Message From the Chair

By Dalila E. Patton, Esq.
Staff Attorney, Supreme Court of the
U.S. Virgin Islands
St. Croix, U.S. Virgin Islands

The Council of Appellate Staff Attorneys (CASA) is a nationwide network of approximately 75 attorneys that was formed for the purpose of providing professional legal education for appellate court staff attorneys. Our membership includes central staff attorneys, judicial law clerks, administrative attorneys and any other lawyer employed by federal, state and territorial appellate courts. CASA is part of the Appellate Judges Conference, within the Judicial Division of the American Bar Association. Based on our extensive experience with managing courts and cases, we provide input into various aspects of court operations such as developing best practices for the use of technology, particularly electronic filing and document management.

Registration is now open for the 2015 Appellate Judges Education Institute (AJEI) Summit at the Omni Shoreham Hotel in Washington D.C., November 12-15, 2015 (see Link No. 1 below). Every year, the AJEI Summit attracts about 75 appellate court staff attorneys, among the approximately 300 total attendees. As I’ve men-

Abusive Litigants and Court Sanctions: A Cornucopia of Options

By Joe Merrick
Staff Attorney, Indiana Court of Appeals

Every appellate court has its share of litigants who gum up the works with frivolous cases. Whether they are incarcerated or not, and whether they seek to challenge long-settled criminal convictions or are pursuing civil litigation, they are a burden on the system. Dealing with their cases diverts courts from addressing cases that present real claims in need of adjudication.

At the same time, parties have a constitutional right of access to the courts that must be honored. Also, even litigants who repeatedly file frivolous cases can, on rare occasions, present justiciable, meritorious claims. That leads to the age-old question: how can a trial and/or appellate court prevent abusive filers from taking advantage of the courts while still permitting access to justice?

Continued on page 3
tioned in previous CASA Quarterly articles, CASA’s Education Committee focuses on maintaining this summit as the premier annual national appellate education offering for judges, lawyers, and staff attorneys. Aside from the opportunity to gain knowledge of the latest substantive issues faced by federal and state appellate courts around the nation, this summit provides the unique opportunity for attorneys employed by the courts to share our “behind the scenes” knowledge of court operations and to gain insight into the concerns of judges and appellate attorneys. For example, this year - in addition to sessions that advance the goals listed above - CASA is moderating a breakfast round-table discussion on the dos and don’ts of appellate practice. Additionally, CASA reaches out to local law school students to directly share the benefits of judicial clerkships in order to encourage them to apply for these positions.

The AJEI Summit is also CASA’s major business, networking, and socializing event. During the annual membership meeting, CASA will elect its executive board which is comprised of the Chair, the Chair-Elect, the Secretary, two Second-Year Members-at-Large and two First-Year Members-at-Large. In this issue, the Chair of the Nominating Committee, Rachel Zahniser, Esq., is presenting the slate of nominees for the 2015-2016 term. Also, regardless of whether members are able to attend the Annual Meeting, they can get involved by joining one or more of our committees: the Education Committee, the Membership Committee, the Nominating Committee and the CASA Quarterly Committee, which prepares and edits the CASA Quarterly newsletter.

The social events at the Summit include the CASA t-shirt exchange and dinner, which will take place on Friday, November 13, 2015. This is a casual dinner in which participants can bring an XL t-shirt from our hometown to exchange with the other participants. This year, the event will be at Petits Plats, www.petitsplats.com, a short walk from the Omni Shoreham Hotel. We also host the Summit’s hospitality suite every night, offering door prizes, refreshments and fun for all. We always have a good time, so I hope to see everyone there! For more information about this or any CASA events, please feel free to contact me at dalila.patton@visupremecourt.org.

Links
Register for the 2015 AJEI Summit at www.ajei.law.smu.edu
Visit the Council of Appellate Staff Attorneys’ website at www.americanbar.org/groups/judicial/conferences/appellate_judges/appellate_staff_attorneys

### Council of Appellate Staff Attorneys

**Executive Committee**

Chair Dalila Patton  
U.S. Virgin Islands Supreme Court

Chair-Elect Christina Cooley Smith  
Georgia Court of Appeals

Secretary Frank Gibbard  
U.S. Court of Appeals, 10th Cir.

Immediate Past Chair Rachel Zahniser  
U.S. Court of Appeals, 6th Cir.

Member-at-Large Lisa Senter  
U.S. Court of Appeals, 6th Cir.

Member-at-Large Greta Scodro  
Indiana Supreme Court

Member-at-Large Cliffie Wesson  
Texas Court of Appeals

Member-at-Large Tray Owen  
Tennessee Court of Appeals

Member-at-Large Joe Merrick  
Court of Appeals Indiana
The Indiana Supreme Court recently provided helpful guidance in a per curiam opinion, Zavodnik v. Harper, 17 N.E.3d 259 (Ind. 2014). The Supreme Court described Mr. Zavodnik as a “prolific, abusive” litigant, noting that he had over 100 pending civil cases in Indiana trial courts and over thirty cases pending on appeal. Id. at 262. In the case at issue, the trial court dismissed Mr. Zavodnik’s complaint for “failure to prosecute or comply with applicable rules.” Id. In addition, Indiana’s intermediate appellate court had dismissed Mr. Zavodnik’s appeal for failure to timely file a brief.

Next, Mr. Zavodnik filed a petition for transfer (known in some other jurisdictions as a petition for writ of certiorari) with the Indiana Supreme Court. The court noted that Mr. Zavodnik did not exhibit a desire to expeditiously litigate the case, but rather had burdened opposing counsel and the court with “massive, confusing, disorganized, defective, repetitive, and often meritless filings.” Id. at 263. The court further stated that this was not Mr. Zavodnik’s “first time at the rodeo” and that it had previously warned him that further abusive conduct would subject him to sanctions.

Ultimately, the court declined to grant Mr. Zavodnik’s petition for transfer or to impose sanctions upon him. Instead, the court took the opportunity to explain its existing “procedures for trial courts to curtail abusive litigation practices.” Id. at 264. The Indiana Supreme Court set forth the following list of sanctions that a court may within its discretion impose after considering whether the litigant has a history of abusive filings:

- Require the litigant to accompany future pleadings with an affidavit certifying under penalty of perjury that the allegations are true to the best of the litigant’s knowledge, information, and belief.
- Direct the litigant to attach to future complaints a list of all cases previously filed involving the same, similar, or related cause of action.
- Direct that future pleadings will be stricken if they do not meet the requirements that a pleading must contain ‘a short and plain statement of the claim showing that the pleader is entitled to relief’ and that ‘[e]ach averment of a pleading shall be simple, concise, and direct.’ Ind. Trial Rule 8(A)(1) and (E)(1).
- Require the litigant to state clearly and concisely at the beginning of a motion the relief requested.
- Require the litigant to provide specific page citations to documents alleged by the litigant to support an argument or position.
- Limit the litigant’s ability to request reconsideration and to file repetitive motions.
- Limit the number of pages or words of pleadings, motions, and other filings.
- Limit the length of the title that may be used for a filing.
- Limit the amount or length of exhibits or attachments that may accompany a filing.
- Instruct the clerk to reject without return for correction future filings that do not strictly comply with applicable rules of procedure and conditions ordered by the court.

Id. at 268-69. None of these options will deter a litigant who is determined to pursue frivolous lawsuits and appeals, but they may make life easier for court staff. If your court has additional tools to minimize the impact of abusive litigants, please share!
An Extended Stay at St. Elizabeths

By Frank Gibbard
Staff Counsel, Tenth Circuit Court of Appeals

In 1852, after a lobbying campaign by reformer Dorothea Dix (1802-1887), Congress appropriated funds to build the first federally-operated mental hospital in the United States. Three years later, the “Government Hospital for the Insane” opened its doors in Washington, D.C. The hospital served the District of Columbia’s indigent mentally ill and insane individuals drawn from the United States Army and Navy. In 1916, Congress changed its name to St. Elizabeths Hospital—omitting the apostrophe to match a 17th century designation of the area of southeast D.C. where the hospital was located.

St. Elizabeths eventually grew to include a campus of over 350 acres. The asylum featured imposing buildings constructed in the Italianate Revival and Italian Gothic Revival styles. At its height in the 1940s and 1950s, it housed between 7,000 and 8,000 patients. It has been estimated that over 125,000 patients passed through its doors over the years. Three would-be successful presidential assassins, as well as eccentric poet Ezra Pound, spent time at St. Elizabeths.

St. Elizabeths pioneered many progressive treatments for mental illness, including hydrotherapy, psychodrama, and pet therapy. Over the second half of the Twentieth Century, however, the hospital slowly fell into decline and disrepair. Beginning in the 1950s, a movement to deinstitutionalize patients gradually emptied St. Elizabeths, along with many other asylums in the United States.

Although it continues to operate as an asylum, only a few hundred patients currently reside at St. Elizabeths. These include both civilly committed patients and the criminally insane. Patients currently benefit from treatment in a state-of-the-art facility opened in 2010. Much of the remainder of the former hospital’s campus is vacant or is under management by the General Services Administration as office space for the Coast Guard and the Department of Homeland Security. Since 1990, portions of the St. Elizabeths campus have been designated as a National Historic Landmark.

As with many old asylums, haunting allegations have been made over the years of patient abuses and ghastly goings-on at St. Elizabeths. If ghosts exist, they might find a welcome abode on the hospital grounds. Thousands of patients are buried there in unmarked graves. (About 300 Civil War soldiers, both Union and Confederate, are also buried at St. Elizabeths.) A collection of thousands of brains preserved in formaldehyde, photographs of brains, and slides of brain tissues allegedly was assembled over the course of a century at St. Elizabeths, before being transferred to a museum. Controversial mind con-
trol techniques including the transorbital lobotomy and “truth serums” were also supposedly inspired by or tested at St Elizabeths.

One of the stranger stories about St. Elizabeths involves the case of George C. Tisdale. Mr. Tisdale’s tale was featured in the August 1926 issue of “The O.E. Library Critic,” a magazine published in Washington, D.C. by the O.E. Library League. (The League had nothing to do with libraries; it was a prison reform organization loosely affiliated with the Theosophical Society.)

According to the article, in 1911 Mr. Tisdale, an Alaskan miner, was convicted of second degree murder for his participation in a brawl in which a man was killed. Because Alaska was at that time a United States territory, Tisdale was tried and sentenced within the federal system. Initially, he was sent to the Federal Penitentiary at McNeil Island, Washington. But based on the recommendation of a psychiatrist at McNeil Island (known as an “alienist” in those days) he was transferred to St. Elizabeths for observation.

On October 4, 1921, while he was still “under observation” at St. Elizabeths, Mr. Tisdale’s sentence expired. He was not released from Saint Elizabeths at that point. Nor was any attempt made to evaluate whether he should continue to be held under an order of involuntary commitment as a patient. Instead, the authorities simply continued to hold him, as though he were still serving his sentence.

This went on for four more years. At one point, learning of his plight, a social worker sought a writ of habeas corpus in an attempt to free Mr. Tisdale. The judge assigned to hear the writ dismissed it at the urging of the asylum’s superintendent. To add insult to injury, the judge entered an order barring the social worker from re-entering Saint Elizabeths.

A lawyer named John A. Savage later made a second attempt at habeas corpus. This attempt was more successful; the district court actually entered an order freeing Mr. Tisdale on the grounds of illegal commitment and detention, and found him to be of sound mind. But as he was leaving the courtroom, orderlies from Saint Elizabeths accosted Mr. Tisdale and dragged him back to the asylum, stating they needed to hold him for further observation.

Tisdale was not actually freed until months later, when a congressman finally became involved on his behalf. It has been suggested that the asylum held him after his sentence expired because it received an allowance for each patient held at the hospital. His status as a patient “under observation” allowed Mr. Tisdale to fall through the cracks, stripping him of the due process protections that would ordinarily have been afforded to him. It is a chilling tale of abuse of power.
CASA On Vacation

By Lee Ramsey
Staff Attorney, Tennessee Supreme Court

At the end of September, I enjoyed a week of vacation in Colorado—a couple of nights in Boulder, four nights in Estes Park, and one night in Denver, before flying home to Tennessee. At our editor’s request, a few of my photos from Rocky Mountain National Park are included in this issue, but the real reason I’m writing this article is actually CASA-related.

As a longtime member of CASA, I’ve attended the annual AJEI Summits whenever I could, and, before the advent of the Summits, I also attended several of CASA’s independent annual conferences. After my first several CASA conferences, I decided to get more actively involved in CASA as an organization and volunteered for a couple of CASA’s committees; later, I served as a member-at-large and then officer of the Executive Board. I’ve greatly enjoyed my participation in CASA because it has allowed me to meet so many colleagues from around the country. Which leads me back to my trip to Colorado. On the last night of my trip, I went out for dinner with my friends (and CASA members) Taye Sanford and Frank Gibbard and their spouses (Tim and Chris, respectively). It was a fun evening, with excellent food (Thai and sushi) and even better company.

On my flight home, it occurred to me that I never would’ve had these friends in Denver if not for my active participation in CASA, and that is the point of this story—as much as I’ve enjoyed attending the AJEI Summits (and CASA’s own conferences before that), serving on CASA’s committees and the Board has been the best part of being a CASA member, because it has led to some good friendships over the years. So, if you’re not already involved in CASA’s behind-the-scenes activities, I encourage you to contact CASA’s current Chair, Dalila Patton, or Chair-Elect, Christina Cooley Smith, and volunteer for a committee or two; the “work” isn’t hard, and you’ll get to know some great folks from other parts of the country.

Hope to see you in D.C. at the 2015 Summit!
CASA: A Primer

By Karen Hornsby
Staff Attorney, Tennessee Supreme Court

Who are we? We are the Council of Appellate Staff Attorneys (“CASA”). Our members work as permanent law clerks or staff attorneys in the state and federal appellate courts across the United States and in the U.S territories. With just over 65 active members, we are a close-knit group. While I’ve been a member CASA for many years now (how time flies!), I can still remember the awkward feeling of not completely understanding how CASA fits into the overall structure of the American Bar Association (ABA). To help our newer members, I offer the following information to acquaint you with that structure. In the simplest terms, CASA is a part of the Appellate Judges Conference, which is a part of the Judicial Division of the American Bar Association (ABA).

Here are some common (but sometimes confusing terms):

Association. The “Association” or “ABA” is the American Bar Association. The ABA is one of the world’s largest voluntary professional organizations, with nearly 400,000 members and more than 3,500 entities. Founded in 1878, the ABA is committed to supporting the legal profession with practical resources for legal professionals while improving the administration of justice, accrediting law schools, establishing model ethical codes, and more. The ABA is headquartered in Chicago and maintains a significant office in Washington D.C.

Board of Governors. The Board of Governors or “BOG” is the American Bar Association’s oversight and governing body. The ABA Executive Director and staff report to the Board of Governors. The BOG is responsible for Association management, including daily business operations of the ABA. BOG members are elected by the ABA membership during Annual Meetings.

House of Delegates. The House of Delegates or “HOD” is the American Bar Association’s policymaking body. It is comprised of representatives from all of the ABA’s sections, conferences, divisions and at-large entities. This body adopts ABA-wide policies allowing the ABA to speak on issues of importance relating to the practice of law. Our Conference has one HOD representative who is elected by Conference members who speaks for and reports back to the Conference on HOD policy decisions.

Division. The “Judicial Division” or “JD” is one of six divisions, 22 sections, and six forums in the ABA. The JD has more than 4000 members, mostly judges of various jurisdictions. The JD also has more than 1000 non-judge lawyers associated with courts throughout the United States. Every member of the JD belongs to at least one of the JD conferences. The JD is governed by a Council, consisting of the JD Officers (Chair, Chair-Elect, and Vice-Chair), the Immediate Past Chair, the Chairs of each of the JD conferences, and the Chair of the Board of Trustees of the National Judicial College.

Conference. This term does not refer to a meeting, but to a body of judges. The Judicial
Division is comprised of six conferences: Appellate Judges Conference (of which CASA is a part), Lawyers Conference, National Conference of the Administrative Law Judiciary, National Conference of Federal Trial Judges, National Conference of Specialized Court Judges, and the National Conference of State Trial Judges. Except for the Appellate Judges and Lawyers Conference, each Conference is identified with the preface “National Conference of” and conferences are abbreviated with initials of the remainder of their title (NCSCJ – National Conference of Specialized Court Judges, NCALJ – National Conference of Administrative Law Judiciary, etc.).

Council. To maximize inclusion of the many diverse interests of the legal profession, in addition to the Judicial Division’s governing body, the JD Council, there are several other councils within the JD as a whole or within individual Conferences. These include the Council of Appellate Lawyers (CAL), CASA (both within the Appellate Judges Conference), the Tribal Courts Council, and the Bench-Bar Bankruptcy Council.

Committee. The Conference and the JD as a whole each has several standing and special committees, which are open to Conference members. Committee membership offers additional opportunities to work closely with judicial colleagues and have a respected voice in crafting Conference, JD, and ABA policies and positions on issues affecting the judiciary and the administration of justice in the United States and throughout the world.

CASA Executive Committee. Our Executive Committee currently includes the following officers:

Chair Dalila Patton
U.S. Virgin Islands Supreme Court

Chair-Elect Christina Cooley Smith
Georgia Court of Appeals

Secretary Frank Gibbard
U.S. Court of Appeals, 10th Cir.

Immediate Past Chair Rachel Zahniser
U.S. Court of Appeals, 6th Cir.

Member-at-Large Lisa Senter
U.S. Court of Appeals, 6th Cir.

Member-at-Large Greta Scodro
Indiana Supreme Court

Member-at-Large Cliffie Wesson
Texas Court of Appeals

Member-at-Large Tray Owen
Tennessee Court of Appeals

Member-at-Large Joe Merrick
Court of Appeals Indiana

The Executive Committee administers the business of CASA, and establishes its policies and procedures. The Officers each serve a one-year term and the At-Large Representatives each serve two-year terms. With the exception of the Immediate Past Chair, each of the Officers and other members of the Executive Committee are elected by CASA members during the Appellate Judges Education Institute (AJEI) Summit, held each Fall. While members of the Executive Committee are expected to attend both the Annual and Midyear meetings, they receive partial reimbursement for travel expenses for the Midyear Meeting.
Meetings. The CASA Executive Committee meets in person at the ABA Midyear Meeting in February, and at the AJEI Summit (a continuing education program) in November. CASA members are invited to attend the meeting during the AJEI Summit. The meetings are held in various cities in the United States, and are, to some degree, geographically diversified to maximize member opportunities to attend. CASA members are actively involved in the planning for AJEI.

The ABA Judicial Clerkship Program (designed to bring judges and minority law students together through structured networking and educational activities that encourage them to apply for judicial clerkships) – held at various times throughout the Midyear Meeting. Members of the CASA Executive Committee are invited to participate as mentors during that program.

As an ABA/CASA member, you are encouraged to join ABA Sections, Divisions, and Forums (many of which may offer discounted dues to JD members). Depending on to which you belong, there are many other professionally and personally rewarding activities to attend at both the ABA’s Annual and Midyear Meetings. We encourage you to get involved—just ask one of the CASA Executive Committee members about the opportunities available.

CASA Election Biographies

By Rachel Zahniser
Staff Attorney, U.S. Court of Appeals for the Sixth Circuit
Cincinnati, Ohio

Dear CASA members:

It is time to begin the process of selecting CASA Executive Board officers and members for the 2015-2016 term. The election will take place at our annual meeting during the AJEI Summit in Washington, DC, on Saturday, November 14, 2015 at 11:45 a.m. As chair of the Nominating Committee, I present the following slate of candidates:

Chair – Christina Cooley Smith

Christina Cooley Smith is the senior staff attorney for the Honorable Anne Elizabeth Barnes on the Georgia Court of Appeals, for whom she has worked since the judge took the bench in 1999. Christina received her B.A. from Georgia State University and her J.D. from the University of Georgia School of Law in 1983. Christina formerly chaired the State Bar of Georgia’s Appellate Practice Section and served on the Bar’s Record Appendix Subcommittee. She volunteers as a judge and evaluator for the Georgia High School Mock Trial program, and is a member of the Lawyers Club of Atlanta, the Federalist Society, and the American Constitution Society for Law and Policy. Before coming to the court of appeals, Christina was the managing editor of Counsel Connect, an online service for lawyers that began in 1993, and was a manager at Arthur Andersen, where she helped develop an online community for corporate counsel. During her career, she also owned a solo practice, clerked for a state trial court judge, worked in a small firm, and wrote for the Fulton County Daily Report and its parent company, American Lawyer Media. In her spare time, she volunteers for the Georgia Reptile Society and the DeKalb
County Master Gardener’s program, where she is a Lifetime Master Gardener.

**Chair-Elect – Frank Gibbard**

Frank Gibbard has worked as a staff attorney with the Tenth Circuit Court of Appeals since 1995. He graduated from the University of Wyoming College of Law in 1990. He attended his first CASA convention in Vail, Colorado, in 1991 while clerking for Justice G. Joseph Cardine of the Wyoming Supreme Court. He enjoys writing about Colorado legal history, playing the bass guitar, running a French-language meetup group, and singing tenor in a barbershop quartet. He has been married to Chris, a medical social worker, for over thirty years. They have two children.

**Immediate Past Chair – Dalila Patton**

Dalila Patton has been the Staff Attorney of the Supreme Court of the U.S. Virgin Islands since 2010. After receiving her J.D. from Tulane Law School in 2002, she worked as a judicial law clerk for the Honorable Edgar D. Ross of the Territorial Court of the Virgin Islands, Division of St. Croix - a trial court of general jurisdiction. Upon the conclusion of her clerkship, she served as the legal counsel for the Virgin Islands Department of Planning and Natural Resources, Division of Coastal Zone Management. She is a member of Delta Sigma Theta Sorority, Inc. and volunteers for the Dr. Betty Shabazz Delta Academy, mentoring girls from ages eleven to fourteen. In her spare time, she enjoys relaxing on the beautiful beaches of St. Croix with her family and friends.

**Secretary – Lisa Senter**

Lisa Senter is a staff attorney for the United States Court of Appeals for the Sixth Circuit. She previously served as a staff attorney for the United States Court of Appeals for the Fifth Circuit for eight years. She graduated cum laude from Tulane Law School in 1998 and summa cum laude from Tulane University in 1995. Before working as a staff attorney, Lisa edited legal publications for Harvard. She lives in Cincinnati with her husband, Matt, and her two sons. Lisa volunteers for the Interfaith Hospitality Network of Greater Cincinnati, which provides shelter, meals, and support to homeless families. She also enjoys running and hiking.

**Member-at-Large (2nd Year) – Joe Merrick**

Joe Merrick is a staff attorney with the Indiana Court of Appeals and has worked there for nine years. He is primarily a law clerk for the court’s senior judges but also assists the chief judge with motions. Previously, Joe was an enforcement attorney at the Indiana Department of Environmental Management. He clerked for Judge John T. Sharpnack of the Indiana Court of Appeals immediately after law school. A lifelong Hoosier, Joe earned a bachelor’s degree in history at Indiana University and a law degree at Indiana University’s Maurer School of Law. He lives in downtown Indianapolis with his wife.

**Member-at-Large (2nd Year) – Tray Owen**

William “Tray” Owen is the senior staff attorney for the Tennessee Court of Appeals, where he has served for over twenty years. He is a graduate of the Vanderbilt University School of Law and was admitted to the Tennessee Bar in 1992. Following law school, he clerked for the Honorable William C. Koch, Jr., on the Tennessee Court of Appeals. Tray has served as the chair of the Nashville Bar Association’s Appellate Practice Committee, is the assistant editor of the NBA’s Appellate Practice Handbook, and has presented numerous continuing legal education programs on appellate practice. He has a particular interest in the use of technology in the courts and is a member of the Tennessee Supreme Court’s Technology Oversight Committee. In his spare time, Tray enjoys
photography, mountain biking, and volunteering with Nashville’s Office of Emergency Management. He lives in Nashville with his wife, Amy, and their three children.

**Member-at-Large (1st Year) – Brenda Gallagher**

Brenda Gallagher has been a staff attorney for the United States Court of Appeals for the Sixth Circuit for sixteen years. She earned her degree in journalism from Ohio University and graduated cum laude from the University of Cincinnati College of Law in 1989. Upon graduation, she became Attorney Advisor to Administrative Law Judge Rudolf Jansen in the Department of Labor. After seven years as a staff attorney for the Sixth Circuit, Brenda returned to the DOL, performing contract writing for several ALJs throughout the country and focusing on rearing her three sons. During that time, Brenda also worked for a law firm’s real estate section, performing title research and closing various transactions for several lenders. In 2007, she rejoined the Sixth Circuit as a staff attorney, where she now concentrates on immigration, social security, and other administrative appeals. As a member of the Cincinnati Bar Association, Brenda volunteers as a judge for the Ohio High School Mock Trial competition. In her spare time, Brenda enjoys playing piano and singing for her church choir, boating, camping, and watching her granddaughter, born in April 2015.

**Member-at-Large (1st Year) – Elizabeth Ryan**

Elizabeth Ryan has been a staff attorney for the Tennessee Supreme Court since January 2012. Elizabeth graduated from Vanderbilt University in 1991 with a Bachelor of Arts degree in European Studies and a minor in French. She then graduated from George Mason University School of Law in 1994, where she was a Dean’s Scholar, a member of the Moot Court Board, and a member of the George Mason American Inn of Court. She began her legal career as a law clerk to the Honorable John H. Peay of the Tennessee Court of Criminal Appeals. Following that clerkship, Elizabeth spent fourteen years in the Tennessee Attorney General’s Office briefing and arguing appellate cases before state and federal courts. She also taught legal writing part-time at Vanderbilt University School of Law during that time. Married for twenty-one years to Sean Ryan, an internist in Nashville, and the mother of two teenage daughters, Elizabeth has always been active in her community and church, serving in many leadership roles, particularly in the areas of education and children’s health.

**Member-at-Large (1st Year) – Richard Schickele**

Richard Schickele has been a career law clerk to Judge Consuelo Callahan on the United States Court of Appeals for the Ninth Circuit since 2003. Before that, he was Commission Counsel to the California Commission on Judicial Performance for five years. From 1995 to 1998, he served as an advisor to the Baha’i Universal House of Justice at the Baha’i World Centre in Haifa, Israel. Ric was Counsel to the Supreme Court of the United States for over ten years and, prior to that, was a Conference Attorney and Deputy Staff Director for the United States Court of Appeals for the Ninth Circuit. He earned his law degree for Boalt Hall School of Law - University of California, and earned a Masters of Art in Political Science from George Washington University while he worked at the Supreme Court. He teaches appellate advocacy as an adjunct professor at the University of California - Davis (King Law School) and McGeorge School of Law in Sacramento. He enjoys spending time with his wife and two daughters, refereeing soccer, and reading novels.

Nominations also will be accepted from the floor at the annual meeting on November 14, 2015. Hope to see you in DC!
Minutes, CASA Business Meeting

February 7, 2015

The Board of Directors of CASA held its regularly scheduled business meeting at the ABA midyear meeting in Houston, Texas. Board members present included Dalila Patton, Tray Owen, Frank Gibbard, Christina Smith, Rachel Zahniser, Greta Scodro, Joe Merrick, and Lisa Senter. Guests included Kris Berliant of the ABA Judicial Staff.

Chair Dalila Patton called the meeting to order at 8:03 a.m.

The Board approved the minutes of its November 2014 meeting.

Dalila presented a Chair’s report. She stated she has been attending Appellate Judges Conference (AJC) meetings on behalf of CASA. These meetings take place on the first Monday of every month. She also serves as co-chair of the Judicial Clerkship Program (JCP). The JCP holds monthly teleconferences, and concluded its work for this cycle today at the midyear meeting.

Dalila noted that the JCP has been very successful. There are 14 schools participating in the program now. Each sends two or three students and also contributes financially. The goal of the JCP is to educate minority students about employment with the courts. The ABA hopes to expand the program to include women, the disabled, and LGBT students.

This year’s program included a panel discussion entitled “What do Judicial Law Clerks Do?” Dalila was on the panel, and she explained the difference between law clerks and staff attorneys. There were fewer CASA participants in the program this year, but a larger number of judges participated. Students were asked to engage in a research exercise based on the case of Patel v. City of Los Angeles, which concerns a hotel owner’s duty to supply the names of guests to the police. Participants also helped students by reviewing their resumes, and students and participants attended oral arguments.

Dalila also presented a report on behalf of the Education Committee. Lisa and Greta are members of the committee. Ric Schickele recently circulated a committee report to the Board. The committee did very well at the January 28-29 meeting of the AJEI Program Committee, which unites participants from the education committees of the Judge’s Conference and the Conference of Appellate Lawyers with CASA’s education committee to plan the annual AJEI Summit.

As a result of the January planning meeting, CASA was assigned responsibility or co-responsibility for seven sessions at the 2015 Summit. It was noted that Erwin Chemerinsky’s Supreme Court update was not included on the program list. (NOTE: it was later clarified, after the Board meeting, that Dean Chemerinsky will present his criminal update as usual.) It was suggested that the education committee might want to consider a sequel to the “Brain Games” session that was very popular at the 2014 Summit. We will need to let Ric and Taye Sanford know what we can do to help them with the Summit sessions.

Rachel reported that Abby Ruth is leaving AJEI. She has no information yet about Abby’s replacement. Rachel is on the Summit Location Planning Committee. The committee has recommended that the Summit be held in the District of Columbia every four years—which means this year and then probably again in 2019.

Rachel noted that Summit locations need to be in places where it is possible to obtain financial support from the
local bar. CAL has expressed support for Philadelphia in 2016, and perhaps Atlanta, Florida, or California in 2017. The Summit will probably be held in Dallas again in 2018. Christina noted that Atlanta may have to be pushed back to 2018 if chosen because of a competing conference in Atlanta that year. Rachel also noted that our arrangement with SMU may not continue.

Christina presented a report on behalf of the Long-Range Planning Committee. She noted that there will be a committee meeting in Philadelphia at the beginning of May. There is not much to report until that happens.

Frank reported on the status of the CASA Quarterly. He has sufficient articles to put out an issue in the near future. He just needs to finish editing the material and to make sure all permissions, photos, etc. are in place. It was suggested that Frank might ask staff attorneys for their funniest stories about frivolous suits, etc., and then include the answers in an issue of the Quarterly.

In terms of a Membership Committee report, Dalila noted that Karen Hornsby has been meeting with the ABA’s Standing Committee on Membership. The standing committee is aware that membership is down throughout the ABA.

CASA currently has 67 members. Dalila said CASA has held steady in terms of membership, while other sections have dropped more. But we need to get the word out about CASA to prospective members. Lisa noted that many staff attorneys may not even know that CASA even exists. She learned about it from other CASA members at her court. We need to try to learn more about who are the court attorneys we can approach for membership. We need to determine what kinds of recruitment methods people feel comfortable with.

Dalila will send around an email, copying Ric and Taye, informing them what we have discussed about the programs and our willingness to help. She will ask Board members to specify which sessions they are willing to volunteer for.

The ABA previously had a member recruitment campaign, offering eight months of free membership. That offer is over now, but perhaps the ABA will do it again sometime.

Dalila planned to attend the AJC and AJEI meetings at the midyear meeting. Joe, Christina, and Tray also indicated they might attend.

Dalila also noted that we will need to arrange law school panels for the D.C. meeting.

The Board meeting adjourned at 9:11 a.m.

Frank Gibbard, Secretary
Judicial Division Committee Enrollment
Bring your ideas to the table and join a Judicial Division Committee today. Committee Enrollment began September 1, 2015; members serve a 1-year term ending August 31. Members must re-enroll on a yearly basis, enrollments do not carry over.

A full list of Committees and how to join available at
www.ambar.org/jdcom

CASA Discussion Group List Serve
The CASA Discussion Group list serve provides a forum for members to share information, seek advice and obtain professional support. The only requirement to join a discussion group is membership in CASA. To learn more and to sign-up visit:
http://www.americanbar.org/groups/judicial/discussiongroups.html
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The Judicial Division will be headquartered at the Manchester Grand Hyatt

www.ambar.org/jdamidyear

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