



U.S. COURT OF FEDERAL CLAIMS BAR ASSOCIATION



E-Newsletter

Winter Edition | February 2014

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@cfcbar.org.

Upcoming Events



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Letter from the Chief Judge



*Chief Judge Patricia
Campbell-Smith*

Members of the United States Court of Federal Claims Bar Association, greetings, and welcome to my first letter as Chief Judge of the Court of Federal Claims. My first months as a judge have been characterized by a flurry of activity. Soon after my appointment by President Barack Obama on September 19, 2013, the Court, along with the entire federal government, faced the effects of the government shutdown. The Court was fortunate to be able to continue operations throughout, thanks to reserve funds made available by the judiciary; however, we were acutely aware of the hardships visited on members of our bar.

Immediately following the shutdown, on October 21, 2013, the President designated me to serve as the Court's Chief Judge. That afternoon, the Honorable Emily C. Hewitt presided over the Court's "passing of the gavel" ceremony. Among other distinguished guests, we were honored to be joined by then-President Rob Stewart and then-President Elect Lew Wiener, who welcomed me to my new role on behalf of the Bar Association.

Soon thereafter, on November 1, 2013, my colleagues and I were pleased to welcome to the bench a second new judge, Elaine D. Kaplan. Judge Kaplan joined the Court after serving as the Acting Director of the U.S. Office of Personnel Management.

One of my first official appearances as Chief Judge was to preside over my own investiture ceremony on November 25. Aware of my new role at our historic Court, I invited my predecessor chief judges to share remarks about our institution and our unique relationship with the attorneys admitted to our bar. I want to personally thank the many members of the Bar Association who attended the event and wished me well. It was a moving and celebratory event for me, my family, and my colleagues in the bench and bar. If you are interested in hearing the digital recording of the investiture proceedings, they are available for a limited time on the Court's website at <http://www.uscfc.uscourts.gov/campbell-smith-investiture>.

Soon thereafter, I had the honor of participating in the Court's cherished holiday traditions, including our Awards Ceremony and Holiday Party on December 19. Members of the bar joined the Court family to celebrate a year of milestones for many of our employees, including 45 years of government employment for Beryl Sanders, Judicial Assistant to Judge Margaret Sweeney, and presentation of the Lincoln Award to Nina Lawrence, the Office Administrator for the Office of Special Masters.

And now, looking forward. On February 25, 2014, the Court and the Bar Association are sponsoring the Court's 26th Annual Judicial Conference, and I very much hope to see many of you there. (You can learn more about the event by reading the article further along in this newsletter.) To begin the conference, I will deliver a "state of the Court" report, highlighting case trends and jurisdictional issues that I anticipate will be important in the coming year. I will also highlight some initiatives that I'm going to pursue in my first year as Chief Judge; initiatives that will focus on access to information about the Court and the work that we do.

Please stay tuned.

President's Message



Lewis S. Wiener

"To maintain and raise the standards of proficiency, integrity and ethics in the administration of justice before the United States Court of Federal Claims . . . to preserve and promulgate the heritage and tradition of the Court of Federal Claims . . . to promote broader community awareness and support for access to justice." Court of Federal Claims Articles of Incorporation.

It is my great honor to serve as the President of the Court of Federal Claims Bar Association for 2014. I have been affiliated with the Court and its Bar Association for 20 years, dating back to my days as a dark haired trial lawyer with the Department of Justice. I first served as the Bar Association's President in 2004 followed by my service as the Association's Treasurer and Secretary. My work with the Court and the Bar Association has been among the most gratifying professional experiences of my career. I hope it will become the same for each of you.

The quote above comes from the Bar Association's Articles of Incorporation and defines, in part, the Bar Association's mission. Put in my words, the Bar Association's job is to serve our members. How do we do that? Put people first, pursue excellence, embrace change, act with integrity and serve our community.

Our members are the Bar Association's life blood. In an era where we hear more and more about the lack of civility (and worse) in the legal profession, our Bar Association actively promotes civility, communication and collegiality among members of the private bar, the government bar and the Court. Our brown bag programs, publications, conferences and other activities reflect the viewpoints, contributions and participation of the three legs of the Bar Association's iron triangle: the Court, government practitioners and private practitioners.

The Court has experienced great change over the past year as long standing pillars of the court have retired, Chief Judge Patricia Campbell-Smith has taken over as the Court's 6th Chief Judge, we have welcomed Elaine D. Kaplan as the Court's newest Judge and Brian H. Corcoran as

the Court's newest Special Master. The Court and the Bar Association, as mature, forward thinking organizations, have embraced these changes while embracing and preserving the Court's great heritages and traditions. The Bar Association's Board of Governors and I welcome Chief Judge Campbell-Smith's leadership and look forward to working shoulder to shoulder with her, the other Judges of the Court, the Magistrate Judges, Clerk of the Court Hazel Kahey and members of the Court's administration to best support and serve the Court and our mutual constituents.

Participate, contribute, attend a program, join a committee, submit something for one of our publications, invite a colleague to join the Bar Association, let us know how we're doing. Send me your thoughts and comments to president@cfcbbar.org. The Board of Governors and I want to hear from you.

We are here to serve our members.

My best regards,

Lewis S. Wiener
President, Court of Federal Claims Bar Association

26th Annual Judicial Conference: February 25, 2014



Reception Site: National Museum of Women in the Arts

On Tuesday, February 25, 2014, the Court's 26th Annual Judicial Conference will take place at the National Courts Building at 717 Madison Place, NW, in Washington, DC. This year's conference is sponsored by the Court and the Court of Federal Claims Bar Association, in partnership with the Supreme Court Institute of the Georgetown Law Center.

As many of you will recall, this conference was originally scheduled to take place on Thursday, October 17, 2013; the Court and the Bar Association had to make the difficult decision to postpone the event in light of the looming government shutdown in the weeks leading up to the conference date. Fortunately, all of the conference partners, panelists, and vendors who were engaged to participate in October have rescheduled, and the conference program will proceed as originally planned.

The event will begin on Monday, February 24, at 4:00 p.m., with a Welcome Reception sponsored by the Vaccine Bar in Tayloe House. Judicial officers and staff of the Office of Special Masters will be available to mingle with vaccine bar members.

Also preceding the conference program is the inaugural meeting of the Court of Federal Claims Bar Association New Admittee and Young Lawyer Division. This meeting will take place on Tuesday, February 25, at 12:00 noon in Tayloe House.

The formal conference program will begin on Tuesday at 1:00 p.m. in Courtroom 201, with a welcome address by Chief Judge Patricia E. Campbell-Smith. Next will be two concurrent panels, one taking place in Courtroom 201 and the other in Courtroom 203:

- *Pre-trial Case Management: the Bar's Perspective*: The Honorable Thomas C. Wheeler will chair this panel, to feature discussion by Court practitioners regarding best practices in pre-trial case management. Presenting the "bar's perspective" and exchanging thoughts will be representatives of the government and private bar.
- *OSM Update & Best Practices in Presenting Causation in Fact Cases*: Two leading Vaccine Act practitioners will join Chief Special Master Denise Vowell and her colleagues to discuss "best practices" in this important area of vaccine law.

At 3:20 p.m., conference attendees will reconvene in Courtroom 201 for remarks from Lewis S. Wiener, Bar Association President, to be followed by the Supreme Court Review panel, sponsored by our conference partner, the Supreme Court Institute of the Georgetown Law Center. Chaired by Professor Irv Gornstein, Executive Director of the Institute, leading Supreme Court advocates and scholars will provide an "inside look" at recent key decisions of the Court as well as expected decisions for the remainder of the 2013-14 Term, with an emphasis on the cases of special interest to those who practice before the Court of Federal Claims.

The program at the National Courts Building will be followed by an evening reception starting at 5:30 p.m. at the neighboring National Museum of Women in the Arts at 1250 New York Avenue, NW, in Washington, DC. Select galleries will be open for viewing.

For up-to-the-minute information regarding the 26th Annual U.S. Court of Federal Claims Judicial Conference, please [click here](#).

New Admittee & Young Lawyers' Division (YLD)

Immediately preceding the commencement of the Judicial Conference on February 25, 2014, the New Admittee & Young Lawyers' Division will have an inaugural meeting at noon on the ground floor of the Tayloe House and elect a President, President-Elect, Governors, and Law Clerk Liaisons. To allow the potential leadership of the YLD the information necessary to select the initial leadership, please [click here](#) to complete the fillable .pdf form and e-mail to amm@mctlawyers.com. We will then distribute the completed forms to all interested. Please direct any questions or suggestions concerning the February 25th meeting to either Altom Maglio amm@mctlawyers.com or Ellen Lynch ellen.lynch@usdoj.gov. Please encourage anyone interested to attend the meeting and if they are interested in YLD leadership, please forward them the form.

Membership Dues Renewal



Notices for 2014 membership dues were e-mailed on January 24, 2014. Please note that dues are paid on a calendar year basis. If you are unsure whether or not your dues have expired or if you need to update your contact information please send a message to sandy@cfcb.org or call 202-220-8638.

11th Annual Law Day Observance Luncheon: April 28, 2014



The 11th Annual Law Day Observance Luncheon will be held on Monday, April 28, 2014 at 12:00pm at the Willard InterContinental in Washington, DC. The theme for Law Day 2014 is "American Democracy and the Rule of Law: Why Every Vote Matters." We are delighted to welcome Associate Attorney General Tony West as the keynote speaker. Registration will open in late February - stay tuned.

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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.



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