

ARIZONA BANKRUPTCY AMERICAN INN OF COURT



*MEMBERSHIP MANUAL
2012/2013*



AMERICAN
INNS *of* COURT



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**ARIZONA BANKRUPTCY
AMERICAN INN OF COURT**

August 1, 2012

Dear Inn Members:

Welcome to the second year of the Arizona Bankruptcy Inn of Court. Thanks to all of you, and the hard work of last year's President and Executive Committee, our inaugural year was a big success, as evidenced by the return of all but three of last year's members. Among our returning members are two of the three newly selected bankruptcy judges.

The Inn continues to be dedicated to fostering excellence, professionalism, ethics, civility and legal skills in the Arizona bankruptcy community. We will continue our focus on mentoring and providing members with educational and entertaining programs. The Program Committee, chaired by Cary Forrester, has chosen bankruptcy litigation - Part II as the focus for our program topics for the year. You will be given an opportunity at our first meeting to select a topic for your group. Please take a few minutes to review our Membership Manual, including meeting dates and this year's assignments to pupilage teams. Our bylaws provide for annual reassignment of the teams. The Membership Committee has worked hard to reassign members with the goal of optimizing networking opportunities, while trying to maintain the cohesiveness developed among members in last year's teams.

The Manual also includes guidelines for the presentation of programs. Feel free to contact Cary if you have any questions about the programs. Much of the information in the Manual is confidential, particularly member's and group email lists which should be used for conducting Inn business and not shared with others absent the member's consent.

Additional information, including current announcements, and copies of our Bylaws and the Membership Manual can be found at our website at: <http://www.innsforcourt.org/Inns/azbkinn/>. We encourage you to visit the website often for updated information. If you need assistance accessing or navigating the website, please contact Ed Bernatavicius or Lori Winkelman.

The second year of our Inn's success depends on your continued involvement and active participation. Based on last year's experience, we are looking forward to another awesome year.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Eileen Hollowell".

Eileen Hollowell
President of ABAIC 2012-2013

P. S. Don't forget to RSVP for the first meeting.



HISTORY: AMERICAN INNS OF COURT



The American Inns of Court concept was the product of a discussion in the late 1970's among the United States' members of the Anglo-American exchange of lawyers and judges, including Chief Justice Warren E. Burger and Chief Judge of the Ninth Circuit J. Clifford



Wallace. Chief Justice Burger subsequently invited Rex E. Lee (then Dean of the J. Reuben Clark School of Law at Brigham Young University and later United States Solicitor General) and Dallin Oaks (then president of Brigham Young University and later Justice of the Utah Supreme Court) to test the idea.

At the suggestion of Rex Lee, a pilot program was entrusted to Senior United States District Court Judge A. Sherman Christensen (pictured at right), who honed the idea into a feasible concept. The first American Inn of Court was founded in 1980 in the Provo/Salt Lake City area of Utah, and included law students from Brigham Young University. Within the next three years, additional American Inns formed in Utah, Mississippi, Hawaii, New York, and Washington, D.C.

In 1983, Chief Justice Burger created a committee of the Judicial Conference of the United States to explore whether the American Inn concept was of value to the administration of justice and, if so, whether there should be a national organization to promote, establish and assist American Inns, and promote the goals of legal excellence, civility, professionalism and ethics on a national level. The committee reported to the Judicial Conference affirmatively on the two questions and proposed the creation of the American Inns of Court Foundation. The Judicial Conference approved the reports and, thus, endorsed the American Inn concept and the formation of a national structure. In 1985, the American Inns of Court Foundation was formally organized.

Arizona Bankruptcy American Inn of Court

ABAIC MISSION STATEMENT

The Mission of the Arizona Bankruptcy American Inn of Court (“ABAIC”) is to foster excellence in professionalism, ethics, civility and legal skills within the Arizona bankruptcy community. The ABAIC seeks to achieve this by fostering a greater understanding and appreciation of bankruptcy law, the adversary system in which it exists and to promote interaction and collegiality among judges, lawyers, legal educators, law students and others.

ABAIC’S PROFESSIONAL CREED

As a member of the Inn of Court, I hereby adopt this professional creed with a pledge to honor its principles and practices:

I will treat the practice of law as a learned profession and will uphold the standards of profession with dignity, civility and courtesy.

I will value my integrity above all. My word is my bond.

I will develop my practice with dignity and will be mindful in my communications with the public that what is constitutionally permissible may not be professionally appropriate.

I will serve as an officer of the court, encouraging respect for the law in all that I do and avoiding abuse or misuse of the law, its procedures, its participants and its processes.

I will represent the interests of my client with vigor and seek the most expeditious and least costly solutions to problems, resolving disputes through negotiation whenever possible.

I will work continuously to attain the highest level of knowledge and skill in Bankruptcy and any other area of the law in which I practice.

I will contribute time and resources to public service, charitable activities and pro bono work.

I will work to make the legal system more accessible, responsive and effective.

I will honor the requirements, the spirit and the intent of the applicable rules or codes of professional conduct in Arizona and will encourage others to do the same.

Arizona Bankruptcy American Inn of Court

2012/2013 :: Officers & COMMITTEES

THE EXECUTIVE COMMITTEE

PRESIDENT	THE HONORABLE EILEEN W. HOLLOWELL
VICE-PRESIDENT	EDWARD K. BERNATAVICIUS
SECRETARY	LORI L. WINKELMAN
TREASURER	PATRICK A. CLISHAM
PROGRAM CHAIR	S. CARY FORRESTER
MEMBERSHIP COMMITTEE CO-CHAIR	CHRISTOPHER H. BAYLEY
MEMBERSHIP COMMITTEE CO-CHAIR	MADELEINE C. WANSLEE
SPECIAL EVENTS CHAIR	CAROLYN JOHNSEN
MEMBER-AT-LARGE	BRENDA MOODY WHINERY

THE MEMBERSHIP COMMITTEE

CO-CHAIRS:	CHRISTOPHER H. BAYLEY	MADELEINE C. WANSLEE
MEMBERS:	EDWARD J. MANEY	GARY R. STICKELL
	DALE C. SCHIAN	TAMALYN E. LEWIS
	ANDREW DUDLEY	DAWN MAGUIRE-BAYNE
	CYNTHIA GREENE	

THE PROGRAM COMMITTEE

CHAIR:	S. CARY FORRESTER	
MEMBERS:	STEVEN N. BERGER	HILARY L. BARNES
	SCOTT A. LIESKE	

THE SPECIAL EVENTS COMMITTEE

CHAIR:	CAROLYN JOHNSEN	
MEMBERS:	TAMALYN E. LEWIS	ANDREA WIMMER

For more information, visit our website at
www.innsocourt.org/Inns/azbkinn

Arizona Bankruptcy American Inn of Court

2012-2013 PROGRAMS THEME :: "BANKRUPTCY LITIGATION, PART DEUX"

SUGGESTED TOPICS:

CHAPTER 11 FIRST DAY MOTIONS
JURISDICTION ISSUES: REMOVAL, REMAND, REFERRAL
BANKRUPTCY APPEALS (EFFECTIVE BRIEF WRITING AND/OR ORAL ARGUMENT)
EXPERT WITNESS TESTIMONY (DIRECT AND/OR CROSS EXAMINATION AT TRIAL)
ETHICAL ISSUES IN DISCLOSURE & DISCOVERY
STAY LIFT TRIALS
NONDISCHARGEABILITY TRIALS
SECTION 727 LITIGATION - FILING AND SETTLEMENT OPTIONS
TAKING THE APPRAISER'S DEPOSITION
FRAUDULENT TRANSFERS – ANALYZING ISSUES AND DRAFTING THE COMPLAINT
CHAPTER 13 PLAN CONFIRMATIONS
E-DISCOVERY
PREPARING A FACT WITNESS FOR TRIAL OR DEPOSITION
EXEMPTIONS AND EXEMPTION PLANNING
GETTING PAID FOR BANKRUPTCY REPRESENTATION: DO'S AND DON'TS
TECHNOLOGY IN THE COURTROOM: THE FUTURE IS NOW
INVOLUNTARY PETITIONS: FILING OR DEFENDING
LEASE ASSUMPTION - PROVING ADEQUATE ASSURANCE OF FUTURE PERFORMANCE
PLAN CONFIRMATION: HOW TO EXPOSE PROPERTY TO THE
MARKET TO MEET SUPREME COURT REQUIREMENTS
COMMUNITY PROPERTY RIGHTS IN BANKRUPTCY - ESTATE PROPERTY TO DISCHARGE
PRIVILEGES IN BANKRUPTCY LITIGATION –
MARITAL, ATTORNEY-CLIENT, ACCOUNTANT, WORK PRODUCT

Sample programs may be found in the
2011-2012 PROGRAM LIBRARY GUIDE found at www.innsofcourt.org

Arizona Bankruptcy American Inn of Court

2012/2013 MONTHLY MEETING SCHEDULE

ABAIC will have eight (8) formalized, monthly meetings for the 2012/2013 Inn year and one social gathering. The year will begin with our "kick off meeting" on the first Thursday of September. Except for the February meeting, all other meetings will be held on the second Thursday of each month through May. The meetings will be held in Phoenix at the University Club located at 39 East Monte Vista Road, Phoenix, Arizona 85004, with the exception of two meetings to be held at the Hacienda del Sol, 5501 N. Hacienda del Sol Road, Tucson, Arizona 85718.

The meetings will begin with a social hour at 5:30 pm to give members an opportunity to visit with colleagues who may not belong to their pupillage team. Dinner will be from 6:30 to 7:00 pm and a pupillage team(s) will present from 7:00 to 8:30 on their chosen topic for the evening.

In addition to the eight (8) monthly meetings, pupillage teams are highly encouraged to meet informally once a month to discuss the topics being presented that month.

THE 2012/2013 PROGRAM CALENDAR:

1. September 6, 2012 – Kick Off Meeting & Panel Presentation :: The Legends
2. October 11, 2012
3. November 8, 2012 – Hacienda del Sol, Tucson
4. December 13, 2012 – Holiday Party
5. January 10, 2013
6. February 21, 2013 (note: Meeting is on the third Thursday)
7. March 14, 2013
8. April 11, 2013 – Hacienda del Sol, Tucson
9. May 9, 2013

GUEST POLICY:

Guests may attend a general membership meeting of the Inn on a "first come, first served" basis. The hosting Inn member should contact the Inn Secretary prior to the RSVP deadline to ensure that space is available.

The hosting Inn member is responsible for covering the guest's dinner costs, which are approximately \$35.00 per plate.

ATTENDANCE POLICY:

All members are expected to attend and to participate actively in the Inn's meetings. Members who are unable to attend a particular meeting must inform the Membership Committee of their anticipated absence through the Inn's RSVP response link by the applicable deadline. **Three absences during the program year may be deemed a resignation from the Inn (this policy does not apply to Honorary members).**

For more information regarding the Attendance Policy, please refer to the Inn's Bylaws.

Arizona Bankruptcy American Inn of Court

2012/2013 MEMBERSHIP LIST

NO.	HONORARY MASTERS	MASTERS	BARRISTERS	ASSOCIATES
1.	Hawkins, Hon. Michael Daly	Baum, Hon. Redfield T.	Barnes, Hilary L.	Ashbrook, Walter
2.	Lashinsky, Ilene	Bayley, Christopher	Bernatavicius, Edward K.	Blum, Brian
3.	Ponoroff, Dean Lawrence	Berger, Steven	Brown, Scott K.	Brelsford, Nathan J.
4.	Rothschild, Lowell	Boswell, Susan	Clisham, Patrick A.	Brice, Alissa A.
5.	Silver, Hon. Roslyn O.	Carmel, Michael	Dudley, Andrew M.	Corrales, Jody
6.	Smith, Gerald	Case, Hon. Charles G.	Hirsch, Kyle S.	Cosman, Bradley
7.		Collins, Daniel	Kanute, Nathan G.	Dodge, Benjamin L.
8.		Cross, James	Kass, Lisa S.	Fella, Elizabeth
9.		Curley, Hon. Sarah Sharer	Koenig, Janessa E.	Glynn, Janel M.
10.		Forrester, Cary	Lauritson, Allison M.	Greene, Cindy L.
11.		Freeman, Susan	Lieske, Scott A.	Hindman, David
12.		Furlong, Daniel	Maguire-Bayne, Dawn M.	Hyder, Scott W.
13.		Hollowell, Hon. Eileen W.	McCoy, Kevin Christopher	Jess, Cody James
14.		Jerome, Steven D.	Pack, Bradley D.	Jones, Michael
15.		Johnsen, Carolyn	Petersen, Frederick J.	Kahn, Josh
16.		Lewis, Tamalyn	Saffer, Jonathan	Neeley, Kenneth L.
17.		Maney, Edward	Samuelson, Jim	Newell, Joel F.
18.		Sala, Paul	Simpson, Christopher	O'Brien, A. Evans
19.		Salerno, Thomas	Singer, Kelly	Ray, Wesley D.
20.		Schian, Dale	Suzuki, Bryce A.	Rothschild, Isaac D.
21.		Stickell, Gary	Tatkin, Carolyn	Sabo, Jessica
22.		Wanslee, Madeleine C.	Warnicke, Robert C.	Smith, John C.
23.		Whinery, Brenda	Winkelman, Lori L.	Swartz, Trucly Pham
24.		Zachary, Edward	Witthoft, Theodore P.	Wimmer, Andrea
25.				Zimmerman, Michael



ARIZONA BANKRUPTCY AMERICAN INN OF COURT 2012/2013 PUPILLAGE TEAMS

MEMBER	EMAIL	TYPE	LOCATION	PRACTICE AREA
PUPILLAGE GROUP NO. 1				
Curley, Hon. Sarah Sharer	Sarah_Curley@azb.uscourts.gov	Master	Phoenix	Judge
Cross, James	jcross@crossbcs.com	Master	Phoenix	Commercial
Forrester, Cary	SCF@forresterandworth.com	Master	Phoenix	Commercial
Lauritson, Allison M.	allison.lauritson@lane-nach.com	Barrister	Phoenix	Combination
Lieske, Scott A.	Scott.Lieske@azbar.org	Barrister	Phoenix	Consumer
Warnicke, Robert C.	robert.warnicke@gordonsilver.com	Barrister	Phoenix	Commercial
Jess, Cody James	cjess@swazlaw.com	Associate	Phoenix	Commercial
Newell, Joel F.	joel.newell@lane-nach.com	Associate	Phoenix	Consumer
Fella, Elizabeth	elizabeth.fella@quarles.com	Associate	Tucson *	Commercial
PUPILLAGE GROUP NO. 2				
Case, Hon. Charles G.	Charles_Case@azb.uscourts.gov	Master	Phoenix	Judge
Berger, Steven	snb@eblawyers.com	Master	Phoenix	Commercial
Lewis, Tamalyn	telewis@rhlfirm.com	Master	Phoenix	Commercial
Maguire-Bayne, Dawn M.	dbayne@asbazlaw.com	Barrister	Phoenix	Combination
Petersen, Frederick	fpetersen@mcrazlaw.com	Barrister	Tucson *	Commercial
Brown, Scott K.	sbrown@rlaw.com	Barrister	Phoenix	Commercial
O'Brien, A. Evans	eobrien@swlaw.com	Associate	Phoenix	Commercial
Sabo, Jessica	jsabo@maney13trustee.com	Associate	Phoenix	Consumer
Smith, John C.	john@smithandsmithpllc.com	Associate	Tucson *	Combination
PUPILLAGE GROUP NO. 3				
Baum, Hon. Redfield T.	Redfield_Baum@azb.uscourts.gov	Master	Phoenix	Judge
Carmel, Michael	michael@mcarmellaw.com	Master	Phoenix	Commercial
Jerome, Steven D.	sjerome@swlaw.com	Master	Phoenix	Commercial
Tatkin, Carolyn	tatkin@frutkinlaw.com	Barrister	Phoenix	Combination
Winkelman, Lori L.	lori.winkelman@quarles.com	Barrister	Phoenix	Commercial
Witthoft, Theodore P.	twitthoft@cmpbglaw.com	Barrister	Phoenix	Consumer
Blum, Brian	brian@rosensteinlawgroup.com	Associate	Scottsdale	Consumer
Ray, Wesley D.	wray@polsinelli.com	Associate	Phoenix	Commercial
Hindman, David	dhindman@mcrazlaw.com	Associate	Tucson *	Commercial

MEMBER	EMAIL	TYPE	LOCATION	PRACTICE AREA
PUPILLAGE GROUP NO. 4				
Hollowell, Hon. Eileen W.	Eileen_Hollowell@azb.uscourts.gov	Master	Tucson *	Judge
Boswell, Susan	susan.boswell@quarles.com	Master	Tucson *	Commercial
Sala, Paul	psala@asbazlaw.com	Master	Phoenix	Commercial
Clisham, Patrick A.	pac@eblawyers.com	Barrister	Phoenix	Commercial
Dudley, Andrew M.	andrewd@maney13trustee.com	Barrister	Phoenix	Consumer
McCoy, Kevin Christopher	kmccoy@kelly-mccoy.com	Barrister	Phoenix	Consumer
Neeley, Kenneth L.	kenn@neeleylaw.com	Associate	Chandler	Combination
Swartz, Trucly Pham	Trucly@volinlaw.com	Associate	Mesa	Consumer
Jones, Michael	mjones@asbazlaw.com	Associate	Phoenix	Combination
PUPILLAGE GROUP NO. 5				
Collins, Daniel	dcollins@cmpbglaw.com	Master	Phoenix	Commercial
Salerno, Thomas	tsalerno@ssd.com	Master	Phoenix	Commercial
Furlong, Daniel	danfurlong@cablone.net	Master	Prescott *	Combination
Simpson, Christopher	csimpson@stinson.com	Barrister	Phoenix	Commercial
Pack, Bradley D.	bdp@eblawyers.com	Barrister	Phoenix	Commercial
Saffer, Jonathan	jmsaffer@swlaw.com	Barrister	Tucson *	Commercial
Dodge, Benjamin L.	ben@dodgevegalaw.com	Associate	Phoenix	Combination
Brelsford, Nathan J.	nathan@pb-lawfirm.com	Associate	Phoenix	Combination
Brice, Alissa A.	abrice@ngdlaw.com	Associate	Scottsdale	Consumer
Greene, Cindy L.	c.greene@cplawfirm.com	Associate	Phoenix	Combination
PUPILLAGE GROUP NO. 6				
Whinery, Brenda	bwhinery@mcraszlaw.com	Master	Tucson *	Commercial
Maney, Edward	edward.maney@azbar.org	Master	Phoenix	Trustee
Schian, Dale	dschian@swazlaw.com	Master	Phoenix	Commercial
Barnes, Hilary L.	hbarnes@cavanaghlaw.com	Barrister	Phoenix	Commercial
Koenig, Janessa E.	jek@jaburgwilk.com	Barrister	Phoenix	Consumer
Hirsch, Kyle S.	kyle.hirsch@bryancave.com	Barrister	Phoenix	Commercial
Kahn, Josh	Jkahn@rcalaw.com	Associate	Phoenix	Combination
Corrales, Jody	jcorrales@gustlaw.com	Associate	Tucson *	Consumer
Cosman, Bradley	bcosman@ssd.com	Associate	Phoenix	Commercial
PUPILLAGE GROUP NO. 7				
Freeman, Susan	sfreeman@rlaw.com	Master	Phoenix	Commercial
Wanslee, Madeleine	mwanslee@gustlaw.com	Master	Phoenix	Combination
Zachary, Edward	edward.zachary@bryancave.com	Master	Phoenix	Commercial
Bernatavicius, Edward K.	edward.k.bernatavicius@usdoj.gov	Barrister	Phoenix	Government
Kanute, Nathan	nkanute@swlaw.com	Barrister	Tucson *	Commercial
Singer, Kelly	kelly.singer@quarles.com	Barrister	Phoenix	Commercial
Zimmerman, Michael	zimmichael@gmail.com	Associate	Phoenix	Combination
Wimmer, Andrea	awimmer@mmwazlaw.com	Associate	Mesa	Consumer
Ashbrook, Walter	walter.ashbrook@quarles.com	Associate	Phoenix	Commercial

MEMBER	EMAIL	TYPE	LOCATION	PRACTICE AREA
PUPILLAGE GROUP NO. 8				
Bayley, Christopher	cbayley@swlaw.com	Master	Phoenix	Commercial
Johnsen, Carolyn	cjohnsen@jsslw.com	Master	Phoenix	Commercial
Stickell, Gary	gstickell@garystickell.net	Master	Phoenix	Consumer
Kass, Lisa S.	kass@folksconnor.com	Barrister	Phoenix	Combination
Samuelson, Jim	james.samuelson@azbar.org	Barrister	Phoenix	Government
Suzuki, Bryce A.	bryce.suzuki@bryancave.com	Barrister	Phoenix	Commercial
Hyder, Scott W.	shyder@scotthyderlaw.com	Associate	Phoenix	Consumer
Glynn, Janel M.	janel.glynn@gknet.com	Associate	Phoenix	Commercial
Rothschild, Isaac D.	irothschild@mcrazlaw.com	Associate	Tucson *	Commercial

* Out of County

Arizona Bankruptcy American Inn of Court

GUIDELINES FOR PUPILLAGE GROUP PRESENTATIONS

Time: A full program should be *no more than* 1.5 hours, including all discussion and wrap-up. We recommend that you keep it to 1 hour and 15 minutes. If two Pupillages are sharing a meeting time, then the presentations should be no more than 40 minutes each.

Format: Creative formats are highly encouraged. Examples of Inn programs that have been done successfully are: parodies based on TV/Movie/Musicals, Quiz or game shows, Skits, movies, film clips, debates, role play/ courtroom demos, town hall format, or anything but “talking heads!”

Discussion: No matter the format, the key to a program that meets the goals of the Inn is to *engage the members of the Inn in conversation/discussion of the issues*, so Inn members get the benefit of the various levels of experience of the Inn members. It is strongly suggested that your presentation consist of at least 30 minutes of discussion opportunity, whether in groups or for the whole Inn. Thus, any skit/movie or other method of presenting material should only take up to ½ of the time. Written materials are essential for CLE credit.

Topics: The programming committee will set the topics or overall theme for each year. Each pupillage will, by the end of the first Inn Meeting in the fall, select a topic and communicate it to the Programming Chair, who will act as a clearinghouse to avoid duplication. The Programming Chair will have suggested topics if a Pupillage needs assistance.

Planning/Involvement: Each pupillage will develop its own method of planning and implementing the program. Each member in the pupillage should have some meaningful responsibility with regard to the preparation and presentation of your program.

Awards: All members of the Inn will be responsible for providing an evaluation on each presentation. The Inn will likely have prizes for various levels of performance by the Pupillages, at our social event at year-end. **NOTE: All Programs submitted to National for a Program Award must be submitted within 60 days of the presentation, but no later than June 30. Each Pupillage is responsible for submitting its own Program nomination to National.**

Costs: In general, each pupillage group is responsible for the costs of any program it produces. The University Club generally has a podium with a microphone, wifi, Screen and Table for projector all at no charge. In-kind donations or lending of equipment by firms or members is welcome.



**Organizational Charter No. 435
Issue Date May 25, 2011**

**The Arizona Bankruptcy American Inn of Court
in
Phoenix, Arizona**

PROPER APPLICATION HAVING BEEN MADE to the Board of Trustees of the American Inns of Court Foundation for a Charter to establish, organize and operate a participating Inn of the American Inns of Court Foundation; and

THE BOARD OF TRUSTEES HAVING DETERMINED that the existence of such an American Inn of Court would serve the best interests of the legal profession and advance the cause of the American Inns of Court throughout the nation,

NOW, THEREFORE, the above named American Inn of Court is hereby chartered and granted authority to establish, organize and operate an American Inn of Court as follows:

To adopt local American Inn of Court Bylaws, policies and procedures consistent with this Charter, and with Foundation Articles of Incorporation, Bylaws and other guidelines provided by the Board of Trustees of the Foundation;

To use the American Inn of Court and the Foundation name, service mark, seal and copyrighted materials as long as the American Inn of Court is in good standing and the use is in accordance with conditions established from time to time by the Foundation;

To advance the cause and pursue the objectives of the American Inns of Court as hereinafter set forth.

Article I Objectives

The objectives of this American Inn of Court are as follows:

- 1 To establish a society of judges, lawyers, legal educators, law students and others, to promote excellence in legal advocacy in accordance with the Professional Creed of the American Inns of Court;
- 2 To foster greater understanding of and appreciation for the adversary system of dispute resolution in American law, with particular emphasis on ethics, civility, professionalism and legal skills;
- 3 To provide significant educational experiences that will improve and enhance the abilities of lawyers as counselors and advocates and of judges as adjudicators and judicial administrators;
- 4 To promote interaction and collegiality among all legal professionals in order to minimize misapprehensions, misconceptions and failures of communication that obstruct the effective practice of law;
- 5 To facilitate the development of law students, recent law school graduates, and less experienced lawyers as skilled participants in the American court system;
- 6 To preserve and transmit ethical values from one generation of legal professionals to the next; and
- 7 To build upon the genius and strengths of the common law and the English Inns of Court and to renew and inspire joy and zest in legal advocacy as a service worthy of constant effort and learning.

Article II Organization

1. **Nature of Organization.** This American Inn of Court shall be and remain chartered and affiliated with the American Inns of Court Foundation and shall be an unincorporated association composed of judges, practicing lawyers, law school educators, recent law school and law students who accept an invitation to [membership, described](#).

2. **Governing Body and Officers.** The officers of this American Inn of Court shall be a President, a Counselor, a Secretary/Treasurer or Secretary and Treasurer and such other officers as the Masters of the Bench ("Benchers"), by majority vote of those present at a meeting duly called for that purpose, may deem necessary. The President and Counselor must be selected from among the Masters of the Bench and shall be elected by vote of a majority of the Benchers present at a meeting called for that purpose. All other officers may be selected from any category of membership and shall be elected by majority vote of all members present at a

meeting called for that purpose. Whenever possible, either the President or the Counselor should be a judge. The officers, and such other members as may be selected by majority vote of those present at a meeting duly called for that purpose, shall constitute an Executive Committee.

a. **Terms of Office.** The term of each office shall be established by this American Inn of Court. Officers may succeed themselves.

b. **Duties of the Officers.** The Officers shall be responsible for the general operation of the American Inn of Court in accordance with this Charter, any Bylaws adopted by this American Inn of Court and by the Articles of Incorporation, Bylaws, Policies and Directives of the American Inns of Court Foundation, including the *Officer Manual*.

c. **Duties and Authority of the Executive Committee.** The Executive Committee, acting by majority vote of its members, shall:

(1) Take such action as may be necessary to carry out or assist the officers in carrying out the responsibilities imposed by this Charter, any Bylaws adopted by this American Inn of Court and by the Articles of Incorporation, Bylaws, Policies and Directives the American Inns of Court Foundation;

(2) Determine the size of each membership category in the American Inn of Court;

(3) Establish, collect and remit local and national membership dues assessments as described hereinafter;

(4) Appoint a representative to attend the national leadership conference of the American Inns of Court Foundation;

(5) Confer and terminate memberships in this American Inn of Court; and perform such other duties as may facilitate proper operation of the organization.

3. **Relationships with Courts.** This American Inn of Court shall be and remain outside the jurisdiction of the courts but shall endeavor to work in close cooperation with the trial and appellate courts. Federal, state, and local trial and appellate judges will enjoy full participation in the organization.

Article III Membership

1 **National Membership in the American Inns of Court Foundation.** Each person who is an active member of this American Inn of Court is also a member of the American Inns of Court Foundation. An inactive or former member of this American Inn of Court may, upon application and payment of dues, be granted national membership in the American Inns of Court Foundation.

2 **Invitations to Membership.** Membership in this American Inn of Court shall be conferred upon those accepting invitations extended by the Executive Committee. The Executive Committee's discretion in extending invitations to membership is absolute and non-reviewable. Invitations may be extended on the basis of recommendations made to the Executive Committee by any member of the American Inn of Court or in response to written application filed with any officer. Membership shall not be denied to any person on account of race, creed, religion, sex, age, disability, or national origin.

3 **Maximum size of this American Inn of Court.** Total active membership should not exceed the number of people who can participate regularly in programming, discussions and other activities of the Inn. Local conditions vary, but experience has shown that active membership of more than about eighty (80) often detracts from the active participation that is crucial to the Inn experience. Members shall be given suitable certificates of their membership in this American Inn of Court. Membership in any category may be terminated in the sole discretion of the Executive Committee.

4 **Designation of Categories of Active Membership.** There are four categories of active membership in an American Inn of Court: (1) Masters of the Bench ("Benchers"); (2) Barristers; (3) Associates; and (4) Pupils. Membership in this Inn of Court shall consist of Benchers, Barristers and either Associates or Pupils or a combination of Associates and Pupils, as determined by the Executive Committee.

a. **Masters of the Bench (Benchers).** Membership as Masters of the Bench or "Benchers" may be held by judges, lawyers and law teachers who have demonstrated superior character, ability, and competence as advocates. Retention of status as a Master of the Bench is contingent upon reasonable active participation in the American Inn of Court, periodically reviewed by the Executive Committee. Benchers may serve indefinitely but must serve continuously for at least five (5) years before being eligible for election to emeritus status. Any Bencher granted emeritus status may be invited to serve again in an active capacity.

b. **Barristers.** Active membership as Barristers may be held by attorneys who have some experience but who do not yet qualify as Masters of the Bench and who have demonstrated good character and a desire to improve and refine their skills as advocates.

c. **Associates.** Membership as Associates shall be held by lawyers who are recent law school graduates but who do not yet meet the American Inn of Court's minimum experience requirement for Barristers.

d. **Pupils.** Membership as Pupils shall be held by persons who are law students.

5. **Designation of Categories of Inactive Membership.** The Executive Committee may confer Emeritus and Honorary memberships as follows:

a. **Emeritus Members.** Emeritus membership may be conferred upon active Masters of the Bench on the basis of long and distinguished service to the American Inn of Court.

b. **Honorary Members.** Honorary membership may be conferred upon individuals, whether they are lawyers or not, on the basis of distinguished service to the bench or bar, furtherance of American Inn of Court objectives or other noteworthy achievements.

c. Honorary and Emeritus Masters of the Bench shall be under no obligation to pay dues, attend meetings or participate in other programs of this American Inn of Court but shall enjoy all privileges of active membership except right to vote.

Article IV Finances

1 Financial matters for this American Inn of Court shall be managed and controlled in accordance with policies and directives established by the American Inns of Court Foundation and this Charter.

2 The Executive Committee is empowered to levy and collect assessments in the form of dues in amounts which it may deem appropriate in order to conduct its meetings and otherwise meet its operating needs. It shall also collect from each of its active members, such amount as is assessed by the American Inns of Court Foundation as national membership dues. Failure to pay assessments and dues within a reasonable time and after reasonable notice may be considered by the Executive Committee as a ground to terminate membership of the person in default.

3 The Executive Committee shall remit annually to the American Inns of Court Foundation that portion of dues which corresponds to the number of active members of the American Inn of Court.

4 The fiscal year of the American Inn of Court, for financial reporting purposes, shall be the same as the fiscal year of the American Inns of Court Foundation.

Article V

Meetings and Activities

1. **Schedule for Meetings.** The Executive Committee shall designate the dates for the commencement and termination of the operative year. Meetings shall be held at least six times per year at such times as the Executive Committee may determine.

2. **Content of Meetings.** The main themes and subject matter of regular meetings shall be practical legal skills, with emphasis on ethics, civility, professionalism and excellence in the practice of the profession. Programs should present, demonstrate, teach, and explain the principles, skills, techniques, and relationships involved in the courtroom and in activities preliminary to courtroom appearances and should involve critique and questions from the membership of the American Inn of Court. These meetings shall be designed to assist members in better discharging their duties to clients and society. Programs should ordinarily be presented by previously assigned pupillage groups.

Article VI

Pupillage Groups

As an American adaptation of the pupillage system, which is basic to the English Inns of Court, each Barrister, Associate and Pupil will be assigned to work with a Master of the Bench (who is a practicing attorney) during meetings and at other times throughout the year. At least one (1) Active Benchers who is a practicing attorney, one (1) Barrister, one (1) Associate, and one (1) Pupil, appropriate to the membership composition of the American Inn of Court, shall comprise the pupillage group. Each pupillage group shall be assigned to a Master of the Bench who is a judge, who shall exercise general supervision over the group assigned to him or her and shall monitor the group's attendance at meetings, encourage its meaningful participation at meetings and at scheduled pupillage events, and oversee presentation of assigned meeting topics. All Active Benchers should strive to make contact with Barristers, Associates and Pupils between scheduled American Inn of Court meetings to advise them about the practice of the profession.

Article VII

Other American Inns of Court

This American Inn of Court shall promote or cooperate in the establishment of similar American Inns of Court in the same or different localities of the state or elsewhere to more widely achieve the objectives of the American Inns of Court Foundation.

Article VIII
Adoption of Local American Inn of Court Bylaws
and Amendment and Interpretation of Charter

This American Inn of Court is authorized to adopt Bylaws that are not inconsistent with this Charter. Any such Bylaws must be submitted to and approved, in writing, by the Board of Trustees of the American Inns of Court Foundation. This Charter may be amended only with the written approval of the Board of Trustees of the American Inns of Court Foundation following a two-thirds vote of the American Inn of Court members present at a meeting called and reasonably noticed for such purpose, or upon written consent of at least two-thirds of such membership. Any question as to the interpretation of this Charter or the meaning of any of its terms shall be resolved by the Board of Trustees of the American Inns of Court Foundation.

Article IX
Revocation of Charter

This Charter may be revoked by the Board of Trustees of the American Inns of Court Foundation upon the occurrence of anyone or more of the following events: (1) the American Inn of Court does not become organized and operational within one year of the issuance of said Charter; (2) conduct on the part of the American Inn of Court which jeopardizes the tax exempt status of the American Inns of Court Foundation; (3) violation of the provisions of this Charter; (4) conduct on the part of the American Inn of Court which subjects the American Inns of Court to public ridicule, scorn or opprobrium; or (5) violation of the Articles of Incorporation, Bylaws, or Policies of the American Inns of Court Foundation.



**BYLAWS OF THE
ARIZONA BANKRUPTCY AMERICAN INN OF COURT**

**Article I
General**

Section 1.1 Purpose.

The purposes of The Arizona Bankruptcy Inn of Court are set forth in its Organizational Charter issued by the American Inns of Court Foundation.

Section 1.1 Principal Location.

The Arizona Bankruptcy Inn of Court principal meeting place shall be located in the city of Phoenix, Arizona, with membership statewide.

**Article II
Organization**

Section 2.1 The Executive Committee.

The Executive Committee shall be composed of the officers of the Inn and the chairs of the various committees formed by the Executive Committee and such other members as are determined by the Masters. The duties of the Executive Committee, and its members, are as set forth in the Organizational Charter, and as set forth herein. The Executive Committee shall ensure that all federal and state requirements related to the Inn's organizational status are complied with.

Section 2.2 The Officers.

The officers of the Inn shall be a president, a vice-president, a secretary and a treasurer, and such other officers as the Masters deem necessary. The initial slate of officers shall serve a one-year term. Thereafter, the officers shall serve a two-year term, or as otherwise directed by the Masters. The officers shall be elected by the Masters in accordance with the Organizational Charter of the Inn.

Section 2.3 Committees.

The Executive Committee may establish standing and ad hoc committees from time to time from among the active members of the Inn, and from time to time may change or discontinue committees.

Initially, the following standing committees shall be established: Membership Committee, Program Committee and Finance Committee.

Among such other duties as may be assigned by the Masters and the Executive Committee, the duties of each committee shall be as follows:

Membership Committee—The Membership Committee shall solicit and review applications and make recommendations for membership in the Inn; shall maintain records of attendance and oversee attendance in accordance with these Bylaws; and, shall assign members to Pupillage Groups. The Membership Committee shall be comprised of the members of the Executive Committee for the first year of this Inn's existence.

Program Committee—The Program Committee shall oversee and approve program topics, and shall be responsible for submitting programs for Continuing Legal Education credit.

Finance Committee—The Finance Committee shall be responsible for billing and collecting monies for dues, meetings and functions of the Inn within the parameters as set forth by the Executive Committee, for maintaining the financial records of the Inn and for providing financial reports to the members of the Inn. The Treasurer will be the Chair of the Finance Committee.

The officers shall appoint committee members and chairs of the committees, who shall serve one-year terms, or as otherwise directed by the Executive Committee, and may succeed themselves only once.

Committees may create ad hoc sub-committees, as appropriate.

Section 2.4 Pupillage Groups.

The Pupillage Group is a core activity of the Inn to fulfill the mission of mentoring, collegiality, and enhancement of the membership. All active members will be assigned to a Pupillage Group by the Membership Committee and shall be approved by the Executive Committee. Each Pupillage Group shall be chaired by a Master appointed by the Executive Committee. The Masters and Pupillage Groups shall be reassigned every year.

Article III Membership

Section 3.1 Active Members. There are four classifications of members in an American Inn of Court, as defined in the bylaws of the American Inns of Court Foundation, and as set forth below:

- Masters of the Bench—consisting of lawyers with at least 15 years of bankruptcy experience, judges and law professors; and
- Barristers—consisting of lawyers with at least 6 years of bankruptcy experience; and
- Associates—consisting of lawyers with five or less years of bankruptcy experience; and
- Pupils—consisting of law students, who may be accepted upon further vote of the Masters.

Membership in this Arizona Bankruptcy Inn of Court shall consist of Masters, Barristers and Associates. Associate members shall be eligible for re-classification as Barristers by the Membership Committee once the Associate Member attains 6 years of bankruptcy experience. Barristers may move up to Master status only upon nomination and subsequent approval by the Masters. Masters, Barristers and Associates shall serve a minimum term of three years, running from July 1 through June 30, or as otherwise directed by the Executive Committee.

Section 3.2 Inactive Members.

The Executive Committee may confer Emeritus and Honorary memberships as set forth in the Organizational Charter. Honorary and Emeritus Members shall be under no obligation to attend meetings, or other programs of the Inn, nor to pay the regular dues, but shall be required to pay for certain expenses, including meals, for the meetings they attend.

Section 3.3 Procedures for Selection of Members in the Inn.

Candidates for membership shall be chosen by the Masters from eligible lawyers in the State of Arizona. The composition of membership of the Inn shall be approximately eighty (80) active members. It is the aspiration of the Inn that its members be comprised of approximately one-third (1/3) each of Masters of the Bench, Barristers, and Associates. The Membership Committee will administer the application and selection process of new members and new Masters pursuant to the following general procedures:

A. Applications:

The Membership Committee shall annually distribute an application form. The application form will be available on the website of the Inn and such other locations that the Committee may designate from time to time.

1 Completed application forms must be delivered to the Chair of the Membership Committee by the end of the last business day of May, unless the Committee designates a different date.

2 The Membership Committee shall evaluate each of the applications timely submitted and select a slate of candidates for new members (new members Slate), a slate of candidates for new barristers (new Barristers Slate), and a slate of candidates for new Masters (new Masters Slate).

B. Selection of New Members and Masters.

1. At least ten business days prior to the Annual Meeting of Masters, the Membership Committee shall e-mail to each of the Masters the Committee's recommendation for the new members Slate, the new Barristers Slate and the new Masters Slate. Each Master will have the opportunity to comment on the proposed Slates of new members, Barristers and Masters before such Slates are submitted to the Masters for approval or disapproval. All comments on the Slates should be directed to the Chair of the Membership Committee. The Membership Committee

may, in its sole discretion, modify the new members Slate, the new Barristers Slate and new Masters Slate prior to submitting the Slates to the Masters for approval or disapproval.

2. Five business days prior to the Annual Meeting, the Committee will e-mail the final new members Slate, new Barristers Slate and new Masters Slate to the Masters. Each Master present at the Annual meeting shall cast his or her vote on each Slate.

3. In the event that any of the Slates are disapproved, the Committee shall reconvene and revise the Slate or Slates as appropriate. Thereafter, the revised Slate or Slates shall be resubmitted to the Masters for approval or disapproval during the Annual Meeting and this process shall continue during that Annual Meeting until a new members Slate, a new Barristers Slate and a new Masters Slate are approved by the Masters before the conclusion of the Annual Meeting.

Article IV

Meetings and Attendance

Section 4.1 Meetings.

General Meetings shall be held at least 8 times per year at such times as the Executive Committee may determine. An Annual Meeting of Masters shall be held at such time as the Executive Committee may determine.

Section 4.2 Content of Meetings.

The main themes and subject matter of regular meetings shall be practical legal skills, with emphasis on ethics, civility, professionalism and excellence in the practice of the profession. Programs should present, demonstrate, teach and explain the principles, skills, techniques, and relationships involved in the courtroom and in activities preliminary to courtroom appearances and should involve critique and questions from the membership of the Inn. The meetings shall be designated to assist members in better discharging their duties to clients and society. Programs should ordinarily be presented by previously assigned Pupillage Teams.

Section 4.3 Attendance.

Each active member will be allowed 3 absences from the monthly meetings in a fiscal year. The Membership Committee shall monitor attendance at meetings and shall submit the names of those who have 3 absences to the Executive Committee. The non-participating member will be contacted by the Membership Chair in order to determine if he/she wishes to remain in this Arizona Bankruptcy Inn of Court,

and in the event another absence occurs, this member will be dropped from the rolls and all dues will be forfeited, except as excused by the Executive Committee, upon written request by the member and upon a showing of good cause. Emeritus and Honorary Members are not subject to the attendance requirements.

Article V

Voting and Elections

Section 5.1 Masters.

With the exception of Emeritus and Honorary Masters, each Master shall be entitled to one vote on all matters submitted to the Masters. A majority of voting Masters in attendance at a regularly scheduled meeting shall transact any business of the Inn. Every act done or decision made by a majority of the Masters in attendance at a meeting shall be regarded as the act of all the Masters.

Section 5.2 Executive Committee.

Each member of the Executive Committee shall be entitled to one vote on all matters submitted to the Committee. In the event of a tie, the President shall have the deciding vote. A majority of the members of the Committee shall constitute a quorum for the transaction of business. Every act done or decision made by a majority of the members in attendance at the meeting called for that purpose shall be regarded as the act of the entire Committee.

Section 5.3 Elections.

The nomination and election of all officers will occur in every even-numbered year during the months of May or June at the last regularly scheduled meeting of the year. Selection of these and other officers shall be in accordance with the Organizational Charter.

Section 5.4 Vacancies.

When a position as an officer, committee chair or master chair becomes vacant, the vacancy shall be filled by the Executive Committee for the remaining terms of such position. The duration of such term shall not be counted against the appointed person in regard to any maximum term of service.

Article VI

Fiscal Matters Section

Section 6.1 Fiscal Year.

The fiscal year of The Arizona Bankruptcy Inn of Court shall be the same as the fiscal year of the American Inns of Court Foundation, which is from July 1 to June 30 of each year.

Section 6.2 Dues.

Dues shall be in an amount consistent with the Organizational Charter and shall be levied by the Treasurer during the month of September of each year. Failure to pay assessments and dues prior to the third meeting of the Inn year and after reasonable notice may be considered by the Executive Committee as grounds to terminate membership of the person in default.

Section 6.3 Expenses.

This Arizona Bankruptcy Inn of Court shall pay all reasonable expenses incurred by members of the Executive Committee for such things as attendance at state, regional or national events of the American Inns of Court Foundation and payment to an administrator, if applicable.

Article VII Adoption and Amendments

Section 7.1 Adoption.

These Bylaws will be adopted by this Arizona Bankruptcy Inn of Court upon approval by a majority of the Masters of this Arizona Bankruptcy Inn of Court and after being submitted to and approved, in writing, by the Board of Trustees of the American Inns of Court Foundation. The Masters may make valid decisions by voting by mail, facsimile, electronic mail, or other means when deemed necessary by the Executive Committee or the President.

Section 7.2 Amendments.

Amendments to these Bylaws may be made by a majority of the Masters of this Arizona Bankruptcy Inn of Court and must be submitted to and approved, in writing, by the Board of Trustees of the American Inns of Court Foundation. The Masters may make valid decisions by voting by mail, facsimile, electronic mail, or other means when deemed necessary by the Executive Committee or the President.