



# National Association of Former United States Attorneys

April 2007

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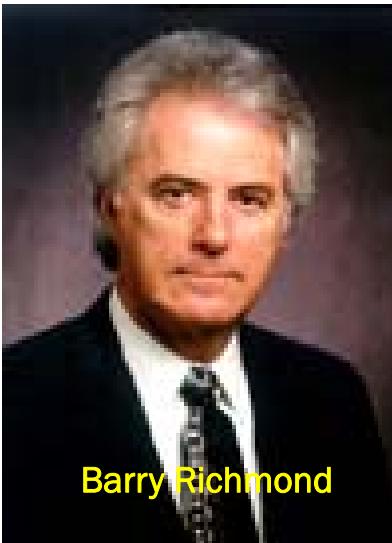
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### Executive Director

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## Ritzy Carlton

Miami approaches and all is coming together. We are honored to have as our dinner speaker one of America's finest attorneys, Barry Richmond with the Greenberg Traurig firms' Tallahassee, Florida office. We all remember him from the Gore vs Bush case but his credentials go on and on. Check him out on-line. ([www.gtlaw.com/people/biography.aspx?id=10268&detail=1](http://www.gtlaw.com/people/biography.aspx?id=10268&detail=1)). He is truly one of this country's most respected attorneys.

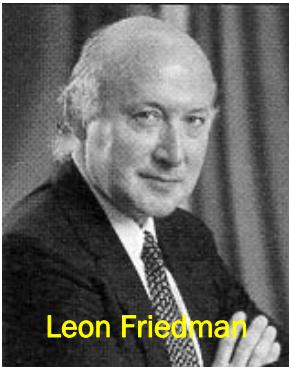


Barry Richmond

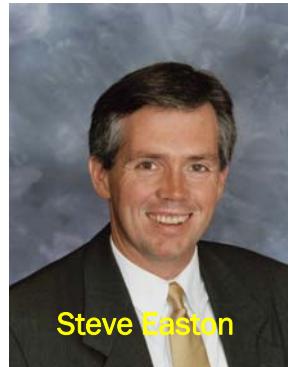
Greenberg Traurig gets more involved with NAFUSA every year in more ways than one. James Richmond with the firm's Chicago office sits on the NAFUSA Board of Directors. As a Miami Conference sponsor they have pledged the largest single firm contribution to date and will host our Board of Directors meeting at their Miami offices.

This year could be our finest ever annual conference. I know I've said it before, maybe every year, but our CLE program continues to be unequalled.

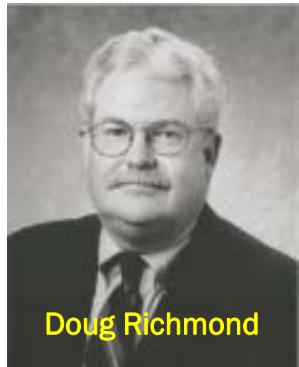
Our friends and law professors Leon Friedman, Steve Easton and Doug Richmond have committed once again to return with all new material. Leon does that every year anyway with the ever changing Supreme Court.



Leon Friedman



Steve Easton



Doug Richmond

We are working at putting together a panel of the recently ousted U.S. Attorneys and so far three have agreed to join us at our Miami Conference. If you know any of these folks, please knock on their door and encourage their participation in our organization including membership.

If any of you know or have any ideas about qualified CLE presenters, please let us know. Our program is not yet full.

It's important to let you, our members, know what your board of directors has been doing throughout this U.S. Attorneys firings ruckus. Every involvement has been with the unanimous support of the NAFUSA leadership. There has been four abstentions throughout our deliberations for obvious and honorable reasons. Our President, Atlee Wampler, at the invitation of the United States Congress Judicial Committee delivered the cautious position of NAFUSA. We were also asked by U.S. Congressman Hank Johnson of Georgia to endorse a resolution he planned to introduce which was in fact very complimentary to U.S. Attorneys, but the board, sensing a possible hint of politics politely opted out. Please remember, every step NAFUSA took was voted upon by the Board of Directors with no regard to political affiliation and there was no dissent.

Let me talk a moment about the Ritz Carlton South Beach Hotel in Miami. This truly is one of the finest hotels in America in a geographic wonderland. The room rate we have negotiated, while higher than our normal hotel price, is less than many of the not as wonderful hotels in the area. Please call and make your room reservations now at 800-241-3333. Our space is limited and if for some reason down the road you find you can't attend, they can be cancelled up to 72 hours prior to the scheduled arrival without penalty.

Visit our web-site at NAFUSA.org for addition information about our Miami Conference, our golf tournament scheduled for Thursday, November 8th, including a golf registration form, and a lot of interesting places to see and things to do in the area.

Conference registration forms will be available in May after our April 28 Board of Directors meeting in Carmel. It is your board that approves the conference events and sets the registration fee.

## 2006 Chicago Conference Sponsors



**Bradley Arant Rose & White**

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**Robertson Frelich Bruno & Cohen**

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## 2007 Miami Conference Sponsors

Sponsorship this year will be more important than ever before. Miami is a most expensive city. We were most successful in Chicago but a larger need is present in 2007. It is only with the support of our sponsors that we can continue to keep our conference registration fees comparatively low and provide one of most outstanding CLE programs in the country. If your firm has been a sponsor in the past, we encourage you to re-up. If you have not been a sponsor, jump in the water is fine.

To date we have received 2007 Conference sponsor checks from Atlee Wampler's firm, Wampler, Buchanan, Walker, Chabrow & Banciella, and Jack Selson's firm , Bradley, Arant, Rose & White. We also have pledges of sponsorship from Jim Richmond's firm, Greenberg Traurig and Bill Robertson's firm Robertson, Frelich, Bruno and Cohen.

We are currently talking with Kroll about their possible return as a sponsor, and have been contacted by several similar businesses who are interested in joining our sponsorship team.

### Reminder

**NAFUSA 2007 Annual dues were due in January  
Please double check to make sure your dues are current**

**Non payment of dues could result in the removal of your name from our web-site directory and mailing list**

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NAFUSA has not taken sides in the above mentioned ruckus but only asked questions in line with the mandates and mission of the founders of NAFUSA. It appears the entire nation is asking similar questions. NAFUSA's charter reads that the organization was founded "to promote, defend and further the integrity and the preservation of the litigating authority and independence of the Office of the United States Attorney".

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## The Judiciary Act of 1789

September 24, 1789

1 Stat. 73.

CHAP. XX. - *An Act to establish the Judicial Courts of the United States.*

SEC. 35. *And be it further enacted*, That in all courts of the United States, the parties may plead and manage their own causes personally or by assistance of such counsel or attorneys at law as by the rules of the said courts respectively shall be permitted to manage and conduct causes therein. And there shall be appointed in each district a meet person learned in the law to act as attorney for the United States in such district, who shall be sworn or affirmed to the faithful execution of his office, whose duty it shall be to prosecute in such district all delinquents for crimes and offences, cognizable under the authority of the United States, and all civil actions in which the United States shall be concerned, except before the supreme court in the district in which that court shall be holden. And he shall receive as compensation for his services such fees as shall be taxed therefore in the respective courts before which the suits or prosecutions shall be. And there shall also be appointed a meet person, learned in the law, to act as attorney-general for the United States, who shall be sworn or affirmed to a faithful execution of his office; whose duty it shall be to prosecute and conduct all suits in the Supreme Court in which the United States shall be concerned, and to give his advice and opinion upon questions of law when required by the President of the United States, or when requested by the heads of any of the departments, touching any matters that may concern their departments, and shall receive such compensation for his services as shall by law be provided.

\* \* \*

"The United States Attorney ***is the representative not of an ordinary party*** to a controversy, ***but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all;*** and whose interest, therefore, in criminal prosecution is not that it shall win a case, but that the justice shall be done. As such, he is in peculiar and very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer. He may prosecute with earnestness and vigor -- indeed, he should do so. But, ***while he may strike hard blows, he is not at liberty to strike foul ones.*** It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one."

It is fair to say that the average jury, in a greater or less degree, has confidence that these obligations, which so plainly rest upon the prosecution attorney, will be faithfully observed. Consequently, improper suggestions, insinuations and, especially, assertions of personal knowledge are apt to carry much weight against the accused when they should properly care none . . ."

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**Berger v. United States**, 295 U.S. 78; 55s Ct. 629; 79 L. Ed. 1314; 1935 U.S. LEXIS 308 (1935) (Sutherland, J. [for a unanimous Court] ) (emphasis added.); overruled on other ground, **Stirone v. united States**, 361 U.S. 212, 4 L. Ed. 2d 252, 80 S. Ct 270 (1960)"

Tell them your with NAFUSA  
305-671-2609 or 800-241-3333  
Hotel Reservations

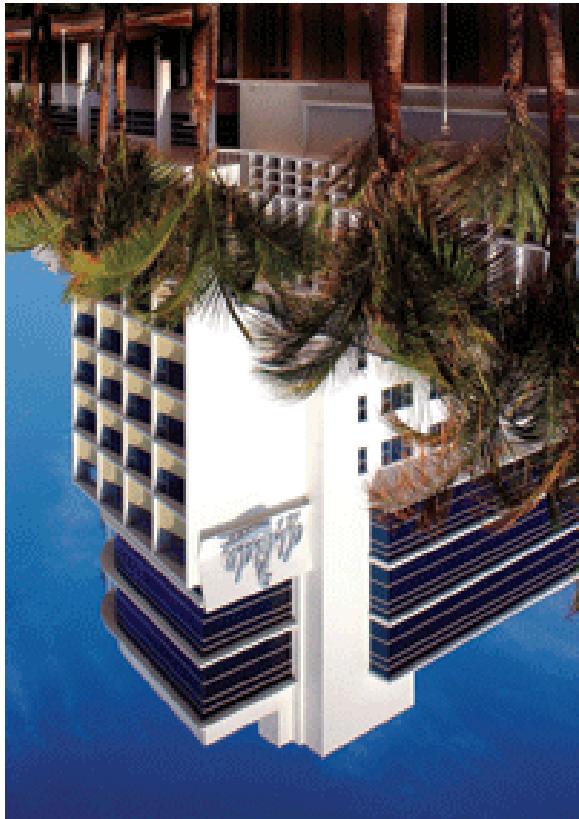
**Miami, Florida**

**Ritz Carlton South Beach**

**November 8-10, 2007**

**Annual Conference**

**NAFUSA**



The National Association of  
Former United States Attorneys  
P.O. Box 1010  
Las Vegas, NV 89125

ADDRESS CORRECTION REQUESTED

**Life Time Members**

B. Mahlon Brown .. Jim Cissell .. Robert Cleary .. Margaret Currin .. Sam Currin .. Dick Eagleton  
Rudolph Giuliani .. Fred Hess .. William D. Hyslop .. Patrick McLaughlin .. Bill Robertson  
Joe Russoniello .. Jack Selden .. Jay Stephens .. Ron Woods .. Sharon Zealey