

DOWNLOAD PDF NOMINATION OF BETH NOLAN, TO BE ASSISTANT ATTORNEY GENERAL FOR THE OFFICE OF LEGAL COUNSEL

Chapter 1 : REAPPOINTMENT OF A RETIRED JUDGE TO THE COURT OF FEDERAL CLAIMS

Nomination of Beth Nolan, to be Assistant Attorney General for the Office of Legal Counsel: hearing before the Committee on the Judiciary, United States Senate, One Hundred Fifth Congress, second session on the nomination of Beth Nolan, of New York, to be Assistant Attorney General for the Office of Legal counsel, Department of Justice, July 9,

Your question arises from work that the Civil attorney performed in connection with an employment case that she handled in and The work occurred before her service as an attorney with the Civil Division began in March In the case in question, the Civil attorney represented an employee of the Department of Commerce who challenged his separation from the Department pursuant to a reduction in force. Following the unsuccessful appeal to the Board, the Civil attorney "provided no further representational services to her former client after January See Braden Memo at 1. The retainer agreement covers only the proceedings before the Board. As the Civil attorney has explained, "[t]he retainer agreement. Request for an Ethics Opinion at 2 n. In all, the attorney performed Braden Memo at 1. The attorney states that the retainer agreement authorized her "to seek fees from the defendant pursuant to the fee shifting statute should the matter settle or should plaintiff prevail. Braden Memo at 2. Proposed Nomination at 2 Jan. In her own submission to our office, the Civil attorney has disputed the conclusion that 18 U. As a result, she contends that her situation differs from the typical contingency fee case, "wherein the attorney seeks to recover a percentage of the ultimate monetary award. Here, she contends, she seeks only to "recover on a quantum meruit basis fees at a fixed hourly rate for identifiable hours worked in We do not address whether 18 U. Section , among other things, prohibits any officer or employee of the executive branch from "receiv[ing]. The more difficult question under the statute is whether the payment of fees to the Civil attorney from such an award would be "in consideration of assistance in the prosecution of such claim. A proper resolution of this question requires us to determine the meaning of the statutory phrase "claim against the United States. That is, the fee petition would constitute the relevant "claim. The statute further provides that the adjudication of the fee petition shall be made by the same decision makers that determine the liability issue, and that the award shall be made "in the interests of justice,"id. The provision states that for certain employment claims, the fee petition should be governed by the provisions of 42 U. The reference in 5 U. There, however, the lawfulness of the payment depended on establishing that the employee had "eliminated his interest in the claim" against the United States by turning his interest into a non-contingent right to recover from his succeeding counsel. A payment to her thus would be a share of a claim against the United States. For privacy reasons, material has been redacted from this opinion that might identify the Civil Division attorney. We note that Professor Bayless Manning, in his treatise on the criminal conflict of interest laws, recognized that the phrase "claim against the United States" should be construed with due consideration of the fact that a claim that the United States government had improperly discharged one of its employees could give rise to a variety of monetary and non-monetary remedies from among which the plaintiff would be free to select. He explained that "even the narrowest conception" of claim against the United States, a conception that would require a claim to be accompanied by a demand for money, "may cause difficulties" in such cases because of the ties between rights and remedies for the violation of those rights. Federal Conflict of Interest Law at Thus, Professor Manning stated that it was an open question whether even a claim that did not include a demand for money should be deemed a "claim against the United States" so long as it could lead to such a demand.

DOWNLOAD PDF NOMINATION OF BETH NOLAN, TO BE ASSISTANT ATTORNEY GENERAL FOR THE OFFICE OF LEGAL COUNSEL

Chapter 2 : Beth Nolan Explained

Beth Nolan (born August 21, in New York City) is a vice president and general counsel of the George Washington calendrierdelascience.com was Bill Clinton's final White House Counsel.

Along with Webster Hubbell and Vince Foster , she had helped Ira Magaziner prepare an affidavit explaining why hewas not required to reveal who had participated in the formulation of the failed Clinton health care plan. United States District Court judge Royce Lamberth called the affidavit a lie, although an appellate courtheld Magaziner had acted in good faith - after her nomination had failed. Her appointment on August 10, as White House Counsel did not require Senate confirmation, and she began in September. In March White House contractors testified that the email previously produced in response to these subpoenas had omitted probably thousands of responsive emails. Technical employees had discovered in June that the automated records management system had incorrectly scanned and logged the emails, possibly since The testified further that White House staff had cautioned them against disclosing this problem to anyone, on pain of dismissal or even prosecution. White House Counsel Nolan testified March before the committee and a skeptical chairman Dan Burton that it would take Northrop Grumman contract personal 6 months to restore the data. She also said that to the best of her knowledge she knew of no evidence that anyone in the White House had attempted to conceal this noncompliance, nor that she or her office had been told of allegations of threats. She had a broad-based federal and international practice focuses on strategic counseling, congressional investigations, internal investigations and compliance, government and legal ethics, federal election law, constitutional and public policy issues, international claims, and other matters. In February she published a letter to members of the United States Congress , signed jointly with several legal scholar s former government officials arguing that an NSA electronic surveillance program was unlawful. She said the administration might lose such a claim. At the GWU law school she had taught constitutional law. In she represented, along with a great many others, Blackwater Worldwide a private military company. The climate of opinion among politicians and the public at large jeopardized its contracts toprovide security for State Department personnel in Iraq. During the presidential election she contributed the maximum allowed to the Hillary Clinton campaign. Removing Conflicts from the Administration of Justice: References Los Angeles Times, August 20, New York Times, August 20, Washington Post, January 29, ; June 8, George Washington University website, http: Truth, Justice and the American Way. GW Magazine Law Issue. It uses material from the Wikipedia article " Beth Nolan ". Except where otherwise indicated, Everything.

Chapter 3 : Catalog Record: The nomination of James K. Robinson to be | Hathi Trust Digital Library

She worked at the Office of Legal Counsel in the United States Department of Justice from to and served as acting Assistant Attorney General from to ; she was twice nominated to the post in the Obama Administration.

Chapter 4 : Beth Nolan - The Full Wiki

Nolan served in the White House counsel's office as an ethics advisor during the first term, then moved on to the Justice Department's Office of Legal Counsel. Clinton nominated her in to be the assistant attorney general in charge of that office, but the Senate has never acted on the nomination.

Chapter 5 : Office of Legal Counsel | Revolv

Unsuccessful nominee to be Assistant Attorney General of the United States for Office of Legal Counsel (The Senate never voted on the nomination) [6] White House Counsel Fellow, Institute of Politics, Kennedy School of Government [4

DOWNLOAD PDF NOMINATION OF BETH NOLAN, TO BE ASSISTANT ATTORNEY GENERAL FOR THE OFFICE OF LEGAL COUNSEL

].

Chapter 6 : United States Assistant Attorney General - Wikipedia

Nomination of Beth Nolan, to be Assistant Attorney General for the Office of Legal Counsel: hearing before the Committee on the Judiciary, United States Senate, One Hundred Fifth Congress, second session on the nomination of Beth Nolan, of New York, to be Assistant Attorney General for the Office of Legal counsel, Department of Justice, July 9.

Chapter 7 : Office of Legal Counsel

Assistant Attorney General Office of Legal Counsel Beth Nolan Todd D. Peterson During the tenth year of each term of office of any such judge, his nomination.

Chapter 8 : Nolan to Become 1st Female White House Counsel - latimes

Deputy Assistant Attorney General Office of Legal Counsel 1 The statute states that a "senior judge" shall perform certain judicial duties requested by the Chief Judge of the court.

Chapter 9 : Beth Nolan - Wikipedia

She served as deputy assistant attorney general from to in the Office of Legal Counsel, U.S. Department of Justice, and was in the White House as associate counsel to the President from to