmore Hotel in downtown Los Angeles. Each year, this popular event honors local law school students who excelled in their federal courts courses. For the past twenty years, it has also featured a review of the Supreme Court's recent term by Dean Erwin Chemerinsky.

The program began with the swearing-in of the FBA-LA Chapter's new officers: Kenneth D. Sulzer as Chapter President; David K. Willingham as President-Elect; Matthew Close as Treasurer; and Hilary Potashner as Secretary. The Honorable George H. King, Chief Judge of the United States District Court for the Central District of California, administered the oath to the new officers and the new board.

Judge Russell then presented the annual awards for outstanding achievement in federal courts and practice course to five students from local law schools: Catherine Eschbach (Pepperdine University School of Law); Narain Kumar (USC Gould School of Law); Shane Palmer (UCLA School of Law); Steven L. Lundbert (Southwestern Law School); and Ryan Phillip Petterson (Loyola Law School). The recipients each received a personalized plaque reflecting the honor, a \$500 check, and the latest edition of Judge Russell's Bankruptcy Evidence Manual.

Attention then turned to Dean Chemerinsky, who reflected upon the October 2013 term. His remarks focused on four themes: the Court's notable "unanimity"; its "mixed" Fourth Amendment record; its groundbreaking First Amendment cases; and its continued bolstering of the qualified immunity doctrine.

Unanimity

In certain respects, Dean Chemerinsky began, the October 2013 term was similar to the Roberts Court's prior nine terms: the docket continued to dwindle, and Justice Kennedy continued to hold the deciding vote in the Court's most controversial decisions. But in one important sense, he noted, last year's term was "unlike any other term in recent memory": the number of cases decided unanimously. Indeed, 65% of cases in the October 2013 term were unanimous decisions, up from 49% in the 2012 term and 44% in the 2011 term. As a corollary, the number of 5-4 decisions diminished, from twenty-four in the 2012 term to ten this past year.

According to Dean Chemerinsky, however, this increased unanimity does not necessarily signal greater consensus on the Court. Rather, he explained, it to some extent reflects the Court's willingness to "duck the hard questions." Dean Chemerinsky also pointed out that, even where the Court

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SCENES FROM RECENT FBA-LA PROGRAMS



(l. to r.) Southwestern University Vice Dean Catherine Carpenter, Judge Russell Award Winner Steven L. Lundbert, and Bankruptcy Judge Barry Russell

Photo Courtesy of the Bankruptcy Court



(l. to r.) Margaret Buckles, District Judge Ronald Lew, and Morgan Bennett

UNITED STATES SUPREME COURT REVIEW AND JUDGE BARRY RUSSELL FEDERAL PRACTICE AWARDS



(l. to r.) Bankruptcy Judge Barry Russell, Narain Kumar (USC), Catherine Eschbach (Pepperdine), Shane Palmer (UCLA), Steven L. Lundbert (Southwestern), Ryan Phillip Patterson (Loyola), Dean Erwin Chemerinsky

Photo Courtesy of the Bankruptcy Court



(l. to r.) Linda Deutsch, District Chief Judge George H. King, Eric Howard, and Dean Erwin Chemerinsky

Photo Courtesy of the Bankruptcy Court



(l. to r.) Vito Costanzo and Kristina Azlin



Top row (l. to r.): Magistrate Judge Michael R. Wilner and District Judge Gary A. Feess; Bottom row (l. to r.): Summer Shelton and Lisa Ross



(l. to r.) Matthew W. Close and Molly Lens

Young Lawyer Division Happenings

by Erin Murphy

The Younger Lawyers Division (“YLD”) continued to engage with the broader federal community throughout the fall and winter of 2014. Spearheaded by YLD Co-Chairs and Assistant U.S. Attorneys Sandhya Ramadas and Jeff Chemerinsky, two events brought together new and rising members of the Los Angeles Federal Bar Association.

On October 9, 2014, the YLD hosted a happy hour at the Blue Cow downtown. Joel Richlin (Foley & Lardner), David Hackett (Greines Martin Stein & Richland) and Laura Perry (O’Melveny & Myers) organized the event, which occurs every spring and fall. As usual, the happy hour was free and open to all younger lawyers in the Los Angeles area who either practice or are interested in federal practice. Centrally located downtown at Bunker Hill, Blue Cow accommodated over 60 YLD members including judicial clerks and attorneys from various firms, as well as the offices of the Federal Public Defender, the U.S. Attorney, and the California Attorney General. The group had exclusive use of the outdoor area to meet, relax and meaningfully network with one another. They enjoyed the usual complimentary beverages and appetizers, made available by the generous sponsorship of law firms Bird Marella, Caldwell Leslie & Proctor, Crowell & Moring, Kendall Brill & Klieger, Foley & Lardner, Greines Martin Stein & Richland, and O’Melveny &

Myers. Organizer Joel Richlin recalls that he “met lots of new folks and old friends, and a great time was had by all.” The YLD looks forward to hosting the first YLD happy hour of the New Year in late February 2015.

On November 12, 2014 members of the YLD convened again to host another installment of the Brown Bag Lunch Series. Over a dozen attorneys, judicial clerks and externs met during the lunch hour to greet recently confirmed U.S. District Judge Andre Birotte, Jr., and U.S. Magistrate Judge Alka Sagar in Judge Birotte’s courtroom. The uniquely informal atmosphere of the event allowed the participants to acquaint themselves with one another and hear from the judges personally. Indeed, the participants learned details about both Judge Birotte and Judge Sagar that they might not otherwise have the opportunity to know as litigants appearing formally before them.

For example, Judge Sagar shared how she first came to Los Angeles from Canada with her parents, who had moved to Canada from Uganda where she was born. She studied anthropology for her undergraduate degree at UCLA and matriculated there again for law school. Judge Sagar shared how, during that time, she discovered her path in public service as a summer law clerk at the U.S. Attorney’s Office.

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A Reception Honoring the Alex Kozinski



Circuit Judge Alex Kozinski



(l. to r.) Nicole Duckett Fricke, Gail Migdal, and Magistrate Judge Alka Sagar



(l. to r.) Holly Lake and Evan A. Jenness

President's Message



Kenneth D. Sulzer
FBA Chapter
President
Proskauer Rose, LLP

I was honored to assume the Presidency of the LA Chapter in October right before introducing Dean Erwin Chemerinsky and his traditional annual Supreme Court review. His talk was marvelous and one of the highlights of the FBA year.

We say good bye to our Past President Sharon Ben-Shahar. We will miss her leadership. Our leaders worked for years to get our organization's fiscal/financial affairs straightened out and get our association running in the black. She leaves a great legacy of tireless energy and just plain talent and hard work. I am also very happy that our recent past Presidents, Jeff Rutherford and Evan Jenness, have not receded into the background and are active in helping us all drive our association forward.

As the first Labor and Employment lawyer to assume this position I am hoping to add something a bit different to our federal family during my term. About 15 per cent of the cases in the Central District are employment cases, and thus a substantial part of federal practice. Yet, many of the Judges frown (involuntarily, I might add) whenever I tell them I defend employment and wage/hour class actions.

As you might expect, I spend parts of my days pondering the aggregation rules under the Class Action Fairness Act and then try to make sense of the federal and state rulings regarding the Private Attorney General Act and pre-emption issues. I and some of my FBA colleagues on the other side of the aisle, look forward to helping the Court and staff sift through questions they have about our area of practice, like these,



LA Chapter leadership team (l. to r.) Kenneth D. Sulzer, David K. Willingham, Matthew W. Close, and Hillary Potashner
Photo Courtesy of the Bankruptcy Court

which seem to confound just about everyone, including me. So, I hope to change that - at least a little bit by demystifying what we can.

In the afterglow of Dean Chemerinsky's talk, we hosted a reception honoring and celebrating the tenure of Ninth Circuit Chief Judge Alex Kozinski at the Court House in Pasadena. Since it was Judge Kozinski, it was a low-key affair, but a wonderful and personal celebration certainly, just as the Judge wanted it.

The State of the Circuit/ State of the District lunch on March 12 will have a different tone as we transition to new Chief Judges for the Ninth Circuit and the Bankruptcy Court. The new Federal District courthouse is still on track for an August 2016 ribbon-cutting and we will hear about the project, I am certain.

We say "god speed" to Audrey Collins, Nora Manella and Jeff Johnson who were elected to seats on the California Court of Appeal. All are former Federal Judges. Judge Collins is the former Chief and one of our Board Members. We look forward to their work, but miss them on the federal side. Since some of my class action practice is in state court, I may have them involved in my cases again.

On May 13, the Judges reception promises to be its usual "Rite of Spring." I can hear Stravinsky now. It is again set for the Tom Bradley Room atop City Hall. As both Judge King and I would say, "It is particularly fun because the speeches are very short."

On June 9, we celebrate the tenure and retirement of six highly respected Magistrate Judges at a dinner we are sponsoring at the Biltmore. Mark your calendars for that one.

We look forward to expanding our Board and diversifying it in all ways, supporting and investing in the *pro se* clinic (the vision of our former Judicial Colleague Howard Matz),

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MORE SCENES FROM RECENT FBA-LA PROGRAMS



(l. to r.) Kevin L. Brady, Nassim Nazemi and Chief Circuit Judge Alex Kozinski



(l. to r.) Lauren Collins and Michael Weinstein



(l. to r.) Amelia L.B. Sargent and Anne Conley

NINTH CIRCUIT APPELLATE PRACTICE WORKSHOP



(l. to r.) Circuit Mediator Pete Sherwood, Clerk of the Court Molly Dwyer, and Supervising Motions Attorney Susan Gelmis presented *Insider Tips for Ninth Circuit Practice*



(l. to r.) Daniel Levin and Xiomara Costello

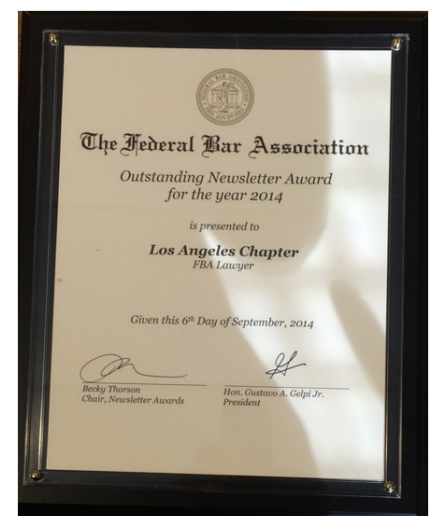


(l. to r.) Circuit Judges J. Clifford Wallace and Jacqueline Nguyen were on a panel discussing *What Makes a Great Oral Argument*



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The Los Angeles Chapter's newsletter was recognized at the Federal Bar Association National Convention in Rhode Island.



Amy E. Pomerantz,
Caldwell, Leslie &
Proctor, PC

Chemerinsky on the Supreme Court (cont. from page 1)

reached a unanimous decision, the Justices' rationales were often fractured. And Dean Chemerinsky noted that when dealing with the most divisive social issues, the Court remained as divided as ever. For these reasons, he opined, references to the Court's "unanimity" in 2013 may be somewhat misleading.

Fourth Amendment

Second, Dean Chemerinsky discussed developments in Fourth Amendment jurisprudence, illustrating the Court's "mixed record" in 2013 with discussion of three cases. The first, *Fernandez v. California*, concerned the scope of third-party consent to police searches and seizures. In *Fernandez*, the police arrested and booked Fernandez on charges of domestic violence. Once he was at the station, they then returned to his residence and obtained his girlfriend's consent to search for evidence of his involvement in a different gang-related assault.

Dean Chemerinsky explained that previously, in the 2006 case of *Georgia v. Randolph*, the Court had held that police officers violated a husband's Fourth Amendment rights by relying on his wife's consent to search their house for evidence of his drug use when he was "physically present" and objected to the search. But in *Fernandez*, a 6-3 majority held that even when an objector has been removed by police, so long as the removal is made for "objectively reasonable"

reasons, the consent of a co-occupant provides sufficient authority to search. Writing in dissent, Justice Ginsberg lamented that the majority left little of *Randolph's* protections in tact.

What accounts for the shift from *Randolph* to *Fernandez*? Dean Chemerinsky posited two theories. First, he attributed it to the difference between Justice O'Connor and the less-moderate Justice Alito, who penned the *Fernandez* opinion. Second, he pointed to the evolving viewpoint of Justice Breyer, who in recent years has consistently sided with law enforcement in Fourth Amendment decisions.

Dean Chemerinsky next discussed *Navarette v. California*, in which the Court held in a 5-4 decision that a traffic stop precipitated by an anonymous 911 tip complied with the Fourth Amendment because the officer had reasonable suspicion that the driver was intoxicated. Dean Chemerinsky noted that even though the dissent was comprised of an unlikely coalition (Justices Scalia, Ginsburg, Sotomayor, and Kagan), *Navarette* was not the first time these justices had aligned in dissent in a Fourth Amendment case.

Dean Chemerinsky then turned to "the most important Fourth Amendment case not just this year, but in many years": *Riley v. California*. Unlike the pro-law enforcement

decisions in *Fernandez* and *Navarette*, *Riley* represents a landmark victory for criminal defendants. At issue in *Riley* was the constitutionality of a warrantless search of digital information on a cellphone seized from an individual who was arrested. Writing for a unanimous court, Chief Justice Roberts held that the warrantless search of an arrestee's cell phone violated the Fourth Amendment.

Calling the decision "the most important Fourth Amendment case ever with respect to informational privacy," Dean Chemerinsky explained that the implications of *Riley* may be far-reaching. He predicted that state and federal courts will look to the Chief Justice's language in addressing informational privacy issues in both civil and criminal contexts.

First Amendment

Third, Dean Chemerinsky discussed several important First Amendment decisions handed down during the October 2013 term. He began with *McCutcheon v. Federal Election Commission*, in which a plurality of the Court held that aggregate limits restricting how much money a donor may contribute to candidates for federal office, political parties, and political action committees run afoul of the First Amendment. Dean Chemerinsky predicted that *McCutcheon* will open the

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Supreme Court Review (cont. from page 6)

door to similar challenges at the state and local level.

Dean Chemerinsky also reviewed *McCullen v. Coackley*, in which the Supreme Court struck down a Massachusetts law that made it a crime to stand on a public road or sidewalk within thirty-five feet of any abortion clinic in the state. Among other reasons, this case was notable in that Chief Justice Roberts held the swing vote, joining Justices Ginsberg, Breyer, Sotomayor, and Kagan in concluding that the law was not narrowly tailored. According to Dean Chemerinsky, *McCullen* may open up all buffer zones to challenges on grounds of insufficient tailoring.

Next, Dean Chemerinsky turned to two particularly significant cases regarding religious freedom rights. The first, *Town of Greece v. Galloway*, concerned a town's practice of opening town board meetings with prayers offered by members of the Christian clergy. In a 5-4 plurality decision reversing the Second Circuit, the Court held that the prayer did not violate the Establishment Clause because the practice was consistent with a long legislative tradition; the town did not discriminate against minority faiths in determining who may offer a prayer; and the prayer did not coerce participation by non-adherents, since it was primarily for members of the legislative body. Dean Chemerinsky opined that this case could have a great deal of practical significance, noting that he had received numerous calls from school boards inquiring about the scope of the Court's holding as soon as the decision was announced.

He also discussed one of the most controversial and widely-followed cases of the term, *Burwell v. Hobby Lobby*. In *Hobby Lobby*, the Court held in a 5-4

decision that regulations promulgated by the Department of Health and Human Services requiring employers to provide their female employees with no-cost access to contraception violated the Religious Freedom Restoration Act with respect to closely-held corporations. Dean Chemerinsky specifically called attention to Justice Ginsberg's dissent, which "disagreed with every aspect" of the majority's decision.

As Dean Chemerinsky explained, the *Hobby Lobby* decision was groundbreaking in three key respects: (1) it was the first time that the Supreme Court has recognized religious beliefs belonging to corporate entities; (2) it was the first time the Court has ever held that it infringes upon free exercise of religion to facilitate what someone else might do; and (3) it represents the first time the Court has enabled people to inflict an injury on others in the name of their own religious rights. To this end, Dean Chemerinsky predicted, the case will lead to a great deal of future litigation.

Qualified Immunity

Fourth, Dean Chemerinsky discussed a few of the Court's recent qualified immunity decisions, explaining how the Roberts Court continued to expand protections to governmental officials from suit—even where it had found constitutional violations. In particular, Dean Chemerinsky reviewed three cases—*Plumhoff v. Rickard*, *Wood v. Moss*, and *Lane v. Franks*—in which the Court unanimously found that the government official defendants were entitled to qualified immunity. In each of these decisions, Dean Chemerinsky observed, the Court based its conclusion that there was no violation of "clearly

established law" on the absence of case law directly on point. This rationale, he explained, calls into question the viability of *Hope v. Pelzer* (2001), in which the Court had recognized that officials can be on notice that their conduct violates established law even in novel factual situations.

Dean Chemerinsky closed by turning an eye towards the upcoming 2014-2015 term. It promises to be yet another exciting year, as the Court is poised to address some of society's most divisive legal issues, including Obamacare, marriage equality, affirmative action, abortion rights, and the use of race in drawing election districts. With such a blockbuster term ahead, Dean Chemerinsky remarked, he could all but guarantee that the theme of his address at next year's Barry Russell Scholarship Awards Luncheon will *not* be unanimity.

COMING SOON:

Los Angeles Federal Bar Association

Taking the Step to Federal Court

March 2015
(date to be determined)
8:30 am -12:30 pm
United States Courthouse

Please check FBALA .org for date and registration flier. This "nuts and bolts" program covers the practical aspects of federal court litigation.



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President's Message (cont. from page 4)

working with the new Ninth Circuit Chief, new U.S. Attorney, our own Board Secretary Hilary Potashner (who is our new Federal Public Defender), and working on our many other initiatives. We welcome our newest Board members (since June 1): Circuit Judge Jacqueline Nguyen, District Judge Fernando M. Olguin, District Judge Beverly Reid O'Connell, District Judge Andre Birotte, Jr., Magistrate Judge Alka Sagar, Bankruptcy Judge Sandra R. Klein, Ronald Wood, Robert Kohn, Lane Dilg, Eric McDonough, and Kristin Tuey. We would also like to give a big thank you to Judge Audrey B. Collins, Manny Abascal and Angelo Paparelli for their service to our Board.

Finally, my congratulations to Courtroom Deputy of the Year Winner, Kane Thien, from Judge Dolly Gee's courtroom. I was honored to be able to present the award to Kane in front of his family and his Chambers' colleagues.

We are looking forward to a great FBA year in LA!

On November 4, 2014, Chapter President Kenneth Sulzer presented the annual Courtroom Deputy Award to Kane Thien at an evening reception honoring all Courtroom Deputies. Judge Gee commented, "Kane is very hard-working and conscientious...he is my face to the public and I am always confident that he is professional and courteous to all those that interact with him."



Back row (l. to r.): Tyler Anthony, Erica Solum, Esther Yoo, and Vanessa Reid. Front row (l. to r.): Karen Uyekawa, District Judge Dolly M. Gee, award winner Kane Thien, and Anne Kielwasser.

MORE SCENES FROM RECENT FBA-LA PROGRAMS



(l. to r.) Laura Perry and Robert Kohn



(l. to r.) Melissa Weinberger and Nina Daly

**Big Brother Meets Big Data -
The Price of Virtue: Walking
the Tightrope Between Privacy
and Security**



Moderator John Carson



*Legal Director of the Electronic Frontier
Foundation Cindy Cohn*



Andy Liepman of the Rand Corporation

From the Clerk of the Court

by Terry Nafisi



*Terry Nafisi,
District Court
Executive and Clerk of
Court,
United States District
Court, Central District
of California*

Throughout 2014 the Court busily utilized technology to streamline its operations, which has resulted in savings for the bench, bar, and the public.

The highest profile project has been Attorney Civil Case Opening, which started in October 2013 as a pilot project limited to student loan, patent, trademark, copyright and ERISA cases. The pilot was expanded in February 2014 to cover most new civil cases so long as the filing fee was paid online at the time of filing or no filing fee was owed. The electronic opening of civil cases became mandatory

on December 1, 2014, after a change in Local Rule 3-2 went into effect.

This past July the Court also launched a pilot project in the Eastern Division permitting individuals who receive tickets for traffic violations on federal property, and who are eligible to attend traffic school instead of paying a fine to resolve the ticket, to choose the traffic school option without making a personal appearance in court if their hearing is scheduled in one of four locations, including the U.S.D.C. in Riverside. This program is the first of its kind in the nation and has the potential of saving thousands

of people every year from traveling to make appearances that last only 2-3 minutes.

Throughout 2014, the Court also continued its pilot project for the electronic submission and filing of under seal documents. The pilot project started in July 2013 and included both civil and criminal cases (with the exception of criminal intake of new actions and criminal duty matters) assigned to both District and Magistrate Judges. The pilot started out with 14 District Judges and 10 Magistrate Judges. There are

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Young Lawyer Division (cont. from page 3)



*Erin Murphy,
Lightfoot, Steingard &
Sadowsky, LLP*

In particular, she recalled relishing the extensive amount of preparation and detail that each case required. Even more, she remembered herself as a historically shy person and yet found an unexpected voice in courtroom advocacy. Eager to return to the office after graduating in 1984, she worked for a few years in private practice until joining the U.S. Attorney's Office in Los Angeles as an Assistant U.S. Attorney. She stayed there until she was appointed as a U.S. Magistrate Judge in August 2013.

Speaking of beginnings, Judge Birotte recalled his first day in Los Angeles. After graduating with his undergraduate degree at Tufts, he had decided law school would be his next step. Around that time, he received a flier from Pepperdine Law School in Malibu, California. Judge Birotte traveled from his native New Jersey to Los Angeles by himself, rented a Ford Festiva, and drove up the PCH to discover his new home in

Southern California. Judge Birotte shared the trajectory of his career in public service after graduating from Pepperdine. He started with his first job as a deputy public defender in Los Angeles, then as an Assistant U.S. Attorney in the same office as Judge Sagar. Judge Birotte worked as the Inspector General of the Los Angeles Police Department and practiced white collar criminal defense at Quinn Emmanuel Urquhart & Sullivan. President Barack Obama appointed him as the U.S. Attorney in 2010, a position he held until the Senate confirmed his nomination as a U.S. District Judge in February 2014.

The Brown Bag Lunch concluded with a series of questions from the attorneys in attendance. A common theme emerged in Judge Birotte's and Judge Sagar's advice to the young litigants: do not be afraid to

(continued on page 12)

From the Clerk of the Court (cont. from page 10)

plans to expand the pilot project during the coming year.

In October, the Court also started using a Twitter account to provide instantaneous updates to followers about Case Management and Electronic Case Filing Program ("CM/ECF") outages and other issues that impact both the bar and the public. A link to the Court's Twitter account (U.S. District Court@cacdcmecf) is available on the Court's website.

Also in August 2014, the Court went live with an approved procedure permitting the U.S. Probation Office's submission of probation revocation documents to the court in electronic format. The Court is now working on the CM/ECF changes needed to permit the electronic filing of various documents by the

U.S. Pretrial Services, including petitions for modifications on conditions of pretrial release and order to show cause hearings.

The Court continues to struggle with the high cost of mail service for attorneys who are not receiving service of documents electronically. When attorneys consent to electronic service it reduces postage and paper costs, saves time for Clerk's Office staff, and enables attorneys to access documents as soon as they are filed, without the delay associated with receiving documents sent by mail.

With all of these changes, it is important to refer to the Court's website for updates and monitor each Judge's Procedures and Schedules website page for any changes that result from the Court's adoption of technological solutions.

MORE SCENES FROM RECENT FBA-LA PROGRAMS



(l. to r.) Ann Hong, J. Scott Bovitz, Professor Nancy Rapoport, Bankruptcy Judge Barry Russell



(l. to r.) Bankruptcy Judge Scott C. Clarkson and David Lally



(l. to r.) Donna M. Curtis and Marty Bracciotti

11TH ANNUAL BANKRUPTCY ETHICS SYMPOSIUM



(l. to r.) Julia Brodsky, Kenneth D. Sulzer, and Jerome I. Braun



(l. to r.) Nicholas Gebelt and Dennis McGoldrick

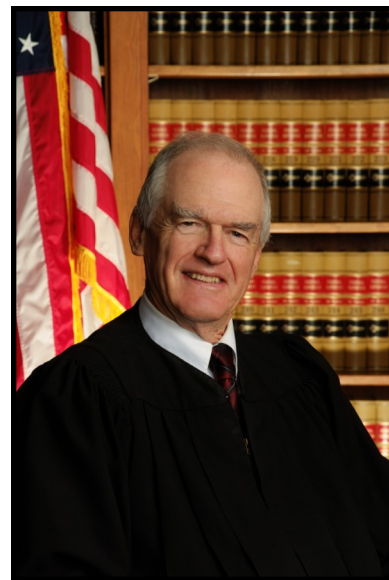


(l. to r.) Rosendo Gonzalez and Joseph Boufadel

Young Lawyer Division (cont. from page 10)

be confident. Indeed, Sima Namiri-Kalantari, an associate at Crowell & Moring, remembers the judges sharing their tendency to underestimate their own credentials. For example, Judge Sagar recalled reviewing her own resume at one point and realizing, upon advice of a colleague, that she had not included all of her honors and accomplishments in the legal community. Judge Birotte shared a similar realization, and how, at each new opportunity in his career, he felt a slight hint of apprehension as to whether he was the right person for the job. On those occasions, he adopted his mother's advice to "feel the fear" and go for it anyway.

The judges offered other advice to the younger lawyers sitting in Judge Birotte's courtroom at Roybal. Dan Terzian, an associate at Duane Morris, took note of Judge Birotte's observation that our daily accomplishments as attorneys add up to entire careers. As such, it may be useful for young attorneys to keep track of the work they do in a book so they have a concrete source to reflect upon their career progress. Judge Sagar offered straightforward advice for all attorneys: do the necessary work and never cut corners, especially when working in a team.



In Memoriam

J. Spencer Letts
1934-2014

Served on the District Court from 1985-2014

Photo courtesy of the District Court



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NEWS RELEASE

September 30, 2014

Contact: David J. Madden, (415) 355-8800

Federal Public Defender Named for Central District of California

SAN FRANCISCO — Chief Judge Alex Korinski of the United States Court of Appeals for the Ninth Circuit announced today the selection of Hilary Loe Potashner as the federal public defender for the Central District of California.

Ms. Potashner is serving initially as the acting federal public defender, effective September 15, 2014. She will assume the office of federal public defender upon completion of a background review by the Office of Professional Management, a process that typically takes several months. She succeeds Sean Kennedy, who retired as federal public defender on September 14, 2014.

"Hilary Potashner has more than 20 years of experience serving indigent defendants in both the federal and state courts. She is well known and respected by both the bench and bar in the Central District," Chief Judge Korinski said of the appointment.

Ms. Potashner, 47, has worked in the Office of the Federal Public Defender for the Central District since 2001, when she was hired as a line deputy. She was promoted to a supervising defender position in 2007 and became the office's chief deputy in 2012. Working in Los Angeles, she divided her time between administrative responsibilities, supervision, collaboration with other agencies in the district, and representing clients.

Ms. Potashner serves on a committee which advises the U.S. District Court for the Central District of California on Criminal Justice Act matters and also as liaison to the Office of the U.S. Attorney for the Central District.

Prior to her federal service, Ms. Potashner worked as a deputy public defender in the San Diego County Public Defender's Office from 1993 to 2000.

Attorneys Required to File New Civil Actions Electronically, Effective December 1, 2014

Beginning December 1, 2014, attorneys filing new civil actions will be required by amended Local Rule 3-2 to file their case-initiating document(s) electronically, using the Court's Case Management/Electronic Case Filing System (CM/ECF), unless exempted from electronic filing by amended Local Rule 5-4.2. (The amended local rules effective December 1, 2014, will be available on the Court's website at <http://www.cacd.uscourts.gov/court-procedures/local-rules>; amended Local Rule 3-2 may be previewed at <http://www.cacd.uscourts.gov/news/changes-local-rules-proposed-become-effective-december-1-2014>.) All other documents required to be filed concurrently with the case-initiating document, including the Civil Cover Sheet (Form CV-71), and Notice of Interested Parties, must also be filed electronically. Any filing fee that is required must be paid online at the time the case-initiating document is filed, unless a request to proceed *in forma pauperis* is filed concurrently.

Case-initiating documents that must be filed electronically include:


- Complaints
- Notices of Removal
- Motions to Vacate, Set Aside, or Correct Sentence
- Motions to Withdraw Bankruptcy Reference
- Petitions for Writ of Habeas Corpus
- Requests for Appointment of Counsel/Stay of Execution (Capital Habeas Corpus Petitions)

Please note: Certain proceedings that are administrative or otherwise ancillary to civil actions are processed by the Court as "miscellaneous" cases. Case-initiating documents for miscellaneous cases may not be filed electronically. Common proceedings that qualify as miscellaneous cases include registration of judgments from other districts, motions to quash, modify, or enforce subpoenas from other districts, notices of receivership pursuant to 28 U.S.C. § 754, and petitions to quash a third-party IRS summons. A more complete list of miscellaneous cases, as well as a more complete list of documents initiating civil actions, is available on the Court's website at <http://www.cacd.uscourts.gov/e-filing/civil-case-opening>. If the case-initiating document you plan to file on or after December 1, 2014, is not specifically identified in this Notice, you should consult those more complete lists to determine whether you must file your document electronically.

To file a document electronically—including a case-initiating document—an attorney must be a registered CM/ECF user. An attorney not registered to use CM/ECF should request a CM/ECF account sufficiently in advance to comply with amended Local Rule 3-2. Registered CM/ECF users are reminded of their obligation to keep their personal contact information current, especially their e-mail address to ensure receipt of electronic notice. See L.R. 5-4.8.1; L.R. 83-2.4.

In preparation for filing case-initiating documents electronically, it is strongly recommended that attorneys and support staff review the Attorney Case-Opening Manual and training videos that are available on the Court's website at <http://www.cacd.uscourts.gov/e-filing/civil-case-opening>.

UPCOMING FBA-LA PROGRAM



LOS ANGELES
Federal Bar Association

STATE OF THE CIRCUIT/DISTRICT
Featuring

JUDGE MARY M. SCHROEDER
UNITED STATES COURT OF APPEALS, 9TH CIRCUIT

CHIEF JUDGE GEORGE H. KING
UNITED STATES DISTRICT COURT, CENTRAL DISTRICT


CHIEF MAGISTRATE JUDGE SUZANNE H. SEGAL
UNITED STATES DISTRICT COURT, CENTRAL DISTRICT

CHIEF BANKRUPTCY JUDGE SHERI BLUEBOND
UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT

THURSDAY, MARCH 12, 2015

LOCATION: *DOUBLETREE HOTEL*
120 S. LOS ANGELES ST.
LOS ANGELES, CA 90012

SCHEDULE: 11:30 A.M. *REGISTRATION*
12:00 P.M. *LUNCH*



LOS ANGELES
Federal Bar Association

cordially invites you to attend the Annual

RECEPTION HONORING THE FEDERAL JUDICIARY
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT
UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA
UNITED STATES MAGISTRATE JUDGES FOR THE CENTRAL DISTRICT OF CALIFORNIA
UNITED STATES BANKRUPTCY COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

WEDNESDAY, MAY 13, 2015
5:30 P.M. - 7:30 P.M.
Hors d'oeuvres and No Host Bar

CITY HALL - TOM BRADLEY ROOM
200 N. SPRING STREET, 26TH FLOOR, LOS ANGELES, CA 90012

RECEPTION WILL BE IN THE TOM BRADLEY ROOM. TAKE ELEVATOR TO THE 22ND FLOOR, THEN CHANGE ELEVATORS TO THE 26TH FLOOR.

FEDERAL BAR ASSOCIATION

Los Angeles Chapter

210 N. Glenoaks Boulevard, Suite C
Burbank, CA 91502

Phone: 818-843-1020

E-mail: fbala@emaoffice.com

website: fbala.org

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Janine Nichols at 818-843-1020 or
fbala@emaoffice.com*

About Us

Federal Bar Association Mission Statement

The mission of the Association is to strengthen the federal legal system and administration of justice by serving the interests and the needs of the federal practitioner, both public and private, the federal judiciary and the public they serve.

The Federal Bar Association

The FBA represents the Federal legal profession. We consist of more than 15,000 federal lawyers, including 1,200 federal judges, who work together to promote the sound administration of justice and integrity, quality and independence of the judiciary. The FBA also provides opportunities for judges and lawyers to professionally and socially interact. and extends student scholarships.

**“The premiere bar association serving
the federal practitioner and judiciary.”**

The Los Angeles Chapter

The Los Angeles Chapter is one of the oldest chapters of the FBA. Originally chartered in 1937, the Los Angeles Chapter covers the Los Angeles Division of the Central District of California.

With approximately 400 members, the Los Angeles Chapter is the largest in the Ninth Circuit. Members come from private practice, government agencies, military branches, law schools and the bench.

The Los Angeles Chapter is committed to meeting the needs of the federal practitioner through educational seminars, training programs and social functions. To join FBA-LA, log onto our website: www.fbala.org.