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MAGAZINE



Victor L. Miceli

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RIVERSIDE LAWYER

MAGAZINE

C O N T E N T S

Columns:

3 **President's Message** *by Harlan B. Kistler*

COVER STORY:

14..... **Tributes to the Honorable Victor L. Miceli**
by Judge Virginia A. Phillips, Justice James D. Ward (Ret.)
and Jane Carney
Photographs by Michael J. Elderman

Features:

7..... **The RCBA Elves Program –**
Nine Years and Still Growing
by Brian C. Percy

8..... **Donate Your Latte, Save a Lawyer**
by Jennifer Boylston

10..... **Spas for a Cause**
by L. Alexandra Fong

12..... **A Tradition of Giving**
by L. Alexandra Fong

18..... **All Creatures Great and Small**
by Richard Brent Reed

19..... **Volunteer Center**
by Roberta Neff

21..... **Volunteer Opportunities in Our Area**

22..... **Jack Clarke, Jr. Honored with the Krieger**
Meritorious Service Award
by Commissioner John W. Vineyard

23..... **Judicial Profile: Hon. Daniel A. Ottolia**
by Donna Thierbach

25..... **Opposing Counsel: John Michels**
by L. Alexandra Fong

27..... **RCBA Proposed 2011 Budget**

Departments:

Calendar 2

Membership 28

Classified Ads 28

MISSION STATEMENT

Established in 1894

The Riverside County Bar Association, established in 1894 to foster social interaction between the bench and bar, is a professional organization that provides continuing education and offers an arena to resolve various problems that face the justice system and attorneys practicing in Riverside County.

RCBA Mission Statement

The mission of the Riverside County Bar Association is to:

Serve its members, and indirectly their clients, by implementing programs that will enhance the professional capabilities and satisfaction of each of its members.

Serve its community by implementing programs that will provide opportunities for its members to contribute their unique talents to enhance the quality of life in the community.

Serve the legal system by implementing programs that will improve access to legal services and the judicial system, and will promote the fair and efficient administration of justice.

Membership Benefits

Involvement in a variety of legal entities: Lawyer Referral Service (LRS), Public Service Law Corporation (PSLC), Tel-Law, Fee Arbitration, Client Relations, Dispute Resolution Service (DRS), Barristers, Leo A. Deegan Inn of Court, Inland Empire Chapter of the Federal Bar Association, Mock Trial, State Bar Conference of Delegates, and Bridging the Gap.

Membership meetings monthly (except July and August) with keynote speakers, and participation in the many committees and sections.

Eleven issues of Riverside Lawyer published each year to update you on State Bar matters, ABA issues, local court rules, open forum for communication and timely business matters.

Social gatherings throughout the year: Installation of RCBA and Barristers Officers dinner, Annual Joint Barristers and Riverside Legal Secretaries dinner, Law Day activities, Good Citizenship Award ceremony for Riverside County high schools, and other special activities.

Continuing Legal Education brown bag lunches and section workshops. RCBA is a certified provider for MCLE programs.

MBNA Platinum Plus MasterCard, and optional insurance programs.

Discounted personal disability income and business overhead protection for the attorney and long-term care coverage for the attorney and his or her family.

Riverside Lawyer is published 11 times per year by the Riverside County Bar Association (RCBA) and is distributed to RCBA members, Riverside County judges and administrative officers of the court, community leaders and others interested in the advancement of law and justice. Advertising and announcements are due by the 6th day of the month preceding publications (e.g., October 6 for the November issue). Articles are due no later than 45 days preceding publication. All articles are subject to editing. RCBA members receive a subscription automatically. Annual subscriptions are \$25.00 and single copies are \$3.50.

Submission of articles and photographs to Riverside Lawyer will be deemed to be authorization and license by the author to publish the material in Riverside Lawyer.

The material printed in Riverside Lawyer does not necessarily reflect the opinions of the RCBA, the editorial staff, the Publication Committee, or other columnists. Legal issues are not discussed for the purpose of answering specific questions. Independent research of all issues is strongly encouraged.

CALENDAR

NOVEMBER

- 9 Solo & Small Firm Section Meeting**
RCBA – John Gabbert Gallery – Noon
Chapman University School of Law Presentation-
“Update on the Status of Legal Employment Market”
- PSLC Board**
RCBA Boardroom – Noon
- RCBA Board of Directors**
RCBA Boardroom – 5:00 p.m.
- 10 Mock Trial Steering Committee**
RCBA Boardroom – Noon
- CLE Brown Bag Series**
RCBA, John Gabbert Gallery – Noon
Speaker: Dr. Jeremy Hunter
“Working Harder and Accomplishing Less:
How to Get Off the Stress Treadmill –
Dealing with Stress to Avoid Impairment of
Professional Competence – Part II - ”
(MCLE – 1 hr Substance Abuse - Mental Health)
- Federal Bar Association, Inland Empire Chapter**
George E. Brown, Jr. Federal Courthouse – Noon
– 1:30 p.m.
“ADR Options in the District Court”
(MCLE)
- 11 Veterans’ Holiday**
(RCBA Offices Closed)
- 15 CLE Brown Bag Series– Default Judgments**
Speakers: Michael Cappelli, Kim Garcia &
Mindy Joslin of the Riverside Superior Court
RCBA, John Gabbert Gallery – Noon
(MCLE)
- 16 General Membership Meeting**
90th Birthday Celebration for Judge Rich
RCBA, John Gabbert Gallery – Noon
- Joint RCBA/SBCBA Landlord-Tenant Law Section**
Cask ‘n Cleaver, Riverside
6:00 p.m. – 8:00 p.m.
Speaker: Edward Tredar, Esq.
“Foreclosure Crisis and Its Effect on the Unlawful
Detainer Process”
(MCLE)
- 17 Estate Planning, Probate & Elder Law Section**
RCBA, John Gabbert Gallery – Noon
“Who Needs Trust Accounting?”
(MCLE)
- 19 CLE Brown Bag Series**
Brown Bag with the Judges
RCBA- John Gabbert Gallery – Noon
(MCLE)
- 25 & 26 Thanksgiving Holiday**

DECEMBER

- 1 Environmental Law Section Meeting**
RCBA – John Gabbert Gallery - Noon
(MCLE)
- 8 Solo & Small Firm Section Meeting**
RCBA – John Gabbert Gallery – Noon
(MCLE)
Speaker: Honorable Sherrill Ellsworth
- 9 Joint RCBA/SBCBA General Membership Meeting**
Noon – San Bernardino Hilton
Speaker – State Bar President William Hebert
(MCLE)



by Harlan Kistler

The board of the Riverside County Bar Association (RCBA) wishes to thank all of the judges, commissioners, attorneys (and accompanying family members), court staff and RCBA staff who organized a spectacular tribute to our beloved retired Judge Victor Miceli. For many attorneys, including myself, Judge Miceli was the first judge we encountered as we were sworn in as new attorneys. He gave us a professional “father to son” discussion about what it truly means to be a lawyer. We were fortunate enough to observe him with admiration over the years, as he moved mountains in our community with his passion and extraordinary effort, leaving it a better place with his stunning achievements. The RCBA has been truly blessed with numerous attorneys who have significantly impacted our community. This leads into this month’s theme, which is “Giving Back.”

All of us have donated our time, energy and money to help our family, friends and community. The RCBA has a number of affiliated organizations that provide an opportunity for attorneys to give back to the community and also to enhance their professional image.

Our Public Service Law Corporation (PSLC) brings together indigent persons in civil cases with volunteer attorneys who provide legal advice and some direct representation to those who would otherwise be unable to participate fully in the legal process. The RCBA and PSLC staffs provide facilities, clerical staff and support so that the volunteer attorney can focus

on lawyering. This is a great experience and great training for young attorneys.

Likewise, our Mock Trial and Elves Programs provide direct contact with the community. The Mock Trial Program has been tremendously successful at the state and national level due to the quality and dedication of our volunteer RCBA attorney coaches. This program has greatly increased the image of our profession in our Riverside community. The annual Elves Program provides dinners and gifts to needy families at Christmas time. We encourage all of our members to become involved in these laudable services to the extent that your available time permits.

There are other worthwhile charitable organizations worth mentioning. Heifer International (heifer.org) has a common-sense approach to assisting the disadvantaged by training and educating individuals and communities in developing countries to be self-sustaining by setting up small agriculture-based businesses that yield enough profit to pay for the necessities of life. For example, Heifer International will provide two milk cows to a family, rather than continually providing food or money. The cows will sustain the family by providing milk, which will be converted into yogurt and cheese, and the excess milk products will be sold to customers, thereby establishing an ongoing agricultural family business.

Riverside City Mission (riversidectymn@aol.com) is a program in downtown Riverside that cares for the homeless in our community. The Mission provides meals, clothes, job training and spiritual guidance for those who are struggling with life. This is a hands-on organization that has been operated by dedicated volunteers, such as Jackie Davis, for many years.

Habitat for Humanity (habitat.org) provides decent, affordable housing to families to confront poverty housing and strengthen families all over the world. Volunteers assist in building the homes for needy families. As Winston Churchill reputedly said, “We make a living by what we get, but we make a life by what we give.” Our continued participation in charitable organizations and our interactions with nonlawyers will influ-

ence the public's perception of all lawyers. The noble profession of law can provide a life of both success and significance!

I believe that the RCBA attorneys are some of the most generous and giving professionals I have ever known. Over the many years that I have been practicing law, I have observed that whenever a special event, fundraiser, or other circumstance arises, members of the legal community have stepped up in full support. I hope to see many of you at our monthly membership meeting on Tuesday, November 16 at noon, as we celebrate Judge Rich's 90th birthday. Also, the joint RCBA/SBCBA general membership meeting is December 9th at noon, at the San Bernardino Hilton. The speaker will be State Bar President William Hebert.

This year, the RCBA board will be brainstorming new ideas to improve the benefits of RCBA membership, including CLE credits, mentoring, and social networking, as well as leadership and marketing opportunities. To that end, the RCBA is instituting a program allowing members to access the Los Angeles County Bar Association (LACBA) Real Property Section's CLE programs. RCBA members can attend these CLE programs by webcast or audio at the same cost as LACBA members. We hope to expand the program to include other practice areas over time.

The RCBA board has also established our first Mentorship Program this year. The program pairs mentors and protégés in a specific field of legal practice. The commitment will last one year, and the protégés will be ushered into Barristers and Leo A. Deegan Inn of Court programs to promote collegiality, friendship and professionalism between new attorneys, experienced attorneys and the judiciary. I encourage those who would like to receive some mentoring to please call Charlene Nelson at the RCBA office at (951) 682-1015.

Finally, law practices are built on relationships. The board is planning a few casual events termed "booze and schmooze," at which attorneys can informally "hang out" and talk to their colleagues and mentors about how to market and build a business. Members can also learn how to become better practitioners by exchanging valuable information and resources.

I invite you to contact me by phone or email if you have any fun suggestions for a "booze and schmooze" event. I also hope to see you at Judge Rich's birthday celebration.

Harlan B. Kistler, president of the Riverside County Bar Association, is a personal injury attorney for the Law Offices of Harlan B. Kistler.



THE RCBA ELVES PROGRAM – NINE YEARS AND STILL GROWING!

by Brian C. Pearcy

Would you like to experience the true joy of giving during the holiday season by helping out a local family in need? You and your family are invited to come join your fellow bar association members and participate in the RCBA Elves Program this holiday season.

Since 2002, the Elves Program has assisted needy local families that have had a difficult time providing anything more than the bare essentials to their children for Christmas. Back then, we were able to help 6 families (17 children and 7 adults) living in some of the poorest areas of Riverside County. With the continued generosity of the RCBA, its members, and the community, this program has grown tremendously. Last year, we exceeded our goal of assisting over 30 families when your Elves assisted over 200 people (38 families, consisting of 140 children and 65 adults). We delivered holiday joy to individuals in Mira Loma, Corona, Hemet, Moreno Valley, Perris, Lake Elsinore, Riverside, and the Coachella Valley.

Depending on your time, talents, and interests, we have four Elf categories for you and your family to participate in:

Shopping Elves: On our designated shopping day and time, the Shopping Elves will meet at the Big Kmart on Alessandro Boulevard in Riverside's Orange Crest Shopping Center. As a Shopping Elf, you will receive a Christmas "wish list" from the children of your adopted families. Your job is simple – fill your basket with as many gifts as possible within the dollar amount allotted. This is a real opportunity to test or show off your value-shopping skills. Many of our Shopping Elves have made this a family affair, using younger members to assist in selecting the "cool" gifts for the kids while learning about the value of charity. This is a great way to experience and teach the joy of giving to the less fortunate.

Wrapping Elves: After the Shopping Elves finish their job, the Wrapping Elves will meet in the RCBA boardroom (on two evenings to be announced) and wrap the gifts purchased in the days before. Excellent wrapping and organizational skills are welcomed, *but not required*. Wrapping Elves must ensure that all the gifts are tagged and assembled by family for easy pickup and distribution by the Delivery Elves. Experience has shown that even the biggest Grinch will get into the holiday spirit by becoming a member of the wrapping team. Their motto is: "The more the merrier!"

Delivery Elves: If you are referred to in your office as a cold-hearted Scrooge and need a way to kick-start the warm holiday glow inside and out, this is it! Depending on the total number of families we are able to adopt, teams of two to four Delivery Elves per family are needed to personally deliver the wrapped gifts to our families. The deliveries will be made

between the 19th and the 24th of December. To accommodate the Delivery Elves' personal schedules while efficiently distributing the gifts to the varied household locations, you may be assigned to deliver to more than one family in the same geographic area.

While delivering gifts to the families is potentially time-consuming, many members have expressed that this was by far one of the most rewarding experiences. When signing up, please inform us whether you will be willing to drive and what type of vehicle you have. This will allow us to match the number and size of gifts to the storage area available in your vehicle.

Money Elves: We need you! The Money Elves provide the means necessary for the other Elves to shop, wrap and deliver to the families we adopt. You can really help us by sending in your donation check early (by December 10 is ideal) to help us identify the number of families we can help by shopping night. However, donations will be accepted through December 20, since the money that comes in not only helps purchase gifts from Kmart, but also allows us to purchase gift cards from Stater Brothers so the families can buy the fixin's for a nice holiday dinner. Obviously, the more money raised, the greater number of families we can help and the greater the number of wishes our Shopping Elves can fill. (We will even continue to accept donations after the 20th – the money received will be applied to any last-minute add-on families, or will be saved for next year.)

Please make your checks payable to the RCBA and put the words "The Elves Program" in the memo section of the check. (The RCBA is a section 501(c)(6) nonprofit corporation, Tax I.D. No. 952561338.) We thank you for your holiday generosity in advance.

To become a Shopping, Wrapping, Delivery or Money Elf, please phone the RCBA at (951) 682-1015 or email your name and desired Elf designation(s) to one of the following: Charlene Nelson (charlene@riversidecountybar.com), Lisa Yang (lisa@riversidecountybar.com), Brian Pearcy (bpearcy@bpearcyllaw.com) or Veronica Reynoso (vreynoso@bpearcyllaw.com). By contacting us via email, you will help us notify and update each of you via email on a timely basis.

To those who have participated in the past, thank you, and to those who join us for the first time this year, we look forward to meeting you. Don't forget to "Tell a friend!"

Brian C. Pearcy, president of the RCBA in 2002, is Chair of the giving-back Elves Program.



DONATE YOUR LATTE, SAVE A LAWYER!

by Jennifer Boylston

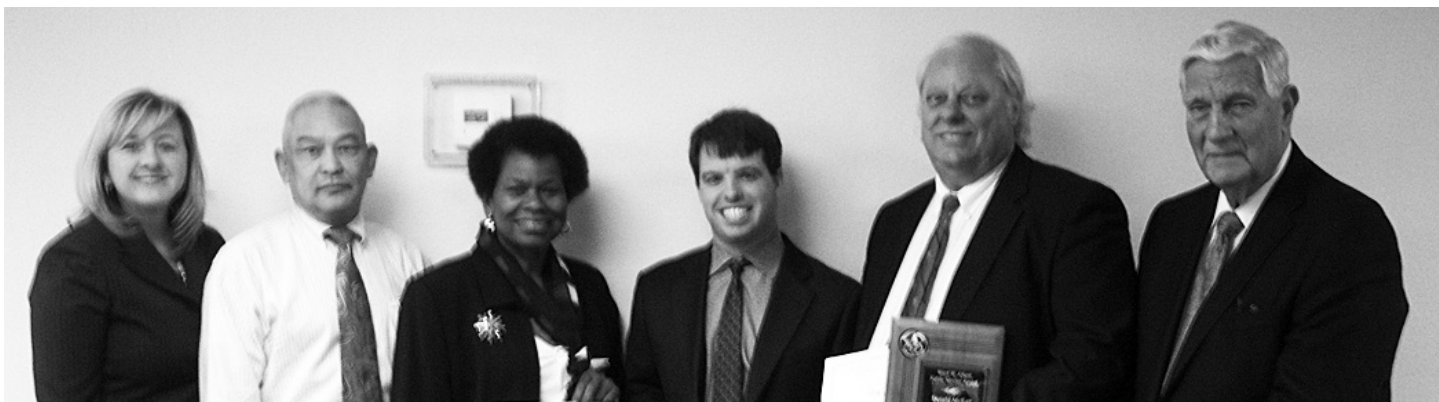
In this time of Thanksgiving, it would only be appropriate and, in my opinion, necessary to count our blessings and give thanks. All of us have been given gifts, talents, skills and knowledge that we use on a regular basis in our various practices. These gifts and talents give us homes, school tuition for our children, cars, and other creature comforts that we all have grown to enjoy. (I, for one, adore my Droid phone, and without it and its valuable contents, I would be almost unable to function.) As attorneys, wives, husbands, mothers, fathers, aunts and uncles we are often pulled in various directions at the same time. Driven by a need to complete the various tasks set out for us during each day, we move forward, trying to balance all of our obligations to our families and our workplaces. So with all of the hustle and bustle of maintaining balance, how can we, as attorneys – counselors of the law – give back to our community?

It is my belief that each of us has not only a unique opportunity to give back, but is obligated to do so. Like a surgeon practicing a specialty, so are we attorneys in our unique practices. I am fortunate enough to have the opportunity to work with a group of attorneys who regularly give of their time, lending their skills and knowledge to those who need them most. I envisioned in my mind how wonderful it would be if each attorney in the Riverside County Bar Association donated two hours of his or her time per year in one of the clinics run by the Public Service Law Corporation (PSLC). That would total approximately 1980 pro bono hours of time, which would be more volunteer hours than the PSLC has had over the course of the past three years. Two hours per year is such a small amount of time – almost insignificant, if we examine it from the perspective that there are 8,760 hours in a calendar year, so that to donate two hours would be dedicating only 0.0002% of your whole year to pro bono

service. I spend more time over the course of a year waiting for my latte in the Starbucks drive-thru line.

Your donation of service benefits the client and yourself, but it also benefits your fellow attorneys. I can say with a high degree of certainty that most of us dislike or even dread having a case where the opposing party is in pro per. Pro per litigants are often unreasonable, difficult to communicate with, and almost impossible to convince to settle; in some cases, through no fault of their own, they can turn a seemingly simple case into a nightmare. By donating your latte time, you will be able to sit down with that pro per client, instruct him or her on how to proceed in court, filter through and discard the reams of irrelevant declarations, exhibits and attachments, and advise that client on how to achieve the best outcome. That client now leaves feeling prepared and informed. This greatly increases the chances that when this same pro per litigant goes to court, he or she will be easier to work with, will file the correct and complete forms that you reviewed, and will be more willing to listen to and negotiate with opposing counsel. Therefore, your latte time effectively helps spare your fellow counsel and the bench from unnecessary litigation and waste of time and resources, and facilitates the settlement of cases.

This year, I wanted to mention those who have given their latte time a hundred times over to our organization. I wanted to specifically thank my board of directors for being incredibly supportive of the work we do at the PSLC. A special thank you goes out to board members Ward Simmons and Judith Runyon. Although they both resigned this year, we appreciate all the hours of time they have donated over the past several years. We also welcomed two new board members this year, Joseph Ortiz and, recently, the Honorable Virginia Phillips. Thank you both for your commitment to



Recipients of the State Bar's Wiley Manuel Award (left to right): Diane Singleton-Smith, Edward Hu, Katie Greene, Christopher Buechler, Donald McKay, Ralph Hekman



Donald McKay, recipient of the Ward W. Albert Public Service Award

pro bono service. The PSLC is very grateful and fortunate to have a dynamic and involved board of directors.

Our volunteers, as I mentioned, are the reason that the PSLC is even able to function. I am so thankful to them for all that they do each year. We have several California State Bar Wiley Manuel Award recipients this year whom I would like to

mention. These attorneys all volunteered 50 or more hours of pro bono time in the past year through the PSLC: Christopher Buechler, Katie Greene, Ralph Hekman, Edward Hu, Donald McKay, Chris Morosoff, Neelam Rangi, Diane Singleton-Smith, and Jennifer Thompson.

In addition, I wanted to recognize our Ward W. Albert Public Service Award recipient for this year, who is Donald McKay. This award is reserved for an attorney who goes above and beyond in donating pro bono services. This is a discretionary award and does not need to be given each year as a matter of course, but this year, I couldn't think of a more deserving recipient. Donald McKay has donated 152 pro bono hours this year so far. In addition to that, he works at a very reduced fee rate in our Guardianship and Conservatorship Programs through our Indio office. I am told that Don never takes a break, never complains, and has to be force-fed a lunch by my dedicated paralegal out in Indio. As a newer attorney (three whole years of practice under my belt!), I am inspired by Don's work, his heart, and his service to others.

We have so many volunteer opportunities here at the PSLC. In addition to our largest clinic, family law, we are developing a self-help Chapter 7 bankruptcy program, we have expanded our Guardianship and Conservatorship Programs, and we have partnered with the Inland Empire Association of Latino Lawyers and the superior courts of two counties to begin a criminal records expungement project. Our clients need your talent, your knowledge, your skills, and your advocacy. Use the gifts we have been given for those who need it most; even the smallest gesture can change the course of so many lives. Donate your latte time to save a lawyer today!

Jennifer Boylston is the Program Director and Staff Attorney of the Public Service Law Corporation.



SPAS FOR A CAUSE

by L. Alexandra Fong

Throughout the year, members of the Riverside County Bar Association contribute to the community and to the RCBA. Another way to contribute to RCBA is by purchasing discounted gift certificates for use at local day spas through "Spas for a Cause" and selecting RCBA as the cause to support.

It is easy to purchase a gift certificate via the internet. Simply visit the website at <http://www.spasforacause.com>. Enter "Riverside County Bar Association" as the cause you wish to support. At that point, you will see several RCBA options to choose from (the RCBA general fund and funds under the names of various RCBA employees and/or board members). Then select the city in which you wish to use your gift certificate. In Riverside, there are two day spas at which the certificate may be used: Serenity Day Spa, located at 7001 Indiana Avenue, Suite 7, and Health Rhythms Day Spa, located at 6281 Brockton Avenue, Suite 5. Both are located within the heart of Downtown Riverside.

For the discounted fee of \$59, the purchaser receives a package of four spa visits, which are approximately 30 minutes each, including the preparation time, which is usually 5 to 10 minutes. Each visit must take place on a different day. At Serenity Day Spa, the package includes a Serenity Signature Facial, Massage (Swedish, deep tissue, or pregnancy), Aveda Hair Experience or Manicure, and a Body Salt Glow. At Health Rhythms Day Spa, the package includes a Bare Back Treatment or Body Wrap, a Facial, a Massage, and a Microdermabrasion Facial Treatment or Gentle Enzyme Exfoliation.

The gift certificate is valid for six months from the date of purchase and may only be used by one person. The certificate is for new clients only, which means that if you or the intended recipient is a pre-existing client, you may not be able to use this certificate; in that event, of course, it is advisable to contact the particular spa to determine whether it will honor the certificate for existing clients.

Once your information is placed on the mailing list for Spas for a Cause, you may receive notices that would allow you to purchase additional certificates at a reduced rate with a valid promotional code. For example, in August 2010, a colleague received an email from Spas for a Cause offering a discount to \$49 per certificate; if three certificates were purchased, the cost was reduced to \$39 per certificate.

There are other spas located within Riverside and San Bernardino Counties that participate in this opportunity. It is a great way to support your local county bar association and makes a great gift for the holidays or any time of the year.

L. Alexandra Fong, a member of the Bar Publications Committee, is a deputy county counsel for the County of Riverside. She has purchased gift certificates from Spas for a Cause to support the RCBA. She does not endorse any particular spa or program.



YOU ARE INVITED TO SPA FOR A CAUSE!

The Riverside County Bar Association is having a Day Spa fundraiser for its giving-back programs, such as Mock Trial, the Elves Program, Good Citizenship Awards for high school students, Adopt-a-School Reading Day, and other RCBA community projects.

We have made it easy for you to shop online and support us!

Enjoy \$300 of Spa Services for only \$59.

(\$15-\$20 of every \$59 purchase goes back to our cause)

- 1.) Each Spa Card entitles the recipient to 4 visits at a spa near them.
- 2.) Go to the website www.spasforacause.com and select/click on "pick a fundraiser." Type in Riverside County Bar Association.
- 3.) Select/click on "pick a spa" and type in your address or city for the spa nearest you or your recipient. The spa cards will be sent via email within 48 hours, Monday through Friday.

Thank you for continuing to support the RCBA and its giving-back programs.

A TRADITION OF GIVING

by L. Alexandra Fong

Each year, the Riverside County Counsel's office participates in multiple opportunities to provide assistance, in the form of school supplies, food, and gifts, to the local community. Coordinated by the Riverside County Department of Mental Health, these opportunities occur in the later part of each calendar year.

The Fill a Backpack campaign occurs during the summer. Each year, the Department of Mental Health provides a list of school supplies needed to fill backpacks for disadvantaged children in the community. Any department within the County of Riverside may participate, as well as any other individuals or businesses. In the County Counsel's office, this campaign has previously been handled by Rochelle Mahosky (Paralegal) and is currently handled by Maria Dusek (Legal Support Assistant).

The Thanksgiving Basket campaign occurs during the fall. In October of each year, County departments receive a list of items to fill a Thanksgiving basket for a needy family. Items requested include rice, potatoes, assorted vegetables, stuffing, beans, bread, cereal, a family board game and a gift certificate for a ham or turkey. In the

County Counsel's office, this campaign is also handled by Maria Dusek and Rochelle Mahosky.

The Snowman Banner Project begins in November and continues until early December. It provides holiday gifts to children who are receiving, or whose family members are receiving, services from the Department of Mental Health. The Department of Mental Health delivers a snowman banner, filled with snowflake requests from the children, to each department that is interested in participating. Employees select a snowflake from the banner and fulfill the wish of that child. Requests have included portable CD players, MP3 players, comic books, makeup, jewelry, clothes, gift cards, sneakers, art supplies, movie tickets, and books. Many children request items for their siblings, rather than themselves. The snowflake is then attached to the unwrapped gift and arrangements are made with the Department of Mental Health to collect the holiday gifts. In the County Counsel's office, this campaign is currently handled by L. Alexandra Fong (Deputy County Counsel).

All three campaigns are open to individuals and companies not affiliated with the County of Riverside. For additional information about these opportunities, please contact Lorie Lacey-Payne or Luz Negrón, by telephone at (951) 358-6858, by email at llaceypayne@co.riverside.ca.us or lnegrón@co.riverside.ca.us, or by mail at Riverside County Department of Mental Health, Parent Support & Training Program, 9707 Magnolia Avenue, Riverside, CA 92503.

L. Alexandra Fong, a member of the Bar Publications Committee, is a deputy county counsel for the County of Riverside.



TRIBUTES TO THE HONORABLE VICTOR L. MICELI

Judge Victor Miceli, born in April of 1928, passed away on September 19, 2010, at the age of 82. Following are tributes by a few of his colleagues.

Tribute by Judge Virginia A. Phillips, U.S. District Court, Central District

I remember Vic Miceli as a giant among men.

He was a giant because of the magnitude of his vision and because of the size of his heart and the depth of his compassion. Not least, he was a giant because of how hard he worked and the immensity of what he accomplished.

One tribute to the magnitude of his vision is the presence of our two federal courthouses here in downtown Riverside, the United States District Court and the United States Bankruptcy Court. Without Judge Miceli's vision, tenacity and a certain unrivaled capacity to combine charm with steely persuasion, the 4.2 million people in Riverside and San Bernardino Counties would still be making the arduous trek to the Central District's divisions in Los Angeles and Santa Ana when they have business before the court, as grand and trial jurors, when testifying as victims of federal crimes, when investigating or testifying as federal law enforcement agents, when litigating civil matters, and when they or their family members are otherwise involved in federal cases.

Vic Miceli was a giant in our community because he had a giant heart, one full of compassion and kindness toward everyone who entered "his" courthouse. When I went to work there with him in 1991, I soon realized he knew by name every other person who worked in the courthouse, whoever they were and whatever their job. And to no group who entered the courthouse were this compassion and respect extended more consistently than jurors. I learned so many enormously important lessons from Vic about judging, but the lesson I hold dearest was how to treat the men and women who serve as jurors. Jurors in his courtroom knew that they were the most important persons there. They knew that their time was respected, that trials were going to start on time every day and were going to finish on or before the date he



The Honorable Victor L. Miceli

promised them, that the lawyers were going to behave in a civilized fashion, and that they, the jurors, were going to be treated with respect as the intelligent and vital members of the legal system they are. Jurors loved him. They felt their service was meaningful and rewarding. Judge Miceli impressed on me, by his example as well as by the practical advice he gave me about presiding over jury trials, how much one judge could do to give jurors that sort of experience. I can never thank him enough for what he taught me.

Finally, Vic Miceli was larger than life because of how hard he worked and how much he accomplished. And with

all he did, he never lost a fundamental sense of balance between the importance of work and service to the community and the importance of commitment to family.

One of the ways we try to assuage our sorrow when we lose someone, especially when he suffered as Vic did in his last days, is to tell ourselves he is at rest. It's hard to think of Vic Miceli at rest. Maybe a long nap. I think of Vic, with his boundless energy, walking around in heaven now, checking out the place, looking at the working conditions of the seraphim and cherubim, and tossing an arm around St. Peter while making a few suggestions to him about the hinges on the pearly gates, and a little restoration here and there if he could just put in a word or two with the old fella in charge of the budget. I am sure heaven will be a better place now he's there.

Tribute by Justice James D. Ward (Ret.), Court of Appeal, Fourth District

With the passing of Vic Miceli, a sensation of sadness is inevitable. But we should not dwell on the sadness we all feel at this time. There is just too much to rejoice over in Vic's life to let the sadness overwhelm us. Think about it – each time we see Riverside's courthouse, probably the most beautiful in the California, we are looking at a monument to Vic. How many people who have gone before us can you name who have left behind such a monument?

Those of us who worked closely with Vic know there is an even greater monument to him – I speak of the

Justice Center in Riverside, our remarkable collection of judicial institutions. Much credit has been given to Vic, Jane Carney and me in developing the Justice Center. However, the surviving two of this Gang of Three, sometimes known as the “Unindicted Co-conspirators,” will without hesitation tell you Vic was the leader, the quarterback, the inspiration for what we did.

The memories I love the most about Vic Miceli are not the monuments, great as they are, but the way he went about building them. Never have I met a person who was more adept at building relationships. When you talked to Vic, he talked about you and your family, not about himself. He had so many friends in town I suggested to him that we not walk and talk on Main Street because he was always stopped by friends who wanted to chat. He was a master of gentle, and sometimes not so gentle, persuasion. He never aspired to political office, but he was one of the most politically astute people I have ever known.

Vic was a master at convincing people to his causes. I will never forget the day he called me to the courthouse, where he induced me to climb a ladder, push aside a ceiling panel and shine a flashlight up on the glorious, yet to be restored, dome in Department One. I was an instant volunteer in the effort to restore the courtroom and eventually the whole building. That was the way he worked – he got people involved. That was the beginning of two decades of working together, a relationship so close that we sometimes communicated not just daily but hourly. Often when we met, I would ask, “Okay Vic, what have you got for me to do today?” And like hundreds of others in his army of volunteers, I would do my best to accomplish our goals.

Sometimes in our weekly strategy breakfasts at the Mission Inn, where Jane, Vic and I would contemplate a dozen projects, I would advise some restraint in what we aspired to. But Vic would have none of it. He was always upbeat, confident and looking at the glass as half full, not half empty. Vic and I did many serious things together, but we always did it with fun. He never took himself too seriously.

The word mentor is sometimes used too casually. I don’t use it casually here. There was nothing casual about Vic being my mentor judge at the superior court – that was the court’s official designation. Without doubt, there is a parallel here with the legal community and Riverside at large. He was a mentor for all of us. Vic taught us to seize opportunities and to be creative in accomplishing good things. He taught us not to be discouraged by setbacks and not to give in to naysayers. Simply put, he taught us to envision a better community and to believe in a better future. I only wish he could have taught me



Judge Vic Miceli and his wife Bernice



Judge Miceli and Justice John Gabbert

not be overcome with sadness when it came time to say goodbye.

Tribute by Jane Carney, RCBA Past President

After the glowing and accurate tributes given to Vic at his memorial service on September 28, 2010, I’m not sure I have anything new to add. We all knew the same Vic – ceaseless in energy and in optimism, deeply concerned about people, a force for good outcomes for his community. I apologize that what follows is not unique, but to me, it’s a wonderful story about a wonderful man.

Vic Miceli, Jim Ward, and I first met up in 1989 to deal with the mural in the criminal courts building. Vic asked the Riverside County Bar Association to raise the money for a work of art in the entryway of the new court building, which was then under construction. I was the President of the Bar Association that year, and I certainly did not know that my predecessor had already said “no”

to this proposal. I, to my great good fortune, said that a committee outside of the Bar Association could do this. Jim Ward volunteered, I volunteered, several other lawyers and an artist volunteered – and Vic masterminded it. We designed a process, received proposals, looked at the artwork, met with a shortlist of artists, raised the money, and commissioned the project, and it all came out swimmingly. It was fun. We felt we'd done a good thing. And Vic, Jim, and I discovered that we worked well together.

Then, still during my term as President, the battle for a federal courthouse in Riverside was launched by a member of Congress from Orange County who introduced federal legislation to create a new federal judicial district consisting of Orange, Riverside, and San Bernardino Counties, with the court to be located in Orange County. On behalf of the RCBA, I wrote a letter saying that we did not support the creation of this new judicial district. Of course, I had no idea that the letter of objection would prevent a committee hearing on the bill, make Riverside a favorite with the then-Chief Judge of the Central District, put Riverside in the middle of the discussion about federal court services outside of downtown Los Angeles, and initiate what turned into a ten-year effort to bring not only a federal district court but several other courts to downtown Riverside as well.

Where would that effort have been without Vic Miceli? It probably would have died an early death. It certainly never would have had the scope of a Justice Center. Vic was indefatigable. We don't know what it takes to get a federal building? We can figure it out. A new federal district courthouse in downtown L.A. is ahead of us in line and it's controversial – maybe the county will build the building and rent it to the Central District? Set up a Courts Committee with city and county representatives (and the three of us). Get top city and county staff to attend, as well as elected officials. Get the county to agree to a great proposal to get the federal court here. Prepare materials. Go to

L.A. (repeatedly) for presentations and informal meetings. Assist the Bankruptcy Court in a move to Riverside (and then the chief clerk of the Bankruptcy Court became the chief clerk of the Central District – that was helpful). Division Two of the Fourth District Court of Appeal needs a new location? No problem. There is a deadly shooting outside the old (ridiculous) Family Law Court? A new facility with adequate security is needed. All of these things, with many more ups and downs, were like energy drinks to Vic. The tougher the problem looked, the more energized he was.

But when Vic's optimism and determination really blew me over was the morning he announced to Jim and me that he wanted to start on the renovation of the historic courthouse. There was some funding



Judge Miceli at the Evergreen Cemetery



Join us in remembering Judge Miceli for his contributions to the community.

Become a part of his dream for Evergreen Memorial Historic Cemetery. Donate today at www.evergreen-cemetery.info

available from a surcharge on filing fees in Riverside County, but it wasn't enough. In addition, the renovation of an old building brings costly surprises. To my shame, I reminded Vic of the rhetorical question found in the Bible: "For which of you, intending to build a tower, does not first sit down and estimate the cost, to see whether he has enough to complete it?" Well, Vic was wiser than that rhetorical question, and, even more amazing, he convinced the Board of Supervisors to begin the renovation without knowing either the full cost or the source of the funds. Of course, Vic shepherded that project on a day-by-day basis, following every last detail. And the outcome? I believe that he made everyone associated with that project very, very proud, maybe even thinking it was the best thing they'd ever done. Such a wonderful building, restored with loving care.

I think this was Vic's secret – he made people happy to work with him. The work itself was a joy, and one always knew that Vic would stay with it to the end. Here was a man who served on the board of the Riverside Law Library for over 25 years. He was not a quitter. Whatever dedication a project required from Vic, one always knew that Vic would give that dedication.

Perhaps most importantly, Vic truly cared about other people, and they knew it. Jim Ward and I used to laugh about trying walk down the Main Street Mall with Vic. He'd be stopping to talk to at least every other person who came by. Since Vic's death, I've heard from so many people to whom Vic showed kindness – people I didn't know even knew Vic.

Victor Miceli was a giant of a human being. His good and selfless work will remain a vital part of Riverside for at least a hundred years. Not many people accomplish that. The kindness and concern that he showed to virtually everyone he met will live in their hearts – including mine.



In front of the Victor Miceli Law Library (left to right): Joseph Myers, Judge Michele Levine, Judge Charlie Field, Judge Vic Miceli, Justice Carol Corrigan, Judge Robert Spitzer, Robert Dunn, Gayle Webb

Photographs courtesy of Michael J. Elderman

The Riverside County Bar Association and the Riverside Superior Court would like to thank the following entities/individuals for their generous donations toward the reception honoring Judge Vic Miceli:

Best Best & Krieger, LLP
Federal Bar Assn - IE Chapter
Girardi & Keese
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Judge Virginia Phillips
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ALL CREATURES GREAT AND SMALL

by Richard Brent Reed

How to Win Friends and Influence Animals

The Mary S. Roberts Pet Adoption Center is a great place to hang out with friends – the quadrupedal kind. It's a pleasant place, clean and inviting, where furry faces and wagging tails await a touch of attention from adoring humans. The Roberts Center at 6165 Industrial Avenue, just off Jurupa between Palm and Van Buren, is a pet adoption facility where they – well – facilitate pet adoption. There, compassionate people (who can spare \$10 for the official T-shirt) can volunteer for a variety of tasks, among them:

- Dog exercising;
- Cat socializing;
- Dog washing (no cat washing);
- Staffing the Pet Behavior Helpline;
- Fundraising and special events.

A few of the Adoption Center's special events include Comedy Night, Pet Pictures with Santa, and the famous annual Walk with the Animals. Being around animals relieves stress and promotes health. In Pet Assisted Therapy, volunteers have the rewarding experience of taking animals to shut-ins at rest homes or to patients in psychiatric units. Then, there is the Chuck Waggin' Pet Meals program, where packages of pet food are distributed to housebound elderly and disabled people.

The Center is a haven for cast-off creatures and a half-way house for pets on their way to new owners; all of the animals are adopted

out. No one is ever euthanized – not even the volunteers.

Contact Jackie Lamirande at (951) 688-4340, ext. 306, or go to www.petsadoption.org.

To Serve Man

If feeding human critters is your preference, try Calvary Presbyterian Church: that's the beautiful, gray, Gothic structure near the corner of Magnolia and 14th Street in downtown Riverside. Almost every Sunday evening, the church opens up its facility to feed Riverside's homeless in the community room on the lower street level. Down-and-out folks sit at long tables to be served a hot meal by the bustling volunteers. After the customers have been waited on, the volunteers can eat, too. Be sure to wear some comfortable shoes and your best smile, and don't be surprised if one of your fellow waiters is an attorney or one of the volunteers from Temple Beth El.

If you want to help set the places, dish up the victuals, or take food to the tables, get there around 5 p.m., but don't volunteer to help out in the kitchen. There's a former judge in there who has that handled.

Calvary Presbyterian is located at 4495 Magnolia Avenue. Phone (951) 686-0761.

Richard Brent Reed, a member of the Bar Publications Committee, is a sole practitioner in Riverside.



***Congratulations to
Robyn & Jonathan Lewis
on the birth of their triplets:
Hayden, Henry & Noah***

July 19, 2010

by Roberta Neff

Many of our Riverside County neighbors are facing serious problems that are often greatly increased during the holidays. Many have little to be thankful for this Thanksgiving and little to be hopeful for this Christmas.

If you are a young father facing eviction because you lost your job, where can you turn? How do you provide a home for your kids, let alone a Santa Claus?

If you are elderly, frail, and alone, confined to your bed in a long-term care facility, and you aren't being fed or cared for properly, where can you turn? Will anybody visit you at Christmas?

If you are a young teenager or a vet returning from the war in Iraq who is facing the deepest despair and contemplating suicide, where can you turn? Do thoughts of the holidays sink you deeper into despair?

All of these people and many others turn to the Volunteer Center of Riverside County. And YOU can help brighten their holidays by calling the Volunteer Center.

The Volunteer Center has been in operation for 43 years, serving all people throughout Riverside County.

The programs administered through the Volunteer Center include:

- **HELPLine**, an around-the-clock suicide prevention hotline for people in very dire situations who need someone to reach out to for counseling and guidance, or just to reassure them that they are not alone.
- The **Shared Housing** program, which can provide financial assistance and counseling to those in danger of being evicted.
- The **Volunteer Connection**, which connects volunteers with organizations in need of volunteers.
- The **Nonprofit Resource Center**, which provides education and assistance in governance, grant writing, and much more to hundreds of nonprofit organizations and their boards.
- The **Alternative Sentencing** program, which provides behavior-modifying education to people who have

committed crimes – intense, meaningful courses that prevent jail service and help lessen the overcrowded jail system.

- The **Senior Ombudsman** program, which sends trained representatives to every skilled nursing facility in the entire county on a regular basis to monitor the quality of care of the residents and to investigate complaints or abuse.
- **Call 2-1-1**, a 24-hours-a-day, 7-days-a-week hotline that people can call to find resources for health and human service needs such as food, housing and utility payment help.

Some of the Volunteer Center's most significant accomplishments during the past year include:

- HELPLine provided counseling to over 6,700 hotline callers who were facing the depths of despair, either contemplating suicide or confronting other challenging crises.
- The Shared Housing program provided over \$158,000 in financial assistance to families facing eviction or foreclosure and assisted 379 elderly people in finding housing by matching them with people who had housing to share.
- The Volunteer Connection matched over 1,500 volunteers with volunteer opportunities throughout Riverside County. We also hosted the annual Riverside County Volunteer Recognition Banquet, honoring over 100 volunteers from different agencies.
- The Nonprofit Resource Center hosted more than 650 people, representing more than 200 other nonprofit agencies, at educational conferences, workshops, and funders' forums.
- The Alternative Sentencing Program helped more than 13,000 individuals learn to manage anger and provided other positive approaches to difficult problems. This includes more than 700 youth who had been court-ordered to complete our special TEMPO

and AWARE programs about the perils and consequences of drunk driving and substance abuse.

- Call 2-1-1 specialists assisted over 76,900 people in finding resources for things such as housing, food, and help with paying utility bills.
- The 2-1-1 staff is 75% bilingual and has access to an interpreter call bank representing up to 140 languages. During an emergency, 2-1-1 is the go-to number for emergency information, such as road closures and evacuation information, in Riverside County.
- The Senior Ombudsman program helped over 10,136 frail and elderly people living in long-term care facilities by monitoring their quality of care and investigating allegations of abuse. The Volunteer Center staff are often the only visitors the residents see. The ombudsmen are extensively trained for 45 hours in how to work with the facilities and determine the needs of the residents. So far this year, they have opened 507 complaints, of which 19 were for abuse. A critical point is that residents are often unable to help themselves or speak for themselves, and 85% of them do not have contact with any people outside of

facility staff unless visited by the Ombudsmen. The Ombudsmen are their voice. The Ombudsmen's purpose is to advocate for residents and to resolve complaints to their satisfaction. Their goal is to ensure that all residents have dignity and a good quality of life while living in these facilities.

The Volunteer Center of Riverside County has been able to maintain its programs, providing all of its services at the same high quality, despite the severe economic situation of the past couple of years. Its mission statement says it all – “Linking people in need with those who can help.”

To find out how you can help during this holiday season, dial 211 or call Kyra Wilson at (951) 329-4733. There are many ways to help, including participating in holiday feeding programs, donating toys for children or gifts for the elderly, adopting families or facilities, sharing your talents, such as by playing music at a residential care facility or a teen group home, and numerous others. You really can brighten the lives of your neighbors this holiday season. Please volunteer!

Roberta Neff is the Chief Executive Officer of the Volunteer Center of Riverside County



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VOLUNTEER OPPORTUNITIES IN OUR AREA

'Tis the season for giving thanks and giving back. Riverside County has numerous volunteer opportunities throughout the holiday season and all year round. For those who are able, please consider contacting one of the organizations below and donating. Whether it is time, money, or something else, every little bit helps.

Program	Contact Information
Volunteer Center of Riverside County: Matches up volunteers with various charitable programs throughout Riverside County	www.vcrivco.org
Riverside County Animal Services: Needs volunteers to help at shelters and various adoption events for homeless animals	www.rivcocha.org
County libraries: Libraries throughout Riverside County need volunteers for various tutoring programs	Please contact the library nearest you
Big Brothers Big Sisters	www.bbbsa.org or (760) 568-3977
Riverside Meals-on-Wheels	(951) 683-7151 or www.mealcall.org
ICAP: Needs donations for their annual program, which provides holiday meals to needy families	programs@icaponline.org
Toys for Tots	www.toysfortots.org
Festival of Trees: Annual fund-raiser by the Riverside County Regional Medical Center Foundation, held the week of Thanksgiving at the Riverside Convention Center	(951) 486-4213



JACK CLARKE, JR. HONORED WITH THE KRIEGER MERITORIOUS SERVICE AWARD

by Commissioner John W. Vineyard

Jack Clarke, Jr. was honored with the Riverside County Bar Association's James H. Krieger Meritorious Service Award on September 30, 2010. The award, which is the highest honor bestowed by the RCBA, was presented at the annual Installation Dinner at the Mission Inn. The officers of the RCBA and Barristers were formally installed at the same dinner.

The RCBA established the Meritorious Service Award in 1974 to recognize those lawyers and judges who have, over their lifetimes, accumulated outstanding records of community service. The award, later named for James H. Krieger, has since been presented to James Wortz, Eugene Best, Arthur Swarner, Arthur Littleworth, Justice James Ward, Fred Ryneal, John Babbage, Patrick Maloy, Ray Sullivan, Justice John Gabbert, Jane Carney, Judge Victor Miceli, Justice Manuel Ramirez, Kathleen Gonzales, Terry Bridges and James Heiting.

There is no formula for selection of the award recipients, but the nomination committee has traditionally considered candidates who demonstrate leadership in both the legal community and the greater community. Jack Clarke is a prime example of that balance, excelling in his profession and in service to his community.

As a partner at Best Best & Krieger, Jack is preeminent in his field, representing educational institutions throughout the state. He has been recognized twice as one of the 100 most influential lawyers in California. He has been a leader in the legal community as president of the African-American Attorneys Association of the



Jack Clarke, Jr.

Inland Empire and an active member of the Riverside County Bar Association and the Leo A. Deegan Inn of Court.


Jack's leadership extends beyond the legal community. He has devoted his time and energy to making Riverside a better place to live

for all of its citizens as president of the Raincross Group and chair of the Greater Riverside Chambers of Commerce. His leadership was most evident in the way he helped the city heal during very trying times as chair of the mayor's 1999 Use of Force Review Panel.

The Krieger Meritorious Service Award is not presented every year. Instead, it is given only when the extraordinary accomplishments of a particularly deserving individual come to the attention of the nomination committee. Jack Clarke's service to our community is a source of pride for all RCBA members.

John W. Vineyard, president of the RCBA in 1999, is the chair of the Krieger Meritorious Service Award Committee.





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JUDICIAL PROFILE: HON. DANIEL A. OTTOLIA

by Donna Thierbach

The best thing about writing judicial profiles is that I get to meet some pretty interesting people. Judge Daniel Ottolia was born in Buenos Aires, Argentina and immigrated to the United States with his parents and brother when he was six years old. At that time, Argentina was bankrupt and jobs were nonexistent. Immigrants were welcome in the United States, so his father relocated the family to Pasadena, California to accept a job at Burroughs Electronics Company. When Judge Ottolia arrived in Pasadena, he only spoke Spanish.

Judge Ottolia's family remained in Pasadena until he was in high school, when they moved to Orange County. He attended Estancia High School, where he mostly concentrated on his grades, but still found the time to participate in swimming and water polo. In the meantime, his father attended night school and became an engineer. Like many of us attorneys, Judge Ottolia did not like working with numbers, so he knew he did not want to follow in his father's footsteps and pursue engineering. Rather, he enjoyed civics and history and already thought he might enjoy the practice of law.

After graduation from high school, Judge Ottolia was accepted at UC Berkeley and UC Irvine. Although attending Berkeley sounded exciting, he decided to attend UC Irvine so he could remain close to his family and live at home. By then, he was pretty certain he would pursue the study of law, so he majored in Political Science and upon graduation attended Georgetown University in Washington, D.C.

After Judge Ottolia graduated from law school, his first job was with Atlantic Richfield. In that position, he was mostly involved with contract work, and he wanted to gain some trial experience, so in 1984, he applied to the Riverside County District Attorney's office. He selected Riverside because it was one of the few offices hiring at the time. When he was hired, he purchased a home in Corona, because he thought it would be a nice community to live and raise a family in. He was not disappointed and has continued to live in that community to this day.

Judge Ottolia stayed at the Riverside County District Attorney's office until, in 1985, a friend of his was appointed to the bench. At that time, he had the opportunity to take over his friend's civil practice in Placentia. After much



(left to right) Demetrius Bicer, Hon. Helios Joe Hernandez, Hon. Francisco F. Firmat, Hon. Daniel A. Ottolia, Chief of Police Sergio Diaz, Hon. Frederick P. Aguirre

consideration, he decided it was too good an opportunity to pass up, so he took over the practice. The major area of practice at that time was plaintiff's personal injury cases. After a few years as a sole practitioner, Judge Ottolia then joined forces with two friends, David Hiskey and David Shafer, and created the partnership of Shafer, Hiskey &

Ottolia. The firm was successful and at one point had nine attorneys. It specialized in transactional work and business litigation.

In 1995, after a 10-year partnership with Shafer and Hiskey, Judge Ottolia was tired of the commute from Corona to Placentia. His partners were also ready to move on to other things as well, so they dissolved the partnership. Judge Ottolia then opened a law office in Corona specializing in consumer law, personal injury and collections. His largest client was the Teamsters' Legal Services Trust Fund, which referred to him U.P.S. employees working out of Ontario airport and living in the Inland Empire. He remained in private practice in Corona until he was appointed to the bench.

Judge Ottolia has had an interest in becoming a judge since law school. This interest was further bolstered after a number of his friends were appointed to the bench and loved the job. He has not been disappointed. He was appointed in May 2010, but did not take the bench until July 2010, because he needed time to close his practice. He currently has a criminal trial assignment; he has presided over eight felony trials in his first six weeks on the bench. He finds presiding over criminal trials very interesting and an exciting subject matter.

Judge Ottolia's life outside the courtroom revolves around his family. He is married with three children. His wife, Liz, is a real estate agent. Their youngest child is in high school; the other two are attending college. They enjoy traveling and return to Argentina every four or five years. Only Judge Ottolia's immediate family immigrated to the United States, so he still has two aunts and some cousins living there. In his down time, Judge Ottolia likes nothing more than cooking Argentinean barbecue and hanging out with his family.

Donna Thierbach, a member of the Bar Publications Committee, is retired Chief Deputy of the Riverside County Probation Department.



Invitation for Public Comment on the Reappointment of U.S. Bankruptcy Judge Meredith A. Jury

The current term of the Honorable Meredith A. Jury, U.S. Bankruptcy Judge for the Central District of California, is due to expire in November 2011. The U.S. Court of Appeals for the Ninth Circuit is considering the reappointment of the Judge to a new term of office of 14 years. The Court invites comments from the bar and public about Judge Jury's performance as a Bankruptcy Judge. The duties of a Bankruptcy Judge are specified by statute, and include conducting hearings and trials, making final determinations, and entering orders and judgments.

Members of the bar and public are invited to submit comments concerning Judge Jury for consideration by the Court of Appeals in determining whether or not to reappoint her. Anonymous responses will not be accepted. However, respondents who do not wish to have their identities disclosed should so indicate in the response, and such requests will be honored.

Comments should be submitted no later than **Friday, December 3, 2010**, to the following address:



**Office of the Circuit Executive
P.O. Box 193939
San Francisco, CA 94119-3939
Attn: Reappointment of U.S. Bankruptcy Judge Jury
Fax: (415) 355-8901**

OPPOSING COUNSEL: JOHN MICHELS

by L. Alexandra Fong

A Family Man

While growing up in Orange County, John Michels was largely influenced by his parents, Mark and Sheila Michels, both educators with the Los Angeles Unified School District. John and his two sisters were taught the importance of family, education, hard work, and service to others. After graduating from Servite High School in Anaheim, he headed south to the University of San Diego, where he graduated with a bachelor's degree in history and a minor in business administration. He attended Notre Dame Law School in South Bend, Indiana, graduating in 1998.

During the summer after his second year of law school, he interned at the Riverside County District Attorney's office, which was led by then-District Attorney Grover Trask. John discovered how much he enjoyed criminal law, and upon passing the California bar exam, he became a deputy district attorney. He spent almost three years prosecuting cases in Riverside. John loved working in the District Attorney's office and forged many lasting friendships.

John opened his own private criminal defense practice in 2001. He handles all kinds of felony and misdemeanor cases and represents clients in a wide variety of criminal matters throughout the Inland Empire. He also works as an independent contractor with Criminal Defense Lawyers, primarily providing indigent legal defense representation to clients in Riverside County Drug Court. As a criminal defense attorney, he feels he can often help make a difference in his clients' lives. He finds his practice rewarding, both professionally and personally.

John is active in the local legal community, participating in the annual Elves Program for the Riverside County Bar Association and serving annually as a scoring attorney for the local Mock Trial Program. He has been a member of the Leo A. Deegan Inn of Court for the past eight years and currently serves on the Executive Board. The Inn is a professional organization comprised of attorneys and judicial officers, which focuses on improving civility, professionalism, and ethics in the practice of law. John also serves as a judge pro tem in the criminal courts.



John Michels and family

He believes he has gained a valuable perspective from seeing cases from all sides: as a prosecutor, as a defense attorney, and finally, as a judge pro tem.

While John enjoys being a member of the Riverside legal community and enjoys the practice of law, his number one priority is his family. John met his wife, Veronica, and his soon-to-be step-daughter, Michaela Zickuhr, in his first year of private practice, while Veronica was working as a paralegal.

John and Veronica were married in 2003, and two more children, Logan (now 6) and Luke (now 4), were born shortly thereafter.

On April 19, 2009, Michaela's life was tragically cut short at the tender age of 16 when she was a passenger in a vehicle involved in an automobile accident. In the aftermath of this horrific tragedy, John and his family have tried to honor Michaela by helping others.

John and Veronica established the Michaela Zickuhr Memorial Scholarship Fund in 2009. Scholarships are awarded annually to students at Notre Dame High School who demonstrate the same determination, positive attitude, spirit, kindness, and commitment to faith shown by Michaela when she was a student at Notre Dame.

On June 26, 2010, the first annual "Keep Your Heart" 3K memorial walk was held in Michaela's honor at the Grove Community Church. Over 250 people participated in the walk, and many others contributed financially to the Scholarship Fund. The walk provides an opportunity for friends and family to gather together to celebrate Michaela's life and remember her spirit. Additional information about the annual walk and the Scholarship Fund may be obtained by contacting Veronica Michels at vermichels@sbcglobal.net.

John and his family enjoy spending weekends swimming and bike riding in Huntington Beach. He also enjoys coaching his sons' soccer teams, playing basketball, cheering for the University of Notre Dame football team, and reading books about American history and politics.

L. Alexandra Fong, a member of the Bar Publications Committee, is a deputy county counsel for the County of Riverside.



RIVERSIDE COUNTY BAR ASSOCIATION ~ PROPOSED 2011 BUDGET
(Budget to be approved at the November 16, 2010, General Membership Meeting)

REVENUES	
Bar Magazine Advertising	\$ 50,000.00
Bridging the Gap Program	\$ 300.00
Committee/Section Meetings	\$ 1,000.00
Conf. Room Rental Fees	\$2,000.00
Credit Card Royalty	\$ 300.00
DRS Reimbursements	\$60,000.00
Fee Arbitrations	\$ 25,000.00
General Membership Meetings	\$12,000.00
Installation Dinner	\$ 13,000.00
Interest & Dividends	\$ 1,000.00
Labels & Rosters	\$ 1,400.00
Lease Income	\$ 275,000.00
LRS Panel Dues	\$ 12,000.00
LRS Percentage Fees	\$ 185,000.00
LRS Referral Fees	\$ 95,000.00
Misc Income/Refunds	\$ 700.00
Mock Trial T-Shirts	\$ 1,500.00
Parking Space Fees	\$ 2,500.00
RCBA Membership Dues	\$ 120,000.00
TOTAL REVENUES	\$ 857,700.00
EXPENSES	
ADP/Payroll Fees	\$ 3,500.00
Advertising - Yellow Pgs/Web	\$ 45,000.00
Bar Leaders Conference/NABE	\$ 1,000.00
Bar Magazine Production	\$ 55,000.00
Bldg Maintenance & Repairs	\$ 30,000.00
Bridging the Gap Program	\$ 1,000.00
Committee/Section Meetings	\$ 300.00
Comp Software/Maintenance	\$ 2,500.00
Conference of Delegates	\$ 2,500.00
CPA Services	\$ 2,500.00
Donations	\$ 500.00
Educ. Program Materials	\$ 200.00
Employee Benefits/Medical	\$ 45,000.00

Employee IRA	\$ 7,200.00
Employee Salaries	\$ 309,700.00
Exec Dir - Seminars/Mtgs	\$ 500.00
Exec Director's Fund	\$ 100.00
Federal Taxes	\$ 25,000.00
Florist	\$ 500.00
General Membership Meetings	\$ 9,000.00
Installation Dinner	\$ 13,000.00
Insurance - Workers Comp	\$ 2,500.00
Insurance - Bldg	\$ 7,500.00
Insurance - E & O	\$ 2,200.00
Interest / Fees	\$ 4,000.00
Internet/Web Services	\$ 2,500.00
Janitorial Services	\$ 32,000.00
Janitorial Supplies	\$ 4,600.00
LRS Conference/Workshops	\$ 1,000.00
LRS Interpreters (ASL)	\$ 300.00
LRS Recertifications	\$3,000.00
Meeting Refreshments	\$ 1,200.00
Misc Exp/License/Dues	\$ 400.00
Mock Trial - State	\$ 1,000.00
Mock Trial T-Shirts	\$ 1,200.00
Mortgage - Interest	\$ 70,000.00
Office Equip - Maint/Lease	\$ 15,000.00
Office Supplies	\$ 8,000.00
Payroll Taxes	\$31,000.00
Phone Services	\$ 10,000.00
Postage - Bulk Mail	\$ 4,000.00
Postage - Meter Mail	\$ 12,000.00
President's Fund	\$ 300.00
Printing/Stationery Etc	\$2,500.00
Property Taxes	\$ 12,000.00
Public Bar/Law Day/ABA	\$ 500.00
Utilities	\$ 75,000.00
TOTAL EXPENSES	\$ 857,700.00

CLASSIFIED ADS

Office Space – Riverside

Office space available in the Tower Professional Building located on the corner of 13th and Lime Street in downtown Riverside. We are within walking distance to all courts. All day parking is available. Building has receptionist. Please call Rochelle at 951-686-3547 or email towerpm@sbcglobal.net. Residential services available also.

Office Space – Downtown Riverside

1 block from the court complex. Full service office space available. Inns of Court Law Building. Contact Vincent P. Nolan (951) 788-1747 or Maggie Wilkerson (951) 206-0292.

Office Space – RCBA Building

4129 Main Street, Riverside. Next to Family Law Court, across the street from Hall of Justice and Historic Courthouse. Office suites available. Contact Sue Burns at the RCBA, (951) 682-1015.

Conference Rooms available

Conference rooms, small offices and the third floor meeting room at the RCBA building are available for rent on a half-day or full-day basis. Please call for pricing information, and reserve rooms in advance, by contacting Charlene or Lisa at the RCBA office, (951) 682-1015 or rcba@riversidecountybar.com.



ATTENTION RCBA MEMBERS

If you are not getting email updates/notices from the RCBA and would like to be on our mailing list, visit our website at www.riversidecountybar.com to submit your email address.



The website includes bar events calendar, legal research, office tools, and law links. You can register for events, make payments and donations, and much more.

MEMBERSHIP

The following persons have applied for membership in the Riverside County Bar Association. If there are no objections, they will become members effective November 30, 2010.

Luis E. Arellano – Cummings McClorey Davis & Acho, Riverside

David Collins (S) – Law Student, Yucaipa

Randolph Collins – MacGregor & Collins LLP, Newport Beach

Allison Michelle De Tal – Best Best & Krieger LLP, Riverside

James T. Latting – Roemer & Harnik LLP, Indian Wells

Jonathan L. Lorenzen – Gresham Savage Nolan & Tilden, San Bernardino

Matt McWhorter (A) – Provident Bank, Riverside

Evan A. Merat (S) – Law Student, Pomona

Mitchell O'Hair (S) – Law Student, Temecula

Dan Pacific, II (A) – A-Shred America, Redlands

Eric Michael Papp – Papp & LeMaster-Farrimond, Corona

Kyle A. Patrick – Albertson & Davidson, Riverside

Andrea Darrow Smith – Hyde & Swigart, Riverside

R. Addison Steele, II – Office of the Public Defender, Riverside

Cathy Ta – Best Best & Krieger LLP, Riverside

Therese M. Zartman – Euclid Law Center, Rancho Cucamonga

(A) — Designates Affiliate Members



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Being published? Expressing your viewpoint?**

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(951) 682-1015 or
rcba@riversidecountybar.com



Riverside
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- Reasonable fee of \$200/hour; no set-up fee or hidden costs
- Minimal waiting time facilitates quicker resolution of issues
- Neutral perspective by an attorney with at least 10 years' experience

DRS benefits attorneys:

- Saving clients' money creates satisfied clients
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- Innovative solutions can restore faith in lawyers

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- Helps alleviate congested court calendars

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