

# National Association of Former United States Attorneys



**March 2010**

**SEATTLE, WASHINGTON  
2009 ANNUAL CONFERENCE**

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## Former Deputy AG William Ruckelshaus Gives Riveting Speech Concerning Saturday Night Massacre

The 2009 NAFUSA Annual Conference Dinner Speaker, William Ruckelshaus, who served as Acting Director of the FBI and as Deputy Attorney General in the Nixon Administration, gave his first speech recounting the events when he and Attorney General Elliott Richardson resigned on Saturday, October 20, 1973, rather than follow a direct order from the president to fire Watergate Special Prosecutor Archibald Cox.

Ruckelshaus, now 77 and living in Seattle, agreed to the request of his friend, NAFUSA President Mike McKay, to speak on the subject at the NAFUSA Annual Conference Dinner on Saturday, October 3, 2009.

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## Ruckelshaus cont'd from page 1

Ruckelshaus used humor, modesty and irony to captivate his audience of former U. S. Attorneys, many of whom knew of the events only from press accounts at the time.

Ruckelshaus recounted his meeting with President Nixon on Friday, April 21, 1973, when he was asked to accept the appointment of FBI Director. President Nixon advised Ruckelshaus that Pat Gray's one year pending nomination was finished because Gray had just admitted to the Senate that he had destroyed some documents relevant to the Watergate investigation. President Nixon further advised Ruckelshaus that on Sunday he was going to fire Bob Haldeman, John Ehrlichman, Attorney General Richard Kleindienst and John Dean, the White House Counsel. Nixon stated that he had not yet informed these gentlemen of their fate and asked Ruckelshaus to keep the news to himself.

After receiving assurances from President Nixon that he was in no way involved in Watergate, Ruckelshaus agreed to serve as Acting Director of the FBI until a permanent successor to J. Edgar Hoover could be recruited.

Ruckelshaus, who at the time had been serving as Administrator of the EPA, recounted his first day at the FBI, where he was given a letter to the President from the Deputy Director and the Associate Directors protesting his appointment. The Deputy Director, Mark Felt, of later "Deep Throat" fame, assured Ruckelshaus that the protest was not personal, they just felt it inappropriate to have a bird watcher as Hoover's successor. Ruckelshaus recounted how Mark Felt subsequently resigned when he was confronted by Ruckelshaus for leaking classified information to the *New York Times*.

Ruckelshaus recounted how Clarence Kelly was confirmed and sworn in on July 9, 1973, and Ruckelshaus was then asked by Attorney General Elliott Richardson, who had replaced Richard Kleindienst, to serve as his Deputy Assistant General. Ruckelshaus related his then involvement in the investigation and resolution of the bribery charges against Vice President Spiro Agnew, who filed a nolo contendere plea in federal court in Baltimore and resigned on October 9, 1973.

After relating these events leading up to the Saturday Night Massacre of October 20, 1973, Ruckelshaus then recounted in detail the conversations and events of that notorious day. Rather than attempting a summary, one must read the fascinating account in the words of the actual participant. Ruckelshaus' wonderful speech is reprinted verbatim on the NAFUSA web site, [www.nafusa.org](http://www.nafusa.org), with a link on the left side of the Home page. I encourage everyone to read it.

## Continuing Legal Education INDIAN CRIME PANEL



A trio of attorneys presented a program on handling crimes on an Indian Reservation. They were Troy A. Eid, former U.S. Attorney from the District of Colorado, Sherry S. Matteucci, former U.S. Attorney from the District of Montana, and Tate London, Assistant U.S. Attorney from the Western District of Washington who is the tribal law liaison for 25 Indian tribes in that district. Troy Eid is the head of Greenberg Traurig's American Indian practice group. He speaks native Navajo. Sherry Matteucci operates her own law firm in Billings, Montana, and offers a consultation service on American Indian law and policy. She works with several Montana tribal nations on law enforcement and justice issues.

The panel members described the United States American Indian population as the "poorest, least hopeful and the most disadvantaged" of any United States citizens. Sherry Matteucci said she was shocked at how poorly the Indians are served. "The lack of safety on the Indian Reservations is shocking", she said. American Indians constitute one percent of the American population, one half of which live on Indian reservations that are officially referred to as Indian Country.

By virtue of various treaties with the Indian tribes, the inherent sovereignty of the tribes was recognized. They were defined as Domestic Dependent Nations, which really means they were considered as wards of the United States, a trust responsibility.

### PHOTOS OF 2009

#### NATIONAL CONFERENCE

*Hundreds of photos of the 2009 NAFUSA Annual Conference are located on our website, [www.nafusa.org](http://www.nafusa.org). Links to photos of the cocktail reception at the Washington Athletic Club, the CLE sessions, the Lake Union and Lake Washington fall lunch cruise, the speaker's dinner, etc., are all located on the website. Click on the "View Slideshow" link and let the photos pass in sequence without any effort on your part.*

## Indian Panel cont'd

Their basic needs, health, education, and law enforcement must be met by the United States government. There is a basic tension between the United States government and the sovereignty of the Indian nations.

The United States Attorney in the districts which contain Indian nations has the primary responsibility for investigation and prosecution of major crimes, and all federal crimes. The tribes, however, have their own responsibility for law enforcement, and have concurrent jurisdiction over certain crimes. The panel members said that the tribes' ability to provide for their own investigations is very limited.

There are tribal nations in 36 states. Only 14 states have no Indian Country. Thirty five United States Attorneys' offices have major Indian nations.

Regarding law enforcement, the tribal law enforcement level is very low. In the words of one panelist, "Indian Country law enforcement is completely broke." The United States Attorney must provide the leadership.

Under President Clinton, there was great emphasis on serving the Indian needs, but that emphasis has waned. The Obama Administration is taking steps to reinforce the effort. Matteucci said the concurrent jurisdiction is very complex and challenging.

Troy Eid, the first Arab American United States Attorney, speaks Navaho. Troy Eid testified before Senate Committee on Indian Affairs on June 25, 2009 on behalf of Senate Bill 797, The Tribal and Ordinance Act of 2009. His statement can be found on-line by search for Senate Bill 797. Eid said that the passage of the bill is necessary to clear up many issues that cloud law enforcement on Indian reservations. One of the hottest topics of Indian tribal law enforcement is the lack of factual declinations of prosecution by the United States Attorney. Eid said the current measurements are not good, and do not reflect many of the reasons for the declinations. Eid said Section 304 of the bill was very controversial. It gives the Tribal Courts the option to impose imprisonment of jail up to 3 years and a \$15,000 fine as opposed to one year sentence now permitted. The bill also requires that tribal judges and defense counsel must be licensed in some state jurisdiction to be able to participate.

AUSA London described his role as a tribal liaison for the Western District of Washington. He is a Tlingit tribal Indian member and is enrolled as a member of the Central Council of the Tlingit and Haida Indian Tribes of Alaska.

AUSA London said that he has held summit meetings with Indian prosecutors and judges. He often acts as an advocate for the victims in Indian Tribal cases.

The panelists praised the work of Thomas B. Heffelfinger, former U.S. Attorney for Minnesota (1991-1993; 2001-2006) for his continuing work on Native American issues

- Making Indian County Safer: Colorado's Worthy Experiment, *The Colorado Lawyer* (Oct. 2009)
- *Bayonne Oliphant v. Suquamish Tribe*: Strengthening Criminal Justice in Indian County, 54 *Federal Lawyer* 40 (March/April 2007), by Troy Eid.

**Peter Vaira**, E. Dist of Penn., 1978-1983, has graciously served as Reporter for the past two NAFUSA Annual Conferences.



## Gil Kerlikowske, Drug Czar

Gil Kerlikowske is the newly appointed Director



of National Drug Control Policy, often referred to as the Drug Czar. He took office May 7, 2009. Prior to being named the Drug Czar, he was the Seattle Chief of Police from July 2001.

Kerlikowske said he recalled when U.S. Attorneys paid little attention to local drug issues. He stated the cities

Suggested further reading:

### Kerlikowske, cont ' d

are much safer now with increased cooperation between federal and state authorities. Kerlikowske said Bill Bennett, an earlier Drug Czar, was very popular and by far the most interesting. He spoke out publicly about the drug problems. Kerlikowske said the Drug Czar has the responsibility to issue a national drug control policy, but does not think it is widely read. He said it was necessary for law enforcement planning.

One significant change in the drug world is that the drug dealers have become great marketers. They will find new consumer bases. He said Mexico, a great drug producer, now has a large consumer population.

Kerlikowske's goal is for prevention of use, and treatment for users. He said his drug policy will have much information on the prevention aspect Kerlikowske said he is now convinced that drug addiction is a disease. He said treatment does work. Treatment can cure methamphetamine addiction. He stated that incarceration is twice as expensive as treatment. Kerlikowske feels that healthcare professionals should be trained to ask the right questions about drug and alcohol abuse, to spot it early. Early intervention can save lives.

On the subject of legalizing drugs Kerlikowske stated such legislation was worthless. He said once the drug use was legalized, the persons who sell and transport the drugs would not go to work for Microsoft, but would continue in the drug trade. Kerlikowske said the country's failure to invest in prevention is tragic.



**Professor David Boerner,** a member of the faculty of the Seattle University School of Law led a presentation on the role of the attorneys who advised the investigative agencies on the use torture in the questioning of persons captured in terrorist investigations. The presentation was a spirited discussion by members of the audience.

Professor Boerner said that the criticism of the authors of the advisory papers was classified on two grounds: (1) the advice given by the authors was

### Boerner, cont ' d.

basically immoral; (2) the lawyers drafting the memorandum were incompetent, assuming facts that were not true.

Professor Boerner said both assertions miss the point. His question to the audience was: what is the role of the lawyer in giving the advice? For example, in a trial of persons charged with torture, if the lawyers who gave the advice made their same arguments to the court as advocates defending them, their arguments would be perfectly acceptable as advocacy on behalf of a client. Professor Boerner asked what then is the role of the attorney providing the advice: are they different than an advocate in a courtroom? Are lawyers providing advice held to a different standard?

Can the DOJ Office of Legal Counsel be used as a cover under the Law?

A participant from the audience stated that the DOJ lawyers are in no different position than an attorney for a police department who advises police on proper arrest techniques. He said using a billy stick to disable a person is proper if used below the knee. The attorney must know what is legal beforehand in giving the advice. Another participant said that the attorneys knew well beforehand that what they advised would be used to justify the agents' actions.

One participant said in the corporate area there is much pressure put on the general counsel to give advice that the corporate executives want to hear. He thought the same circumstances occurred with the persons giving advice on the torture.

The discussion raised the point that there is a difference between a devil's advocate and a defender. The client should have been treated as having a higher degree of responsibility.

One participant stated that the DOJ in those cases was not giving advice to its own lawyers, but to another agency. He thought it was unethical for the DOJ attorneys to give advice to the agencies.

Professor Boerner pointed out that the agents in the field were seeking advice; the leaders were seeking advice from the attorneys for the executive branch.

One observer stated that the questions presented to the lawyers were "nice legal questions." What about the situation where the agent has captured a bomber who has information where a dirty atomic bomb is set to be detonated. The agent knows what must be done to get the information. His actions will most likely violate the guidelines. Is this a circumstance that can be dealt with in a hypothetical?

The issue was raised: who is the client, the attorney at DOJ is advising; the President, the head of the agency; the agent in the field?



## Veronica F. Coleman-Davis

Ms. Coleman-Davis was the United States Attorney for the Western District of Tennessee from 1993 to 2001. In 2001, she founded the National Institute for Law & Equity (NILE) with several of her U.S. Attorney colleagues. NILE's purpose is to raise discussion and public policy debates on current criminal justice paradigms and their social and cultural impact on the American way of life.

Ms. Coleman-Davis addressed the subject of prosecutorial discretion. She said as prosecutors we have to be the gatekeepers on prosecutorial policy as it affects racial complexity in our society. She said that the pursuit of justice requires a fair application of law to prevent racial bias in the prosecution.

Ms. Coleman-Davis said that the prosecutor should be aware of the potential racial disparate impact on the community when setting priorities. For example, in deciding to prosecute small quantity cocaine distribution cases, the defendants will most likely be minorities. She said the U.S. Attorney should be proactive with law enforcement agents to prevent racial and ethnic bias to insure that similarly situated defendants receive similar charges. She said the U.S. Attorney should provide oversight of his or her lawyers to ensure this message is carried out.

She said the U.S. Attorney should create task forces with the obligation to provide a rationale for prosecuting or declining cases. Ms. Coleman-Davis said the U.S. Attorney should have policies on recruiting minorities, and review all the AUSA candidates' resumes and history for racial bias. She said the U.S. Attorney should collect information on prosecutions, declinations, plea offers, and selection of charges data for indications of racial disparity.



## Andrew Siegel

### Associate Professor of Law, Seattle School of Law

Andrew Siegel, Associate Professor of Law, Seattle Law School, is a graduate of New York University and New York University School of Law. He served as Executive Editor of the New York University Law Review and as a law clerk to Judge Pierre Leval of the United States Court of Appeals for the Second Circuit.

Professor Siegel reviewed the 2008 term of the U.S. Supreme Court. He described it as a slow term with 79 cases decided. The significant fact was that 27 of the cases were decided 5-4. He said most of the traditional hot spot issues were missing.

Professor Siegel outlined what he called the top ten story lines of the 2008 term

**10.) Increased Interest in Public Schools.** Several cases indicated the court's interest in public education and the rights of students. Justice Thomas dissented in these cases and advised that the court should get out of deciding cases in this area.

**9.) The Anti-Climax cases.** Cases that looked promising upon briefing, but flopped when decided on narrow issues, including a number of campaign finance cases.

**8.) Renewed Attack on the Fourth Amendment.** One of the cases decided on a narrow ground involved whether a clerical error made by police rose to a Fourth Amendment violation. Chief Justice Roberts recast the exclusionary rule by stating exclusion is not the normal remedy. It must be justified. Professor Siegel thought that Chief Justice Roberts was dropping seeds for future examination.

**7.) Re-Examination of the Due Process Clause.** The court dealt with new due process rights including the ruling that due process requires a recusal of a judge who has received substantial election campaign donations from one of the litigants.

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Siegel, cont'd.

**6.) The Clear Split Regarding Civil Rights Laws.** There were very deep splits about the history and cultural aspects of the civil rights laws. Conservatives said the civil rights era corrected some wrongs, but that era is over. The liberal faction argued that the struggle continues.

**5.) Criminal Procedure in a Flux.** The reform started with the Warren Court, and the many persons who were disenfranchised with the system. Recently there has been a movement to chip away the rights of suspects. The result is a system no one is happy with. It appears both liberals and conservatives are willing to reconsider precedent.

**4.) Will the Real John Roberts and Samuel Alito Stand Up?** Many observers thought these two new justices would vote completely on the conservative side. Both have shown signs of departing from the strict conservative roles.

**3.) Pleadings in Civil Procedures Issues.** The court has taken several cases regarding issues of civil pleadings. This indicates an interest in civil procedure.

**2.) Internal Dynamics of Court.** Professor Siegel commented on the subtle movements and shifts of interest between the liberal and conservative court members.

**1.) It Is Still Kennedy's Court.** The Decisions indicate Justice Kennedy controls the balance. He dissented only seven times. Of the twenty-seven 5-4 decisions, he was in the majority eighteen times.



**TODD JONES**  
**U. S. Attorney, Minnesota,**  
**Chair, AGAC**

Todd Jones is the newly appointed U.S. Attorney for District of Minnesota, June 2009. He previously served in this position from 1998 to 2001. He also served as an AUSA in that district. Todd served six years as a Marine Corps officer. Attorney General Holder appointed Jones to serve as Chair of the Attorney General Advisory Committee (AGAC).

He said serving second time around is especially crucial to avoid the mistakes made on the first tour. Jones said the same issues continue to arise, regardless of the administration. There still remains tension between Main Justice and the U.S. Attorneys in the field.

Jones said the nomination process for new U.S. Attorneys is going slow. One of the problems was that all evolution machinery shut down with the nomination of Judge Sotomayor for the Supreme Court.

Jones discussed priorities for AGAC. At the top is National Security. He said there was no room for mistakes. He commented that this is a different FBI today than before 9-11. He felt the DOJ is strapped for resources.

Jones feels that NAFUSA is a great resource. In making policy, he will need information from the field, and from NAFUSA. Coming from Minnesota he has a high interest in American Indian issues.

Todd Jones said the AGAC will have more power with this administration, and will have more direct contact with the Attorney General. Jones said that national cross district problems require that DOJ send someone in to oversee the national program.

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## MARSHALL JARRETT Director, EOUSA

Marshall Jarrett is Director of the Executive Office for United States Attorneys, in office since April 2009. Prior to serving as Director of EOUSA he was Counsel for Professional Responsibility for the DOJ. He has also served as Chief of the Criminal Division of the U.S. Attorney's Office in the District of Columbia, and First Assistant United States Attorney for the Southern District of West Virginia.

Marshall Jarrett said the transition is going well. He said this administration has a three part training program for new U.S. Attorneys.

- 1.) Initially bring U.S. Attorneys to DOJ for briefing.
- 2.) After serving in the field for a while, bring in leaders on and key managers to DOJ for meeting.
- 3.) After the administration is in place bring in the entire management team for training.

There will be new training courses on media relationship and discussion of new enforcement issues.

On major issues the DOJ will follow the old Strike Force model, concentrating task forces on major problems such as Financial Fraud and Mortgage Fraud.

There is a review of sentencing policies. There is also a review of the following issues:

- Cocaine Charging Policy
- Charging and Sentencing Policy
- Death Penalty
- Discovery Re: *Brady/Giglio*

The DOJ is requiring all U.S. Attorneys offices to have a *Brady/Giglio* supervisor.



*Mike McKay, Marshall Miller and Bill Lutz*

## MARSHALL MILLER wins Bradford Award

**MARSHALL MILLER**, Deputy Chief of the Eastern District of New York criminal division, was the 2009 recipient of the J. Michael Bradford Award, named for the former NAFUSA member and U.S. Attorney from the Eastern District of Texas, who died in 2003. Bradford successfully defended the government against lawsuits stemming from the 1993 siege of the Branch Davidians compound in Waco, Texas.

The award is given each year to honor the most exceptional Assistant U.S. Attorney among many highly qualified nominees. Marshall Miller has prosecuted many high profile terrorism cases in the New York area. He supervised the investigation of alleged terrorist Najibullah Zazi and prosecuted two members of the Sri Lankan terrorist group, the Tamil Tigers. He also heads the prosecution of four people charged with planning to bomb John F. Kennedy International Airport. He also led the successful prosecution of two people who conspired to bomb the Herald Square subway station in Manhattan.

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## NEW NAFUSA PRESIDENT

### RICH ROSSMAN



Rich Rossman served as United States Attorney for the Eastern District of Michigan at the end of the Carter Administration from 1980-1981. Rich had served as the Chief Assistant US Attorney from 1977-1980, under former NAFUSA President Jim Robinson. Earlier in his career, Rich served as an assistant prosecuting attorney in the Detroit suburbs and as the Chief Deputy Federal Defender in Detroit from 1972-1975. He is a graduate of the University of Michigan Law School and Michigan undergrad.

In 1998, Jim Robinson was appointed Assistant Attorney General in charge of the Criminal Division at Main Justice and talked Rich into returning to the Justice Department as his chief of staff, a position Rich held until the end of 1999. During his time at Justice, Rich met daily with the Attorney General, led a law enforcement delegation to the Peoples' Republic of China and testified before Congress on a number of issues.

In 2000, Rich returned to Pepper Hamilton LLP, where he had become a partner in 1985. Upon returning to Pepper, Rich became the managing partner of the Detroit office and resumed his practice specializing in white collar defense and commercial litigation. He retired from Pepper and the active practice of law in 2007.

Rich now spends his time at his home in the suburbs of Detroit and at his vacation home in northern Michigan. He and his wife, Patty, celebrated their 45th wedding anniversary in January. They have two children, Lisa and Jeff, who is a partner at the Chicago office of McDermott Will & Emery. Jeff, like his dad, specializes in commercial litigation and securities defense. Rich and Patty also have four grandchildren.

Rich has enjoyed his more than twenty five years of membership in NAFUSA. "I particularly appreciate the bipartisan nature of our organization", Rich said. "We may be the last vestige of it in the nation. NAFUSA members quickly learn that we have a lot in common. After all, we had the best job in the country and we remain dedicated to preserving the independence and strength of the office of United States Attorney."

### BRIAN JACKSON

#### **Nominated for Federal Bench in Middle District of Louisiana**



NAFUSA member Brian Jackson has been nominated by President Obama to be U.S. District Judge for Louisiana's Middle District. Brian served as the First Assistant U.S. Attorney for the Middle District of Louisiana from 1994 to 2002 and was named the interim U.S. Attorney in 2001. He also worked as an Associate Attorney General and Assistant U. S. Attorney.

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## BRIAN JACKSON cont

Since 2002, Brian Jackson has served as a partner in the law firm of Liskow & Lewis, where he heads the firm's government investigations and white collar crime groups. He graduated from Xavier University of Louisiana and Southern University School of Law, where he served as editor-in-chief of the Southern University Law Review. He also received an LL.M from Georgetown University in international and comparative law.

Brian Jackson's confirmation hearing before the Senate Judiciary Committee was held February 24, 2010, and his nomination has been voted out to the full Senate where he awaits confirmation.

## NAFUSA BOARD MEMBER

### ANDREA SHERIDAN ORDIN



**Andrea Sheridan Ordin** has been appointed by the Los Angeles County Board of Supervisors to head the 260 lawyer office of County Counsel of Los Angeles. The Office of the County Counsel, with the assistance of outside counsel, provides legal advice and civil representation to all Los Angeles County departments, and public officers and agencies, including the Departments of Health Services, Children and Family Services, Probation, Fire, Mental Health, Public Works, Treasurer-Tax Collector, and the elected District Attorney and Sheriff.

Andrea, one of Los Angeles' biggest legal names, has served as a pioneering federal, state and local prosecutor. In the 1970s she held the third highest position in the District Attorney's Office and was U.S. Attorney for the Central District of California in the Jimmy Carter Administration. From 1983 to 1990, she served as the Chief Assistant Attorney General of California.

When she was appointed, Andrea was a litigation partner at Morgan Lewis and was serving as Vice-Chairman of the Los Angeles Police Commission. She had previously served on the Christopher Commission.

## ROBERT MORGENTHAU



**NAFUSA Member Robert Morgenthau** has started a new career at age 90. Morgenthau served as U.S. Attorney in the Southern District of New York in the Kennedy and Johnson Administrations from 1961 to 1969.

In 1962, he became the Democratic nominee for governor of New York, but was defeated by Governor Nelson Rockefeller.

He resigned as SDNY's top federal prosecutor nearly a year after President Nixon took office. He ran for the Democratic nomination for governor again in 1970 but withdrew from the race before the primary.

In 1974 he was elected District Attorney of New York County (Manhattan) in a special election following the death of Frank Hogan. He served as the D.A. from Jan. 1, 1975 to Dec. 31, 2009. Early in 2009 he announced he would not seek re-election.

Morgenthau has joined the law firm of Wachtell, Lipton, Rosen & Katz in Manhattan.

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## STEVE EASTON



**Steve Easton** named Dean of University of Wyoming College of Law. Steve, who has made numerous presentations at the NAFUSA Annual Conferences, has taught at the University of Missouri School of Law since 1998. Steve served as U.S. Attorney in North Dakota in the George H. W. Bush Administration.

Steve earned his J.D. in 1983 at Stanford Law School. He is the author of "How to Win Jury Trials: Building Credibility with Judges and Juries". He has won several national teaching and writing awards.

## BATES BUTLER



**NAFUSA Member A. Bates Butler III**, former U.S. Attorney, District of Arizona, 1980 to 1981, has been elected to the General Assembly Permanent Judicial Commission of the Presbyterian Church, USA. The GA PJC, a 16 member commission, is the highest of three levels of adjudication tasked with carrying out and processing the church's judicial and disciplinary matters.

The issues before the GA PJC are handled in many respects as those in civil courts, with disciplinary matters being judged on a reasonable doubt standard.

Bates received his J.D. from George Washington School of Law in 1969.

**MARK YOUR CALENDARS FOR  
OCT. 7-9, 2010 FOR THE NAFUSA  
ANNUAL CONFERENCE IN  
NEW YORK CITY**

**SEE [www.nafusa.org](http://www.nafusa.org)**

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## NAFUSA MEMBER

### GRIFFIN BELL PASSES



**NAFUSA Member and Former Attorney General Griffin Bell** passed away in 2009. He had hosted a cocktail reception for NAFUSA members in his lovely home in Sea Island, Georgia, during one of the Annual Conferences in the 80s and remained a dues paying member until his death.

President John Kennedy appointed Bell, who had been the co-chairman of Kennedy's presidential campaign in Georgia, to the Court of Appeals for the Fifth Circuit in 1961. He served for more than fourteen years on the Fifth Circuit. He often played an instrumental role in mediating disputes between the court's factions during the peak of the American Civil Rights Movement.

He resigned from the court in March 1976 to resume his law practice at King & Spalding. In December 1976, President Jimmy Carter nominated him to become the 72nd United States Attorney General. He served until August 1979. His Watergate-era nomination was initially controversial because he was a Southerner and a personal friend of the President. However, by the time he left office, Bell had allayed the concerns and won the praise of most of his critics in the United States Senate and the media. He was credited with bringing needed independence and professionalism to the Department of Justice. Unprecedented and not duplicated since, Bell posted publicly every day his third party contacts, including meetings and calls with the White House, members of Congress, or other non-Justice Department individuals, to rebuild confidence in the Department of Justice.

## LAW FIRM NEWS



### NAFUSA Membership Chair JACK

**SELDEN's** (No. Dist Alabama 1992-1993) law firm, Bradley Arant Rose & White recently merged with the Tennessee firm of Boulton Cummings to become Bradley Arant Boulton Cummings. The new firm has more than 350 attorneys in seven offices in four states and in Washington, D. C. The firm is now one of the largest in the Southeast.

**NAFUSA Members JOHNNY SUTTON, JOHN RATCLIFFE, CATHERINE HANAWAY and MIKE SULLIVAN** have joined with former Attorney General **JOHN ASHCROFT** to form several offices of the Ashcroft Law Firm in Austin, Dallas, St. Louis and Boston. All served in the George W. Bush Administration.

**NAFUSA Member MATT WHITAKER** has formed the law firm Whiakker Hagenow GBMG in Des Moines, Iowa. The firm has affiliated with **NAFUSA Member TODD GRAVES'** firm in Kansas City, Graves, Bartles Marcus and Garrett. Both **Matt** and **Todd** also served in the George W. Bush Administration.

## SEATTLE ANNUAL CONFERENCE



HOSTS NANCIE AND MIKE MCKAY



THURSDAY NIGHT COCKTAIL PARTY



FRIDAY MORNING ROUNDHOUSE INTRODUCTIONS



FRIDAY LUNCH CRUISE



PRES. MIKE MCKAY TO NEW PRESIDENT RICH ROSSMAN



SATURDAY NIGHT DINNER





**Mark Your Calendar**

**NAFUSA**

**Annual Conference**

**October 7–9, 2010**

**Marriott Marquis**

**New York, New York**



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C/O Ron Woods  
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ADDRESS CORRECTION REQUESTED

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