



Amicus Curiae

Association of Retired Attorneys of Sarasota, Inc.

www.retiredattorneyssarasota.org

December 2024

Table of Contents

Page	
1	December Program
2	About our Monthly Speaker
3,4	Amicus Personae Charles R. Wolf
5	Annual Meeting
5	Luncheon/Dues Info
6	Future Programs
6	Ideas for Future Programs
6	What Do Retired Attorneys Do?
6	Newsletter Ideas Welcome

NEXT MEETING

Thursday, December 19

12 Noon
At Marina Jack

Officers

James Case, Acting President
Benjamin I. Berman, Treasurer
Steven Berry, Secretary

Directors

Benjamin I. Berman
Steven Berry
James Case
Milly Collins
Joel Helmrich
Christina Schwinn
Stephen Sturm
Harold M. Zabin

Newsletter Editor

Steven Berry

Association Photographer

Diana Lynn

Administrative Assistant

Frank Sharpe

The Supreme Court's overturning of the Chevron Doctrine and its potential impact on federal agencies.

In the consolidated cases of *Loper Bright Enterprises v. Raimondo*, and *Secretary of Commerce and Relentless, Inc. v. Department of Commerce*, the U.S. Supreme Court overruled *Chevron v. NRDC*, the 1984 case that established the bedrock Chevron doctrine.

The underlying cases themselves addressed a narrow question of fishery management law: Whether the National Marine Fisheries Service's (NMFS) requirement that certain vessels pay for federal observers onboard their boats was consistent with the Magnuson-Stevens Act. But embedded in that focused question was a bigger methodological issue: Whether a court adjudicating that administrative law dispute could use the Chevron doctrine, which requires some deference to NMFS's interpretation, or whether the court should decide the question on its own. The D.C. Circuit and the First Circuit both relied on *Chevron U.S.A. Inc. v. Natural Resources Defense Council, Inc.*, 467 U. S. 837 (1984) and deferred to NMFS's interpretation of the Magnuson-Stevens Act.

In a 6-3 opinion, with the majority authored by Chief Justice Roberts, the Supreme Court vacated both of those cases and overruled Chevron. The Court held that Chevron was inconsistent with both the constitutional obligation of courts to say what the law is, and with the Administrative Procedure Act (APA). And the Court held that the stare decisis factors did not support retaining Chevron, which the Court described as grievously wrong from the outset. Going forward, courts "must exercise their independent judgment in deciding whether an agency has acted within its statutory authority." In dissent, Justice Kagan defended Chevron as "rooted in a presumption of legislative intent," and a "rule of judicial humility" that the majority has replaced with a "rule of judicial hubris."

Prof. Virelli will speak on the likely impact of *Loper Bright* on administrative law, including the potential increase in the number of challenges to agency action and the likelihood of success of those challenges.

About Our Speaker – Louis Virelli

Louis Virelli is a Professor of Law, teaching courses in Administrative Law, Civil Procedure, Constitutional Law, and the Separation of Powers. He has received the Dickerson-Brown Award for Excellence in Faculty Scholarship and the Branton Excellence in Teaching Award. Professor Virelli writes primarily in the areas of constitutional and administrative law. He is the author of **Disqualifying the High Court: Supreme Court Recusal and the Constitution (Univ. Press of Kansas 2016)** and a co-author of the casebooks **Administrative Law: Cases and Materials (Carolina Academic Press 8th ed.)** and **American Constitutional Law: Structure and Reconstruction (7th ed.)**. He authored two reports for the Administrative Conference of the United States (ACUS) on recusal of administrative adjudicators and served as the Reporter for ACUS's Model Rules of Representative Conduct. His articles have appeared in journals such as the North Carolina Law Review, the Wisconsin Law Review, the Alabama Law Review, the Illinois Law Review, the Washington & Lee Law Review, the Northwestern University Law Review Colloquy, the Iowa Law Review Bulletin, and the Administrative Law Review. He is a frequent commentator in the press on issues of constitutional and administrative law, and has appeared or been quoted in national platforms such as the New York Times, Washington Post, Wall Street Journal, NPR, and Court TV. Professor Virelli is a member of the American Law Institute, the immediate past president of the Southeastern Association of Law Schools, and a past chair of the Sections on Administrative and Constitutional Law of the Association of American Law Schools. He is also a former managing editor and a current columnist for the quarterly ABA publication *Administrative and Regulatory Law News*.

Immediately prior to joining Stetson, Professor Virelli served for five years as a trial attorney in the Civil Division of the United States Department of Justice in Washington, D.C. He graduated from the University of Pennsylvania Law School, where he was named best oralist in the law school's Keedy Cup Moot Court Competition and served as an Articles Editor on the University of Pennsylvania Journal of Constitutional Law. After law school, Professor Virelli clerked for Judge Franklin S. Van Antwerpen of the U.S. District Court for the Eastern District of Pennsylvania and Judge Leonard I. Garth of the Third Circuit.

Amicus Personae – Charles R. Wolf

Member of the Association of Retired Attorneys of Sarasota

A native of Chicago, Charles was born in that city in 1942, the only child of Robert and Rose Wolf. He grew up in the Edgewater neighborhood on the North side, where he attended Swift Elementary School and Senn High School. Sadly, his mother, Rose, passed away when he was 10. At age 6, Charles began taking piano lessons and soon developed proficiency; at 13, he started organ lessons and played his first church services at age 14.

In high school, Charles majored in English; he also studied foreign languages and was enrolled in ROTC. After he graduated in January 1960, he found temporary clerical work at a large Chicago bank. In September 1960, he enrolled at Northwestern University in Evanston, where he majored in English and U.S. History and also took Education courses to obtain a high school teaching certificate. During summer breaks, he worked for a now-defunct Chicago newspaper, the Chicago American. Charles graduated from Northwestern with a B.A. in 1964.

As the draft board was about to call him in September of 1964, Charles chose to enlist in the U.S. Army, where he was trained as a Counterintelligence Agent. He served in duty stations at Fort Worth, Texas, and Vicenza, Italy. He traveled through much of Western Europe. After separation from the Army in 1969, he traveled to Greece, Turkey, Iran, and Israel.

Upon returning to the United States, Charles found work as an advertising writer with Wieboldt's Stores. In 1970, he entered Northern Illinois University for graduate studies in Education. There, he studied History and Philosophy of Education and graduated with a Master's degree in Education in 1972.

There being a scarcity of teaching positions in the U.S. in 1972, Charles accepted the offer of a position in New South Wales, Australia. He was posted to a high school in Moree, New South Wales. In the following year, he moved to a private high school in Bankstown, a suburb of Sydney.

Charles resigned from his teaching position in late 1975 and then traveled extensively in Asia, the U.S.S.R., and Europe. He returned to the United States in mid-1976 and joined his father and stepmother in Sarasota, Florida, where he did substitute teaching and took temporary jobs. A year later, he returned to Chicago and taught in a private school for disturbed and delinquent adolescents.

In 1979, Charles was accepted into a doctoral program in Education at Loyola University-Chicago. His doctoral research took him on a fellowship to Rome, Italy, where he remained for 18 months before returning to Chicago. While completing his studies in Chicago, he also worked as a Program Associate at the Spencer Foundation, a research-funding organization. Charles completed his dissertation and earned a Ph.D. in Education in 1984.

Pursuing an academic career, Charles accepted a visiting professorship at Northern Illinois University in 1986. A year later, he found a position at a small private college in Joliet, Illinois, but two years afterward, his contract was not renewed. During his time at the college, he met and married Georgiana Doll, an adult student.

In search of employment, Charles found work in 1990 as a writer and editor of educational materials at a small publishing house in suburban Chicago. That job lasted until 1995, when the company closed its editorial department. Upon the advice of an old friend who had a small law practice in Chicago, Charles took the LSAT examination and enrolled in September 1995 at Chicago-Kent College of Law.

While attending Chicago-Kent in the Night division, Charles worked in the daytime in the Information Technology department of an insurance company in downtown Chicago. In 1998, he left the insurance company and went to work as a clerk in the Chicago law offices of Murphy and Murphy. Charles completed his J.D. in 1999.

After some vacation and study time, Charles was admitted to the Illinois State Bar in the spring of 2000. He soon found a position as an associate at Heller and Richmond in Chicago. There, he learned bankruptcy law, which he had not studied in law school. For that purpose, he was admitted to the Federal bar in the Northern District of Illinois.

After two years at Heller and Richmond, Charles moved to a better position at the Chicago office of a Milwaukee-based law firm that was seeking to expand. A year later, the firm ran into financial difficulties and most of the legal staff, including Charles, resigned.

In mid-2003, Charles rented an office near his home in Joliet, Illinois, and opened a solo law practice. After the inevitable startup struggles, his practice began to succeed; he served clients in the areas of Bankruptcy, Probate, and Real Estate for the next eleven years. He also did appearances for other firms, and he once published an article on that type of practice in a law journal. Eventually, he acquired a clerk and an associate attorney.

But in late 2014, Charles learned that his stepmother in Florida, now widowed and alone, was in poor health and needed assistance. Reluctantly, he closed his practice and moved to Florida in 2015; thus, "Charles R. Wolf and Associates" (sic) was no more. He has remained retired since then and refrains from law-related activities; but he still plays the organ in church.

**Notice of Annual Meeting of the
Association of Retired Attorneys of Sarasota**

The annual meeting of the Association of Retired Attorneys of Sarasota will be held at twelve o'clock noon on January 31, 2025 at Marina Jacks in the upstairs function room. At that time, elections will be held for vacant board seats and the president will report on the status of the organization.

Luncheon & Dues Payments

Please note that the dues for 2025 will increase from \$55 to \$65. The 2025 dues are payable by December 31, 2024. If payment of 2025 dues is received on or before December 31, 2024 the dues will be reduced to \$60.

You may make current 2024 payments on our website at the bottom of the page:
\$28 for lunch and/or \$60 for dues using PayPal at
www.retiredattorneyssarasota.org

Or you may mail a check for the luncheon payment of \$28 payable to the
Association of Retired Attorneys of Sarasota, Inc.

Please send to: Ben Berman, 4223 MacKay Falls Terrace, Sarasota, FL 34243

We are pleased to accept your payment by check or through our online payment option. Please get your luncheon payment to Ben prior to Wednesday of the luncheon week. After that Wednesday, no refunds can be given since the venue will have been notified of your intention to attend.

Please note the following dates for the next luncheons:

Thursday, December 19, 2024
Friday, January 31, 2025
Friday, February 28, 2025
Friday, March 28, 2025

Future Programs

Date	Topic	Speaker
Thursday, December 19, 2024	Professor at Stetson School of Law and will speak on "Overturning the Chevron Doctrine".	Louis J. Virelli III

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 Harold Zabin at hpzabin@aol.com or Jim Case at JamesWCase1968@gmail.com.

Any member interested in participating in the Program Committee should contact Harold Zabin or Jim Case at the addresses above.

What Do Retired Attorneys Do?

We are soliciting items, which can be as short as one paragraph if you like, talking about a past-time of yours that may be of interest to our membership. Please send your idea to retiredattorneysofsarasota@gmail.com

We look forward to hearing from you!

NEWSLETTER SUBMISSIONS

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

Steve Berry @ sberry@berryplc.com