

# Amicus Curiae

Association of Retired Attorneys of Sarasota, Inc.



[www.retiredattorneyssarasota.org](http://www.retiredattorneyssarasota.org)

February 2022

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**Welcome New Member**  
Carl Greenberg

## NEXT MEETING

Friday, Friday, February 25  
at 12 Noon via Zoom.

### Officers

Stephen Sturm,  
*President*  
Richard Bruning,  
*Vice President*  
Benjamin I. Berman,  
*Treasurer*  
Michael Krasnow,  
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Richard Bruning  
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Elizabeth Spahn  
Judith Starr  
Stephen Sturm  
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### Newsletter Editor

Millie Collins/Joel Helmrich

### Administrative Assistant

Judy Dean

## February Speaker: George Peirce

### Topic:

## The Powers of War and Peace: The President, Congress and the Courts

This presentation will identify and analyze historical and current national security legal questions focused on the powers of war and peace constitutionally vested in the President and Congress, together with the role of the federal courts in the national security arena. It will include the application of pertinent constitutional and statutory provisions, such as the Declare War Clause and the War Powers Resolution, and federal judicial decisions to historical scenarios in assessing the roles of the three branches and their separate but sometimes overlapping powers.

**About George Peirce:** Before migrating to the Sunshine State in 2016, George served for over twelve years at the Pentagon as the Defense Intelligence Agency's General Counsel during ongoing counterterrorism and combat operations. More recently, he taught at Stetson College of Law as the Culverhouse Distinguished Practitioner in Residence, and is now a Senior Fellow at the Foreign Policy Research Institute.

Prior to DIA, George served for eight years in the Justice Department's Environment and Natural Resources Division, and for an additional year of active duty in the Army after 9/11 at the headquarters of the NATO Supreme Allied Commander Atlantic.

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Earlier in his career, George was in private practice in Washington, D.C., after beginning his legal labors as an Army judge advocate. He had a variety of assignments in the United States and overseas, including with the 1st Infantry Division – the Big Red One – and in the Office of the Secretary of the Army and at NATO headquarters in Belgium.

George is a graduate of West Point, Harvard Law School, the U.S Army War College, and holds an M.S. in Strategic Intelligence from the National Intelligence University. He has published articles on international law and given presentations at Oxford, Georgetown, Johns Hopkins, the National Defense University, and at the St. Petersburg Conference on World Affairs. George has been a proud member and participant in our Association for several years.

### **Judith Starr and Alternative Dispute Resolution in Administrative Programs**

Judith Starr has co-authored a report on federal agency use of alternative dispute resolution in administrative programs, published by the Administrative Conference of the U.S. on December 17, 2021. The report is available here:

[https://www.acus.gov/sites/default/files/documents/Final%20Report\\_ALTERNATIVE%20DISPUTE%20RESOLUTION%20IN%20AGENCY%20ADMINISTRATIVE%20PROGRAMS%20%28Dec%2017%2C%202021%29.pdf](https://www.acus.gov/sites/default/files/documents/Final%20Report_ALTERNATIVE%20DISPUTE%20RESOLUTION%20IN%20AGENCY%20ADMINISTRATIVE%20PROGRAMS%20%28Dec%2017%2C%202021%29.pdf)

The report addresses how federal agencies use different types of alternative dispute resolution in the programs Congress has entrusted them to administer, or “administrative program ADR” (as opposed to ADR for workplace and procurement). It considers six specific topics: the selection and implementation of the appropriate type of ADR; the qualifications and selection of agency ADR personnel; training of agency ADR personnel; ethics and confidentiality requirements for agency ADR personnel; ADR case management practices; and interagency mechanisms to facilitate ADR and support agency ADR personnel.

The authors conducted fieldwork from the fall of 2020 through 2021: administering a survey to agency ADR personnel, conducting interviews with agency ADR personnel and interagency groups, and reviewing the publicly available information on ADR for all 17 cabinet agencies and an additional 17 independent agencies. They also researched the literature on the topic areas and reviewed applicable professional standards in both the public and private sectors. This is the first time such research has been conducted on a federal government-wide scale.

Because of the wealth of talent and interesting lives led by our very diverse membership, we continue our series of stories focusing on the lives of our members. It is our hope to eventually cover every member.

### **“Amicus Personae” – D. Christopher Heckman** Member of The Association of Retired Attorneys of Sarasota

Chris Heckman and his lovely wife Anne moved to the Sarasota area (University Park) from Dallas – Fort Worth following their retirements in 2018. He was raised in St. Cloud, Minnesota, where they now spend summers at their home on the banks of the Mississippi River.

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After graduating from Tulane Law School in 1978, Chris moved to NYC to practice maritime law, primarily marine insurance. One of Chris's favorite memories of his days as a young maritime lawyer involved a missing commercial fishing vessel off the coast of South America. Chris travelled alone to Surinam to investigate and discovered that the vessel had been hijacked by pirates. Several witnesses believed that the pirates were based in Colombia and might still be harboring the ship and its crew there. Two hours after advising his NY partner that he intended to travel to Colombia, he received a call from the firm's managing partner. He was advised in rather colorful language that he was to return to NY immediately as hunting armed pirates was not part of his job description.

Following the Exxon Valdez grounding in 1989, Chris was offered a position as Exxon's first insurance coverage counsel. During a 30-year career at Exxon and ExxonMobil, Chris rose to the positions of General Counsel of ExxonMobil Risk Management and Senior Counsel to ExxonMobil Corporation at its global headquarters near Dallas.

While at Exxon, Chris was instrumental in obtaining \$100M's in insurance recoveries arising from Exxon and Mobil's global asbestos and environmental liabilities, among others. As general counsel for Exxon's captive insurer, at the time the largest in the world, Chris worked with other global insurers, including Lloyd's of London, in handling numerous non-US subrogation claims including the largest claim ever made in Norway. The Norwegian case, which arose out of the sinking of an offshore oil rig, was ultimately settled as part of a marathon mediation at a Norwegian beach resort. It was finally resolved during a 2 am, still-daylight beach stroll between Chris and the CEO of Norway's largest construction company. Another highlight of Chris's career was being a member of the small team of lawyers that successfully argued the Exxon Valdez punitive damages case before the US Supreme Court.

Chris now enjoys a calmer life, playing golf and tennis, boating and spending time with his 4 grandkids in the Minneapolis area. He is looking forward to getting to know the other members of ARAS.

## IT'S TIME TO PAY 2022 DUES

It's that time of year again. 2022 annual dues are due. We have been able to maintain the same \$55 amount for the past 7 years.

Please mail your dues payment of \$55 payable to the Association of Retired Attorneys of Sarasota, Inc. to Benjamin Berman, Esq., 4223 MacKay Falls Terrace, Sarasota, Florida 34243. We are pleased to accept your payment by check or through our online payment option.

***Make payments on our website for \$55 dues using PayPal or your credit/debit card.  
To make online payments at [www.retiredattorneyssarasota.org](http://www.retiredattorneyssarasota.org)***

**Please disregard this notice if you have already remitted your dues.**

### **Congratulations to our Board and Officers**

Congratulations to new Board member Elizabeth Spahn and to reelected Board members Ben Berman, Dick Bruning and Jim Case. They were elected by the membership for two year terms. Also, the following were elected as officers of the Association for one year terms: Stephen Sturm, President, Dick Bruning, Vice President, Michael Krasnow, Secretary and Ben Berman, Treasurer. Officers are elected by the Board of Directors. Thanks to all our Board members and Officers for ensuring our continued success. We look forward to another year of interesting speakers and valuable pro bono work in the community.

### **Ideas for Future Programs?**

The Program Committee is always receptive to ideas for future programs. If any member has a topic or a speaker to suggest, please contact Judith Starr at [jrstarr@tampabay.rr.com](mailto:jrstarr@tampabay.rr.com). Any member interested in participating in the Program Committee should notify Judith Starr, Chair of the committee. Her contact information is in our Directory.

### **NEWSLETTER SUBMISSIONS**

If you have items of interest to the members, please forward them to

Millie Collins at [milly4747@live.com](mailto:milly4747@live.com) or

Joel Helmrich at [jhelmrich1@gmail.com](mailto:jhelmrich1@gmail.com)