



U.S. COURT OF FEDERAL CLAIMS BAR ASSOCIATION



E-Newsletter Summer Edition | 2013

Dear Member,

We hope you enjoy our E-Newsletter. If you have any questions or comments or would like to submit an article for the newsletter, please email newsletter@cfcbbar.org.

Upcoming Events



[Save the Date: October 17](#)

The Court's 26th Annual Judicial Conference will be held this year on October 17, 2013 in Washington, DC, consisting of a half-day program and an evening reception. Look for additional details to follow in the coming weeks. We hope you can attend!

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Letter from the Chief Judge



*Chief Judge
Emily C. Hewitt*

Members of the United States Court of Federal Claims Bar Association, greetings. The Bar Association has been extremely active in its support of the court this year.

On Wednesday, May 8, the Bar Association and court celebrated Law Day 2013 at a luncheon at the Willard Hotel. The theme of Law Day 2013 was "Realizing the Dream: Equality for All," a recognition of the anniversary of two milestone events: the 150th anniversary of the Emancipation Proclamation and the 50th anniversary of the Rev. Dr. Martin Luther King, Jr.'s speech, "I Have a Dream." We welcomed as our special guest and Law Day speaker Circuit Judge Ann Claire Williams of the United States Court of Appeals for the Seventh Circuit. Judge Williams's remarks, which drew on her and her family's experiences, were eloquent and moving.

Soon thereafter - on May 22 - the court held its annual Memorial Day cookout in the courtyard of the National Courts Building. The weather cooperated, and we had an enthusiastic turnout of court staff, judges, Bar Association leadership, and friends from the Federal Circuit.

The following week, on May 29, the court held its annual law clerk swearing-in ceremony and reception. Twenty-five law clerks joined the ranks of the bar, and many availed themselves of the Bar Association's generous offer of free membership through the end of 2014. On behalf of the court, I thank the Board of Governors for continuing to offer this benefit to our law clerks. I encourage you to get to know these new members of the court's bar and to encourage them to become involved in Bar Association activities in the near future.

The next day, on May 30, the Bar Association hosted a reception at Dolley Madison House honoring senior judges James Merow, John Wiese, Lawrence Margolis, Loren Smith, Bohdan Futey, and Robert Hodges. The event provided a welcome opportunity to recognize these six judges for their combined 170 years of service to the United States Court of Federal Claims and its predecessor courts. Following that event, the court held a dinner for all judges and their guests in the Tayloe dining room. The contributions of each of the senior judges were acknowledged and celebrated and each of the senior judges was invited to speak. The proceedings were recorded by Circuit Librarian Pat McDermott to be archived for the court. The recall of these senior judges to active service continues through August.



Senior Judges



CFC Bar Association Past Presidents

On June 19, the court and the Bar Association partnered with the Administrative Office (AO) of the U.S. Courts' Office of Public Affairs to produce our first-ever live videoconference/webcast event. With Chief Special Master Campbell-Smith and Bar Association President Rob Stewart joined by a professional moderator in an AO studio, the one-hour program, titled "Meet the Office of Special Masters," allowed the court to introduce our two newest special masters - Nora Beth Dorsey and Lisa Hamilton-Fieldman - and to address a wide variety of Office of Special Masters (OSM) "hot topics" for a national audience. At the same time, the court offered the program to a local audience of 70 attorneys and court staff members in Courtroom 4, followed by a brownbag lunch. Our first effort was widely regarded as a success. The webcast was viewed by approximately eighty people in real time, and a video of the program is available on the court's [website](#).

Fall 2013 will bring personnel changes to the court. These changes are occasioned by the fact that the fifteen-year terms of the seven judges of the court appointed in 1998 have ended or will be ending this year. Two of our colleagues, Judge Christine Miller and Judge Lawrence Baskir, retired earlier this year, and on March 19, 2013, President Obama nominated two candidates to join the bench: Chief Special Master Patricia E. Campbell-Smith and Elaine D. Kaplan, General Counsel of the United States Office of Personnel Management. Upon Chief Special Master Campbell-Smith's confirmation, the court will hire a new vaccine special master to maintain our statutory maximum of eight. The current terms of the other five 1998 appointees conclude on October 21. If not reappointed or retired, they may be recalled by the Chief Judge as provided in the court's governing statute, 28 U.S.C. § 178.

Two events sponsored by the Bar Association will be highlights of the "new year" of 2013-2014. First, the Bar Association sponsors a breakfast and reception where new and returning judicial law

clerks of the court and OSM are welcomed and introduced, to be held this year at 9:00 a.m. on Wednesday, September 11 at Dolley Madison.

Second, please keep in mind - and on your calendar - the court's 26th Annual Judicial Conference to be held on Thursday, October 17, starting at 1:00 p.m. The substantive conference program will be held at the National Courts Building, in Courtrooms 201 and 203, where the court and OSM will each offer panels featuring members of the bench and bar addressing practice issues. The court and OSM will then meet together in Courtroom 201 for a panel presented by the Georgetown Law Center's Supreme Court Institute highlighting 2013 and 2014 Supreme Court jurisprudence with an emphasis on cases of interest to the court. The program will be followed by a reception at the National Museum of Women and the Arts. The museum, at 13th Street and New York Avenue, NW, is a short walk from the court.

* * *



Chief Judge Emily C. Hewitt and Simmie Knox

A final and personal word. I am among the 1998 appointees. Therefore, my term as a judge on the court and my service as Chief Judge conclude this year. I am most grateful to the Bar Association and its dedicated Board of Governors for your support of the court. And I thank you for your recognition of my tenure as Chief Judge with your presentation to the court of the portrait by Simmie Knox on April 4. I appreciate deeply the energy and generosity with which the Bar Association led my colleagues, law clerks, friends, and family in honoring me and - more permanently - the office of Chief Judge. Thank you.

With all best wishes,

Chief Judge Hewitt

President's Message

Dear Colleague:



Rob Stewart

The first half of 2013 has been a busy one for the Bar Association, with several notable events. Most recently, the Bar Association sponsored a groundbreaking videoconference/webcast Brown Bag program, "Meet the Office of the Special Masters." The program featured live video participation from four sites: In Washington, D.C., Chief Special Master Patricia Campbell-Smith, Moderator Patty Kim, and I were broadcasting from the studio of the Administrative Office of the U.S. Courts in the Federal Judicial Center; in Courtroom 4 of the National Courts Building, Chief Judge Hewitt was joined by the Special Masters, approximately 70 attorneys, and court staff; in Tempe, Arizona, faculty and students of the Arizona State University Sandra Day O'Connor College of Law participated; and in Chicago, Illinois, faculty and students of the Chicago-Kent College of Law participated. By all accounts, the broadcast was a success and

the webcast allowed practitioners from around the country to view the program. Based on this success, the Bar Association hopes to make future Brown Bag programs available by webcast.

The Bar Association also sponsored three other significant events this spring: The annual Law Day observance luncheon at the Willard Hotel, which featured Judge Ann Claire Williams of the U.S. Court of Appeals for the Seventh Circuit as the special guest speaker; a reception at the Dolley Madison House honoring the senior judges for their dedicated service to the Court; and a reception at the Dolley Madison House for the unveiling of the portrait of Chief Judge Emily Hewitt.

The second half of 2013 will feature the Bar Association's major event, the Judicial Conference. This year's conference will be a half-day program on October 17, 2013, at the National Courts Building. The first part of the conference will be a Supreme Court review led by Professor Irv Gornstein, the Executive Director of the Supreme Court Institute at the Georgetown Law Center. The second part of the conference will address pre-trial case management from the bar's perspective. Following the program, there will be an evening reception at the National Museum of Women in the Arts. Please check the Bar Association website, cfcbar.org, later this summer for more information.

Please note that July 15th is the deadline for submissions for the Carole Bailey Scholarship and July 29th is the deadline for submissions for the 2013 writing competition.

Finally, I want to thank Vo Johnson for his work as the Newsletter editor. This will be Vo's last newsletter and we are looking for a new editor to take over - please contact me if you are interested.

Best regards,

Rob Stewart, President
U.S. Court of Federal Claims Bar Association
president@cfcbar.org

Court Community Celebrates Law Day 2013



*Chief Judge Emily C. Hewitt and
Judge Ann Claire Williams*

On May 8, 2013, the Bar Association hosted a luncheon at the historic Willard InterContinental Hotel in Washington, D.C., in celebration of 2013 Law Day. The luncheon was attended by approximately one hundred fifty Bar members, judges and other distinguished guests. The theme for Law Day 2013 was "Realizing the Dream: Equality for All." The keynote speaker was the Honorable Ann Claire Williams, from the United States Court of Appeals for the Seventh Circuit. Judge Williams was appointed to the Seventh Circuit by President Clinton in 1999, and at that time became the first judge of color appointed to the Seventh Circuit and the third woman of color to serve on any United States Court of Appeals. Judge Williams has a long history of service to the judiciary, and her remarks to the Law Day attendees were both interesting and inspiring.

The Law Day program also included Chief Judge Hewitt's presentation of the Court's Loren A. Smith award to recently-retired Judge Lawrence M. Baskir. The award, which fittingly was created by then-Chief Judge Baskir in 2001, recognizes members of the Court's "family" for notable contributions to the advancement of the Court's mission.

Law Day was first proclaimed by President Dwight Eisenhower in 1958, at the urging of Charles Rhyme, then-President of the American Bar Association, setting aside the 1st of May of that year as the occasion to recognize our country's "great heritage of liberty, justice and equality under law." In his proclamation, President Eisenhower especially urged the legal profession to take a leading role in promoting and participating in this observance. In 1961, Congress, by joint resolution, officially designated May 1 for the celebration of Law Day.

Bar Association to Award Second Annual Law Student Scholarship

For the second year, the Bar Association is pleased to award at least one law student scholarship to honor Carole Bailey, former Chief Deputy Clerk of Administrative Services. The Association's Board of Governors voted to create the annual scholarship of up to \$5,000.00, to acknowledge Carole's longstanding commitment to public service, and to commemorate her tireless efforts in

working with and providing assistance to the Association. Carole has graciously agreed to help in the selection of the scholarship recipient. Applications are due by 11:59 p.m. on July 15, 2013. Rules and application instructions can be found on the Bar Association's website by [clicking here](#).

Deadline Extended for 2012-2013 Law Student Writing Competition

The deadline for submissions for the Bar Association's annual Law Student Writing Competition for the past academic year has been extended to 11:59 p.m. on July 26, 2013. The announcement and the rules for the competition can be found on our website by [clicking here](#).

The Law Student Writing Competition is central to the mission of the Bar Association: to promote public awareness of, and interest in, the United States Court of Federal Claims and its distinctive role in American jurisprudence. By conducting this competition, we hope to encourage legal scholarship directed at interesting topics that lie within the substance, procedure, or scope of the specialized jurisdiction of the Court. The winning entry in the competition will receive a \$2,000 cash prize and an opportunity to be published via the Association's website.

Bar Association Continues "Brown Bag" Series

The Bar Association's series of Brown Bag lunch programs continued recently with two successful events:

- On April 23, a program titled "The Outer Limits of Tax Jurisdiction in the USCFC" was held at the offices of Caplin and Drysdale in Washington, D.C. The program addressed various tax cases that do not fall within the traditional tax refund jurisdiction of the court. Approximately 25 practitioners and law clerks attended the program.
- On June 19, the court's Office of Special Masters, in collaboration with the Administrative Office of the U.S. Courts' Office of Public Affairs, presented a "Meet the Special Masters" program to a live audience of approximately 70 attendees. The program was simultaneously broadcast live to remote audiences at the Arizona State University Sandra Day O'Connor School of Law and the Chicago-Kent College of Law, and was also viewed via live webcast by approximately 80 additional remote audience members. In addition to an informative program introducing two new special masters and addressing topical issues related to the court's National Vaccine Injury Compensation Program practice, this Brown Bag program provided an opportunity for the court to highlight technology that is likely to be used increasingly in the future to facilitate the court's accessibility to practitioners nationwide.

Both programs included lunch provided by the Bar Association. The Association plans to schedule additional Brown Bag events later this year. Details about those programs will be emailed in advance to members of the Association, and will also be posted to the Association's website. The Bar Association invites you to take advantage of these interesting and informative programs - and tasty lunches!

Bar Looks Into Forming Young Lawyers' Group

The Bar Association is in the early stages of investigating whether to create a Young Lawyers' Division as a means of encouraging greater participation in the Bar Association's many activities. If you would be interested in participating in a Court of Federal Claims Young Lawyers' Division, have ideas that you would like to share, or an opinion as to whether our Bar should have a Young Lawyers' Division, please contact Altom Maglio at amm@mctlawyers.com or Ellen Lynch at ellen.lynch@usdoj.gov.

Find Us On Facebook

The Bar Association has a Facebook page where we will post the latest news, events and other important information. Click on the link below and when you get to our page click "Like" so you can stay informed.

[Find us on Facebook !\[\]\(f60b7a900783ac3fd531bfd9c111be6d_img.jpg\)](#)

Bar Leadership

Officers	Board of Governors	Honorary Governors
<p>President G. Robson ("Rob") Stewart</p> <p>President-Elect Lewis S. Wiener</p> <p>Secretary Mary Abate</p> <p>Treasurer Matthew Solomson</p> <p>Immediate Past President Luke Levasseur</p>	<p>Mark Barron William Bergmann James Boland John Burd John Fargo Don Grove Voris Johnson Ellen Lynch Altom Maglio Patricia McCarthy Edward Passarelli Kristine Tardiff</p>	<p>Honorable Emily C. Hewitt <i>Chief Judge</i> Hazel C. Keahey <i>Clerk</i> U.S. Court of Federal Claims</p>

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