

# RIVERSIDE LAWYER

December 2018 • Volume 68 Number 11

MAGAZINE



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2018-2019



**BARRISTERS Board**  
2018-2019





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# RIVERSIDE LAWYER

MAGAZINE

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# 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 our members, our communities, and our legal system.

## Membership Benefits

Involvement in a variety of legal entities: Lawyer Referral Service (LRS), Riverside Legal Aid, Fee Arbitration, Client Relations, Dispute Resolution Service (DRS), Barristers, Leo A. Deegan Inn of Court, Mock Trial, State Bar Conference of Delegates, Bridging the Gap, and the RCBA - Riverside Superior Court New Attorney Academy.

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, 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.

*The 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 6<sup>th</sup> 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 the Riverside Lawyer.*

*The material printed in the 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

## December

- 10 RCBA Shopping Elves – at Kmart**  
6:00 p.m.  
7840 Limonite, Jurupa Valley  
Contact RCBA for more information
- 11 Civil Litigation Section**  
Noon – 1:15 p.m.  
RCBA Gabbert Gallery  
Speaker: Wylie Aitken and Megan Demshki  
Topic: “Cross Generational Relationships: From the Workplace to the Courtroom”  
MCLE – 1 hour Bias
- 12 Criminal Law Section**  
Noon – 1:15 p.m.  
RCBA Gabbert Gallery  
Speaker: Souley Diallo  
Topic: “Character Evidence”  
MCLE – 1 hour General
- 12-13 RCBA Wrapping Elves**  
RCBA – 4:00 p.m.  
Contact RCBA for more information
- 18 Family Law Section**  
Noon – 1:15 p.m.  
RCBA Gabbert Gallery  
Speakers: Ben and Richard Heston  
Topic: “Bankruptcy and Family Law Cross-Over Issues”  
MCLE – 1 hour General

## SAVE THE DATE

**January 18 – MCLE Marathon**

### EVENTS SUBJECT TO CHANGE.

*For the latest calendar information please visit the RCBA's website at [riversidecountybar.com](http://riversidecountybar.com).*



## ON THE COVER:

### RCBA Board

*Back row (l-r):* Neil Okazaki, Jack Clarke, Jennifer Lynch, Jeff Van Wageningen, Mark Easter

*Front row (l-r):* Megan Demshki, Erica Alfaro, Sophia Choi, Stefanie Field, Lori Myers, Alexandra Fong

*photo by Jacqueline Carey-Wilson*

### Barristers

*Back row (l-r):* Braden Holly, Goushia Farook, Michael Ortiz

*Front row (l-r):* Rabia Chaudhry, Paul Lin, Megan Demshki, Taylor DeRosa, Shumika Sookdeo, Patricia Mejia

*photo by Michael J. Elderman*

# INSTALLATION OF OFFICERS DINNER

The RCBA's Installation Dinner was held at the Mission Inn on Thursday, September 27. Riverside County Public Defender Steven Harmon served as the master of ceremonies. Presiding Judge Becky Dugan administered the oath of office to the RCBA board members. Jeff Van Wagenen was installed as the 2018-2019 president. The other officers who were installed were Jack Clarke, Jr. (president-elect), Sophia Choi (vice president), Lori Myers (secretary), Erica Alfaro, Mark Easter, Stefanie Field, and Jennifer Lynch, (directors-at-large), Alexandra Fong (past president) and Megan Demshki (as Barristers President she sits on the RCBA Board).

Judge Randy Stamen gave the oath of office to the 2018-2019 officers of Barristers. Megan G. Demshki was installed as president. The other officers who were installed were Paul Lin (president-elect), Rabia Chaudhry (secretary), Braden Holly (treasurer), Taylor DeRosa, Goushia Farook, Patricia Mejia and Michael Ortiz (members-at-large), and Shumika Sookdeo (past president).

Judge Kira Klatchko presented the seventh E. Aurora Hughes Award to Robyn Lewis. This award, which is given annually, was named in honor of E. Aurora Hughes who served as president of the RCBA from 2008 to 2009. The award is to honor a distinguished member of the RCBA for his or her service to the RCBA and to the legal community (see article on page 18).



*Presiding Judge Becky Dugan swearing in the 2018-2019 RCBA Board of Directors*



*Judge Randy Stamen swearing in the 2018-2019 Barristers Board*

David Bristow, Robyn Lewis, Jeff Van Wagenen, Neil Okazaki, and Greg Rizio honored Charlene Nelson for her 40 years of dedicated service to the RCBA and Public Service Law Corporation (see article on page 28).

The RCBA would like to thank the following sponsors for their generous contributions:

**Platinum Sponsors** – Aitken Aitken Cohn; PIP Printing; Rizio Law Firm.

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*Photos by Jacqueline Carey-Wilson and Michael J. Elderman.*



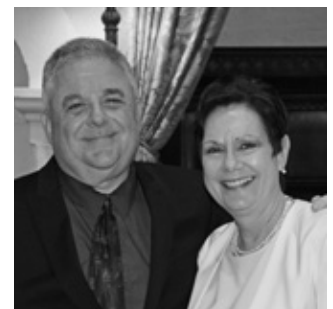
*Judge Kira Klatchko and Robyn Lewis*



*Jeff Van Wagenen and Alexandra Fong*



*Jeff Van Wagenen presents awards to Joseph Myers and J.E. Holmes for 50 years in California State Bar*



*Judge Matthew Perantoni and Jacqueline Carey-Wilson*



*RCBA Past Presidents*

*Back (l-r) – Dan Hantman, James Heiting, Steve Harmon, Judge Kira Klatchko, Jeff Van Wagenen, Judge Stephen Cunnison (Ret.), Brian Percy, Judge John Vineyard, Judge Craig Riemer  
Front (l-r) – Robyn Lewis, Sandra Leer, Justice Bart Gaut (Ret.), David Bristow, Alexandra Fong, Harlan Kistler, Jacqueline Carey-Wilson, Jean-Simon Serrano*



*Judge Stephen Cunnison (Ret.), Justice Michael Raphael, Justice Carol Codrington, Presiding Justice Manuel Ramirez and Dr. Dorian Burton.*



*Jeff Wagenen presented 25-year RCBA member pins to Don Inskeep, J.E. Holmes, Mark Easter, Jeb Brown and Judge Randy Stamen.*



*Don and Claudia Inskeep*



*The Van Wagenen Family – Jeff Sr., Cher, Dawn, Jeff, Brittany and Tyler*



*l-r: Stuart Smith, Sean Varner, Ayyaz Chaudhry, Rabia Chaudhry, Ankit Bhakta, Richard Marca and Matt Neufeld.*



*Greg Rizio, Jeb Brown, Neil Okazaki, David Bristow*



*Joseph Myers, Mike Marlatt, Dan Hantman*



*Kenneth De Los Reyes and Sophia Choi*



*Paul Grech and Public Defender Steve Harmon*



*Megan Demshki and Shumika Sookdeo*



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*Betsy Demshki, Megan Demshki and Janet Gless*



*Judge Jeffrey Prevost and Jeff Van Wagenen*



*Abe Feuerstein and Jean-Simon Serrano*



*Brian Percy, Judge John Vineyard and Dan Katz*

# BARRISTERS PRESIDENT'S MESSAGE

by Megan G. Demshki



As I write this article, it has been nearly three years to the day since I passed the California State Bar exam. I still get a pit in my stomach twice a year when bar results come out.

I vividly remember the anxiety and the uncertainty as the day neared when the bar results would be released.

I remember the intense sense of relief upon passing. I remember the feeling of pride when I stood with my peers to be sworn in. I remember reciting the oath and considering what an immense obligation I now had to my clients. Passing the bar felt like I was crossing a giant, decades-long finish line. In all reality it was the warmup lap to the beginning of my career.

The last three years have been more challenging and more rewarding than I ever could have expected. I have experienced higher highs and lower lows. I am confronted with new problems and obstacles daily. I am routinely thrust from my comfort zone. I have learned that I will never know the vast majority of the answers. I have learned that my fellow attorneys are an incredible and invaluable resource.

I have comforted clients through the unimaginable, wiping away my own tears as I listen to their sobs. I have celebrated with them the small victories that, if they are fortunate, come with hope of rehabilitating from a catastrophic injury. I have learned that sometimes there simply is no right thing to say. My clients fuel my passion.

I was recently reminded of our obligations as attorneys as I participated in a jury trial. Every trial I have participated in has felt like a whirlwind learning experience, helping me to see the bigger picture and making me a better advocate.

Before this jury selection began, the judge spoke to the packed room of potential jurors. He spoke to them about the third branch of government and about the immense responsibility and duty they have as jurors. It caused me to pause.

For a moment, I forgot about witness outlines, exhibit lists, and motions in limine. I focused on the judge's words. I felt that same sense of pride that I felt the day I was sworn in to the bar. I had an overwhelming sense of

obligation to my clients. I felt in awe of being a part of something so much bigger than myself, my clients, or this particular case.

As the jury panel was sworn in, I wondered to myself if they shared my sentiments. Did they feel a sense of pride? Did they feel a sense of obligation to be fair and impartial? Did they recognize their vital role to the preservation of our legal system and equal access to justice?

I certainly hope they did.

## Upcoming Events:

- The Barristers will participate in the Elves Wrapping on Thursday, December 13, at 5:00 p.m. Following the wrapping, the Barristers will head to Happy Hour at the Salted Pig. The December Happy Hour is graciously sponsored by Summit Settlement Services, Inc.
- Learn more about upcoming events by following @RCBABarristers on Facebook and Instagram or visiting our website, [www.riversidebarristers.org](http://www.riversidebarristers.org).

## Looking to get involved?

Whether you are eager to start planning the next great Barristers gathering or just looking to attend your first event, please feel free to reach out to me. I would love to meet you at the front door of a Happy Hour, so you do not have to walk in alone, or simply grab a cup of coffee to learn more about how you can get involved. The easiest ways to get ahold of me are by email at [Megan@aitkenlaw.com](mailto:Megan@aitkenlaw.com) or by phone at (951) 534-4006.

*Megan G. Demshki is an attorney at Aitken Aitken Cohn in Riverside where she specializes in traumatic personal injury, wrongful death, and insurance bad faith matters. Megan can be reached at [megan@aitkenlaw.com](mailto:megan@aitkenlaw.com) or (951) 534-4006.*



## 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](http://www.riversidecountybar.com) to submit your email address or send an email to [lisa@riversidecountybar.com](mailto:lisa@riversidecountybar.com)



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.

# HBAIE LAUNCHES TO SERVE AND CONNECT THE HISPANIC COMMUNITY

by Albert J. Maldonado

About 18 percent of the population in the United States is Hispanic. But only four percent of lawyers are Hispanic. As the few who have successfully entered the profession, it is our moral imperative to help one another be successful and to recruit and help others to enter the profession.

The low number of Hispanic lawyers is the reason why this author has committed time and resources to start the Hispanic Bar Association of the Inland Empire (“HBAIE”), headquartered in the City of Riverside, but serving all of the Inland Empire. The following is the mission statement of the HBAIE:

*The HBAIE uplifts the Inland Empire’s Hispanic legal community by fostering engagement with communities, businesses, and the bar, while celebrating Hispanic culture. We are a family that cultivates and champions the education and recruitment of Hispanic attorneys, as well as their professional advancement through continued mentorship.*

Like a family, we aim to help one another. As Toni Morrison, a literary author, once said, “The function of freedom is to free someone else.” We hope to help lawyers and aspiring lawyers to be free to pursue their dreams, as well as be community partners.

We want to partner with the community to ensure that their legal needs are being met. There are countless Hispanic-owned businesses in the Inland Empire. But how many are unprotected because they do not have any legal guidance as to their formation and day-to-day operations? Too many. Although our community remains a very young community, there are more and more Hispanic families that are accumulating wealth and assets. But how many families have assets that are unprotected and have undefined asset legacies because they have no will or living trust? Too many. Lastly, over 60% of all K-12 students in Riverside and San Bernardino counties are Hispanic, with some schools having over 90% of its students being Hispanic. But how many students are afraid or unwilling to go to law school because they have never met a lawyer who could demystify the process for them? Too many.

That is where HBAIE comes in. While Los Angeles and Orange County have had dedicated Hispanic bar associations for many years, the Inland Empire is long overdue for one, especially since the Inland Empire is the fastest growing Hispanic demographic. By supporting fellow lawyers, aspiring lawyers, and connecting to the community, we can help ensure our collective professional development and success; become an active player in diversifying our local bench officers and other leaders of the legal community. By being more visible in the community, through mentorships, internships, and speaking at events, such as career days at schools, hopefully we can expand the vision of others to consider joining this noble legal profession. It is time to lift each other up, help recruit more Hispanic attorneys, and become an active community partner.

At a time when laws and the U.S. Constitution are always in the news, it is important to be connected to each other and our larger community, in order to provide counsel and guidance when needed. We are not partisan; we are principled. We stand for liberty, equality, access, and above all, justice. For more information or to join the HBAIE, please contact the author at the following: [Albert.Maldonado@bbklaw.com](mailto:Albert.Maldonado@bbklaw.com) or 909-466-4901.

*Albert J. Maldonado is an attorney in the Municipal Law Practice Group at Best Best & Krieger LLP in their Ontario office.*



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# UPDATE ON THE STATE BAR AND CALIFORNIA LAWYERS ASSOCIATION

*by James Otto Heiting*

The California Legislature created the State Bar in 1927. (Bus. & Prof. Code § 6000, et. seq.) The State Bar, at that time, and in the majority of time since, was concerned with “all matters pertaining to the advancement of the science of Jurisprudence . . . including . . . all matters that may advance the professional interests of the members of the State Bar and such matters as concern the relations of the State Bar with the public.” (Bus. & Prof. Code § 6031(a)). In 1960, legislature added the State Bar constitution, and every person admitted and licensed to practice law was required to be a member, except judges and/or certain office holders.

Over the course of the years, the Board of Governors, the (mostly) elected governing body of the State Bar, reflected on the mission statement. It was revisited in 1991, 1997, and 2001. The State Bar hoped to protect the public “through a comprehensive system of malpractice insurance” (2001) and expected to demonstrate “high levels of credibility . . . and excellent and productive working relationships” with the various courts and the legislature. Unfortunately, what actually came about was a growth of lack of credibility and poor working relationships with the legislature, the governor, and members of the State Bar. This led to difficulties with fee bills and trust in the State Bar, eventually leading to the current status, reducing the State Bar to a public protection agency.

The focus on “public protection” (protection from lawyers) began to be truly evident in about 2008, after numerous public, member, and legislative criticisms, including questions expressed regarding the management of the State Bar. This resulted in multiple changes in management and executive directors. The State Bar now had to attempt to position itself again as a credible body; but they could not seem to find the key to do so. Because of this evolution, the State Bar staff felt it necessary to demonstrate change in order to maintain the Bar in some form, and the staff worked hand-in-hand with the Supreme Court. Several changes were made. The State Bar began to focus on their charge to “protect the public” as their primary purpose for existence. All other roles became secondary at best.

The governing body of the State Bar is no longer an elected Board of Governors. It is now a fully appointed “Board of Trustees.” The appointed board consists of five

attorneys appointed by the Supreme Court, one by the Senate, and one by the Assembly. There are also six members of the public, non-lawyers appointed by the governor, for a total of thirteen members. The Supreme Court also appoints one of those members to be chair of the board, and one as a vice chair. No elections take place.

As a part of this idea of public protection, the State Bar has always required applicants to submit fingerprints. Unfortunately (another point of criticism by the legislature), the State Bar had destroyed all but a few years of all of the fingerprints they had accumulated. Thus, they mandated re-fingerprinting (to comply with a 1989 law requiring retention of the fingerprints to promote notice to the Bar of any subsequent arrest of any lawyer). The State Bar has passed on to its members the expected \$15.5 million cost. If you have not complied yet, you still have a couple of months and should give it your attention.

In the fall of 2017, SB 36 was passed, which split the State Bar sections from the State Bar’s public protection agency (admissions and discipline). Since that time, the Board of Trustees has spent most of their time analyzing what roles and activities should be under the State Bar, and what can be passed over to the newly formed California Lawyers Association, a voluntary association made up of the sections that were previously part of the Bar. They have also been working hard on new Rules of Professional Conduct, which went into effect on November 1, 2018. If you have not seen those, it would behoove you to give them your attention; several changes will affect your practice.

In November 2018, the Board of Trustees met again to review changes to governance, structure and composition, and to develop implementation plans. All of the recommendation included greater staff involvement and authority, and less from “volunteers.” They included formal orientations for all volunteers, term limits for all volunteers, conflict of interest policies for volunteers, formalized “desired qualifications” for volunteers (the “desired qualifications” to be developed by staff and approved by the Board of Trustees). This is expected to include great emphasis on diversity. Diversity will include geography, type of practice, size of practice, race, color, religion, national origin, ancestry, physical disability, mental disability, gender, gender identity, gender

expression, age, sexual orientation, and length of time in practice. Plans also establish size of volunteer bodies and other recommendations. They came very close to eliminating, altogether, all specialty certifications, characterizing them as “advertisement,” rather than seeing them as indicators to the public of the abilities and dedication of the specialists.

There are too many changes to recount here; but, in general, the State Bar is now simply a public protection agency. The Board of Trustees is influenced on a greater level than ever before by the recommendations of the Chief Justice and in attempts to mollify legislators. All members of the Board of Trustees are appointed and answer to those who appoint them.

The California Lawyers Association is comprised of the former sections of the State Bar; and its officers are elected by the leadership of the sections. The CLA currently remains at the State Bar building in San Francisco. Their mission is, “promoting excellence, diversity and inclusion in the legal profession and fairness in the administration of justice and the rule of law.” It is a non-profit, voluntary organization. They have taken over the role of publishing periodic journals and handbooks, educational programs, finding discounts on professional services and products,

and performing activities more in line with supporting California lawyers. This will include “the nation’s most comprehensive legal research services for free” (Fastcase) and access to a variety of value-added products, according to their leaders.

The State Bar and the California Lawyers Association continue to work together to carefully craft the future for lawyers in the State of California. However, it is expected that local bar associations will become more and more important to the members for providing support, encouragement, and education. County bars, such as Orange and Los Angeles, are very active and busy in developing programs and ideas consistent with these new roles.

Whatever your views and feelings, I encourage you to contribute to the betterment of our profession in whatever way you are able. Volunteer, become involved, write, and support those people and ideas that you believe can advance the administration of justice and the professional interests of our members.

Let’s go out and do some good.

*James O. Heiting, of Heiting & Irwin, was president of the State Bar of California in 2005-2006, and a past president of the RCBA in 1996.*



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# A LEO A. DEEGAN INN OF COURT COMMUNITY SERVICE TEAM COMBATS HUMAN TRAFFICKING

*by Honorable Nicholas Firetag*

“The best way to find yourself is to lose yourself in the service of others.” - Mahatma Gandhi

The Inland Empire has an amazing group of lawyers and judges who bring respect to the legal community by the way they conduct themselves inside and outside the courtroom.

The Leo A. Deegan Inn of Court’s mission is to improve the skills and professionalism of the bench and the bar. Prior to the 2017-2018 program year, the format was simple – six teams of eight to twelve people each were formed, with each team responsible for a presentation on topics relating to ethics, legal skills, and/or professionalism in the legal environment. In the 2017-2018 program year, the board changed that format by allowing two teams to deviate from the normal program by engaging in a community service project and then presenting that project during one of our monthly meetings. The teams were free to select any community service project that they wanted, regardless of whether or not the topic was directly related to the legal field.

Team John Morton collectively decided to get involved in finding ways to combat human trafficking. The team met with several professionals to discuss the impact that human trafficking had on our local community. The team was horrified to learn how predators were invading our local schools to recruit children. We knew we had to get involved.

The team was divided into two groups. The first group was focused on raising awareness in public schools. To this end, we partnered with two amazing people – Opal Singleton, who is a highly respected author and the President of Million Kids, and Nancy Aguirre, who is with the Riverside County Sheriff’s Department Anti-Human Trafficking Taskforce – to set up seminars at local middle schools and high schools to discuss the dangers of human trafficking. We were able to help Opal and Nancy meet with several hundred local students, teachers, and parents to discuss the dangers of human trafficking.

The second group partnered with a local nonprofit corporation, Rebirth Homes, to assist in its goal of helping adult survivors of human trafficking. Founded in 2008 by CEO Debbie Martis, Rebirth Homes is the first nonprofit organization in Riverside County to provide adult women with a home to escape human trafficking. In addition to


providing its residents with a place to live, Rebirth Homes also offers trauma therapy, group counseling, job skills training, and education. Together with members of the Leo A. Deegan Inn of Court, we were able to assist Rebirth Homes with multiple fundraisers and provide its residents with over \$1,000 in gifts and gift cards at Christmas. Ultimately, one of our team members joined the board of directors of Rebirth Homes.<sup>1</sup>

The news portrays us as a country hopelessly divided along political and religious lines. While it is certainly true that Americans hold differing views on a number of issues, I firmly believe that we share far more values in common than what is reported. For those of you who see the world in a negative light, I would encourage you to get involved in your local community and serve those around you. My hope is that through serving others you will find a new sense of pride in yourself and your community, along with others who feel the same way.

*Honorable Nicholas Firetag is a Commissioner of the Riverside Superior Court in Hemet where he handles family law and Department of Child Support Services cases.*



<sup>1</sup> Team John Morton, who tackled this community service project, is comprised of the following members: Hon. Sherri Pym, Hon. Jennifer Gerard, L. Alexandra Fong, Abram Feuerstein, Nicholas Firetag, Yoginee Braslaw, Marlene Allen, Dan Mouri, Kelly Moran and Rebecca McKee. Team John Morton won the Leo A. Deegan Award for Best Team Presentation as announced at the September 26, 2018 Orientation.



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# THE LEO A. DEEGAN AMERICAN INN OF COURT

by L. Alexandra Fong

The Leo A. Deegan American Inn of Court (“Deegan Inn”) is a professional organization comprised of attorneys and judicial officers and organized under the American Inns of Court. It was founded in 1992 by Sharon Waters, Honorable Robert J. Timlin, Stanley Orrock, James Heiting, and Terry Bridges. Preparations for the establishment of the Deegan Inn began in 1991 after Presiding Justice Manuel A. Ramirez called upon then-attorney Waters to look into starting a local chapter of the American Inns of Court, which itself was established in 1985. As Mr. Orrock discussed at the September 26, 2018 Orientation, Judge Timlin picked the group of attorneys who would become instrumental in organizing the Deegan Inn.

The Deegan Inn was named for the Honorable Leo A. Deegan, a legend of the Riverside legal community. Mr. Deegan first began practicing in Riverside in 1946 as a member of the District Attorney’s office, before promoting to assistant district attorney. In 1948, he was appointed by the Board of Supervisors as the first Public Defender for the County of Riverside. In 1949, Mr. Deegan transferred to the Riverside County Counsel’s office, where he remained until 1951, when he left to enter private practice. In 1953, he returned to the District Attorney’s office as an assistant district attorney. Later that year, he returned to the County Counsel’s office as chief deputy, a position he held until 1958, when he became the thirteenth City Attorney for the city of Riverside. He was appointed to the bench by Governor Edmund Brown in 1959. He served as a judge on the Riverside Superior Court until his retirement in 1975. Over the next ten years, he served as an assigned judge in various courts in northern California. During 1988-1989, he served for 14 months on the Court of Appeal, Third Appellate District, in Sacramento.<sup>1</sup>

The Deegan Inn focuses on improving the skills and professionalism of the bench and the bar. Each month, the organization holds a dinner meeting, during which a team of members presents a program that focuses on matters of ethics, legal skills, civility, and professionalism.

At the September orientation, the Deegan Inn named two emeritus members: The Honorable Robert J. Timlin, who was awarded this status posthumously, and attorney Stanley Orrock. Caroline Timlin, widow of the late judicial officer, was on hand to accept the award. Mr. Orrock spoke to the Inn members about Mr. Deegan’s legacy within the community.

At the September orientation, the Deegan Inn also named the Honorable Meredith Jury (Retired) as the recipient of the Douglas E. Weathers Honorary Member Award. Judge Jury decided to be an active participant in the Deegan

Inn and will be presenting as part of Team Franz Kafka in April 2019.

The theme for the 2018-2019 program year is fairy tales. Each team is named for a writer who is also an attorney. At the September orientation, each team was able to pick the fairy tale, presentation date, and team namesake. Each team’s presentation should generally focus on practical legal skills and emphasize ethics, civility and professionalism in the practice of law.

As part of the Achieving Excellence Program of the American Inns of Court, the Deegan Inn engages in professional outreach with other members of the legal community. At the December 5, 2018 meeting, the Deegan Inn will honor judicial officers serving in Riverside County. At the January 23, 2019 meeting, the Deegan Inn will honor public service attorneys in Riverside County. At the March 27, 2019 meeting, the Deegan Inn will hold an “open house” where current members of the Inn may invite attorneys and judicial officers whom they believe would make excellent additions to the Inn. At the April 24, 2019 meeting, the Deegan Inn will honor its alumni, emeritus, and honorary members.

The Deegan Inn formed two community service teams in its 2017-2018 program year. Continuing this call for service, the Deegan Inn formed one community service team for its 2018-2019 program year, which will hold its presentation in May 2019.

Applications for membership are accepted yearly. Membership is by invitation only and decisions are made by August. Current membership in the Deegan Inn does not guarantee an invitation to return. Scholarships to assist covering the dues (but not meals) are also awarded. Dues, which include the cost of meals, currently range from \$415 to \$565, depending on level of membership. Applications will be posted on the Deegan Inn’s website <https://deeganinnofcourt.org> by February 28, 2019.

Members are required to be active members of RCBA for the two calendar years the program year runs. The Inn’s fiscal year runs from July 1 to June 30 of every year. Applications may be downloaded from the Inn’s website or obtained from Executive Director Sherri Gomez, who may be contacted at (951) 689-1910 or [SherriGomez4@gmail.com](mailto:SherriGomez4@gmail.com). Applications may also be available at Riverside County Bar Association offices.

*L. Alexandra Fong is a deputy county counsel with the County of Riverside, is president of the Leo A. Deegan Inn of Court, and past president of the Riverside County Bar Association and Riverside County Bar Foundation, Inc.*



<sup>1</sup> <https://www.riversideca.gov/sites/default/files/Attorney/2018/cahistory.pdf>

# RIVERSIDE LEGAL AID

*by Michael White*

Riverside Legal Aid (RLA) provides pro bono legal services, education, and counseling to qualified low-income residents of Riverside County and has been doing so since 1982. Originally known as the Public Service Law Corporation of the Riverside County Bar Association, RLA helps low-income litigants navigate the often-tortuous paths through the judicial system in important matters.

Additionally, RLA reaches out to the community to provide information and educational services that relate to legal issues. For instance, twice in the current year at the request of Perris Unified High School District, RLA presented workshops to parents of disabled students who are about to graduate from high school and who are attaining the age of majority, 18 years. The disabled students, though attaining the age of majority, often will be unable, due to their disability, to function without guidance and legal support. Jeffery D. Smith, a Riverside attorney and probate practitioner, and Paula McIntyre, a paralegal for RLA, presented a workshop, which informed parents about the process of obtaining a conservatorship for their disabled children. The workshop provided expert support in preparation of all documents necessary to obtain a conservatorship and specific direction and guidance to navigate the court process.

RLA does not employ attorneys to represent parties in litigation or other court proceedings. Federal and state grants, as well as private donations, fund the RLA. The attorneys who volunteer to aid low-income litigants do so on a pro bono basis. The rewards our attorneys receive are intangible ones, and the expressions of thanks received from our clients are important and meaningful. Sometimes what we do seems very simple to us, but has great importance to a pro se litigant.

Free legal services are available to qualified low-income persons who are residents of Riverside County or who have matters in the Riverside County courts in the areas of family law (divorce, support, custody, visitation, domestic violence restraining orders, paternity,) evictions, guardianships and conservatorships, debtor/creditor collection cases, contract disputes, bankruptcy, and Federal District Court civil cases.

Some attorneys offer an hour or two each month in support of the work. Others provide much more, in some

cases up to 18-20 hours. Whatever the commitment, this crucial legal service is only possible due to the generosity of the attorneys who volunteer their time. Without them, we cannot function.

Some assume that when important issues occur in the legal arena that attorneys are readily available. In the criminal law system, constitutional protections guarantee representation by counsel in many matters. Not so in the civil arena, where issues relating to important relationships among families, eviction from one's home, actions by creditors against consumers, and the impact of illness, loss of jobs or divorce leading a family toward bankruptcy. In each of these areas, access to proper representation in the complex court systems is not readily available to those of modest means.

In order to be eligible for services by RLA, potential clients must qualify under federal and state guidelines, which establish low-income status. Perhaps the most disheartening aspect of our work is rejecting people of modest means who do not meet the income qualifications, but who obviously cannot afford to engage an attorney at market rates. We refer such persons to self-help agencies, and are in the process of organizing a Modest Means Panel of attorneys from the Riverside County legal community, which may have some impact for future litigants.

RLA helps pro se litigants navigate courts in many, but not all, such matters. There is always a great need to assist those of modest means and low income to deal with the issues in courts, whether simple or complex. Though the rewards may be intangible for volunteers, the impact that volunteers can have with minimal effort may have major impact on the lives of those who are in need of our expertise and kindness.

Riverside Legal Aid is a charitable corporation. It has offices in downtown Riverside and in Indio and also provides clinic services at the courthouse in Temecula and at the Cathedral City Library. Days and hours may be obtained at its website at [www.riversidelegalaid.org](http://www.riversidelegalaid.org).

Its commitment is to justice in the legal system and social justice in the broader sense.

*Michael White is an attorney and the executive director of Riverside Legal Aid.*





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# A FAREWELL TRIBUTE TO JUDGE SHARON WATERS

by Robyn A. Lewis

At November's General Membership meeting, the Riverside County Bar Association (RCBA) made a special presentation to Judge Sharon Waters, who will be retiring from the bench after 21 years of service.

Judge Waters is one of Riverside's most dedicated bench officers and has been one of the biggest supporters of the RCBA and the Riverside legal community at large. As her friend and colleague, Judge Craig Riemer, noted at the meeting, "Judge Waters will be dearly missed."

Judge Douglas M. Elwell (ret.), who was Judge Waters' former law partner, once remarked, "I joke sometimes that, if you really want to track down Sharon Waters, just look for the wet footprints, because she really does walk on water . . . she is a tremendous human being."

Judge Waters was born in Hawthorne and was the youngest of four children born to a career Air Force officer. She and her family lived in or near various military bases, moving frequently. After graduating from high school in Kentucky, Judge Waters enrolled at California State University in Long Beach. She went on to enroll at University of Pacific McGeorge School of Law, where she earned her juris doctor.

After passing the California Bar exam in 1981, Judge Waters moved to Riverside where she accepted a position at Thompson & Colegate. One of the firm's clients was the Riverside *Press-Enterprise*. Soon, she was involved in the newspaper's appeal of the Superior Court's refusal to release transcripts of jury selection in a death-penalty case. The newspaper had been barred from most of those

proceedings. The case made its way to the United States Supreme Court, which unanimously held that, with rare exceptions, voir dire examination of prospective jurors should be open to the public. (*Press-Enterprise v. Superior Court* (1984) 464 U.S. 501.)

While at Thompson & Colegate, Judge Waters went on to have a second *Press-Enterprise* case go before the United States Supreme Court in the case of *Press-Enterprise v. Superior Court* (1986) 478 U.S. 1. In that case, the United States Supreme Court held that the First Amendment right of access to criminal proceedings applies to preliminary hearings, unless there is a "substantial probability" that such access would compromise a defendant's right to a fair trial.

In 1987, Judge Waters opened her own appellate practice, which she maintained until she became a research attorney for Justice Thomas Hollenhorst at the California Court of Appeal, Fourth District, Division Two. While at the Court of Appeal, she met Douglas Elwell, who was a fellow research attorney. They decided to open a partnership, Waters & Elwell, which focused on appellate law.

When Judge Elwell later was appointed to the San Bernardino Superior Court, Judge Waters maintained a solo practice until her appointment to the bench by Governor Pete Wilson in 1997.

Since the time of her appointment, Judge Waters has become an institution in the Riverside Superior Court. She served as presiding judge in 2005-2006. In 2009, she was appointed to the Judicial Council, where she served as the chair of the Judicial Council's Trial





Court Presiding Judges Advisory Committee and as a member of the Bench Bar Coalition.

What many people do not know is that it was through the efforts of Judge Waters that the Leo A. Deegan Inn of Court came to be in existence. At the urging of the late Justice Robert J. Timlin while she was on staff at the Court of Appeal, Judge Waters organized local attorneys and judges to form a local chapter of the American Inn of Court, which was named after the late Judge Leo A. Deegan. The purpose of the organization, which is still in existence today, was to “inspire the legal community to advance the rule of law by achieving the highest level of professionalism through example, education, and mentoring.” She served as its first president and maintains emeritus status.

Judge Waters has also been an avid supporter of the RCBA. She is frequently in attendance at its monthly general membership meetings and has served as a judge in the county mock trial competitions. She also was an organizing member of the New Attorney Academy, a training program for new attorneys that has been a joint venture between the RCBA and the Riverside Superior

Court, with the assistance of the American Board of Trial Advocates.

On a personal note, Judge Waters has been an amazing example to me of someone who works tirelessly and selflessly for the betterment of the court and the entire legal community. She was one of the first judges that I appeared before when I came to Riverside in 1999 and I am honored to have recently tried a case before her. When I mention to anyone from out of the area that I am an attorney from Riverside, I am often asked about Judge Waters. I am always told that she is one of the best trial judges in the state and I would absolutely agree with that statement. Although we all wish her the best in her retirement and in the next chapter of her impressive life, she will be sincerely missed. On behalf of the Riverside legal community and the RCBA, I wish to thank her for everything that she has done and for the wonderful legacy that she has left for all of us.

*Robyn Lewis is with the firm of J. Lewis and Associates, APLC, chair of the New Attorney Academy, and past president of the RCBA.*



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# LRS: THE PERFECT BLEND OF COMMUNITY SERVICE AND PRACTICE DEVELOPMENT

*by Robert Chandler*

The Lawyer Referral Service (LRS) of the Riverside County Bar Association provides a perfect combination of community service and practice development for participating attorneys.

As many of you know, the LRS is a non-profit agency established to assist the Riverside County community with legal services by “referring” a lawyer with knowledge in the areas of law needed by the clientele. The LRS vets the attorneys on the panel by requiring specified years of experiences in particular areas of law, proof of professional liability insurance, and thorough record-keeping of client referrals.

I personally have been involved with the LRS since 1989 from the days of the RCBA executive directors like Ms. Louise Biddle, Ms. Charlotte Butt, and now Ms. Charlene Nelson. Even though the leaders at the helm have changed over time, the goals of the referral service have remained exactly the same with the addition of technological advances. The principal goals of the LRS are to provide the community with prompt, courteous, and knowledgeable service in matching a client with an attorney.

Most of the LRS clientele who contact the referral service have never before been involved with the legal system nor with lawyers in general; most do not personally know a lawyer nor have family members or friends who know a lawyer.

For so many clients, making contact with the intake counselor at LRS is the first major step into the legal system. The intake counselors at our referral service are Mae, Lulu, and Christina. Each intake counselor is bilingual and adept in the art of listening to the client’s concerns and then matching that concern with an appropriate lawyer knowledgeable in the area of law needed.

For participating attorneys in the LRS, the referral panel is a great opportunity to expand the clientele practice and give back to the legal community. For many clients, the first consultation with a lawyer is the first time they have ever spoken to a lawyer regarding their situation.

For the participating attorney, this is the opportunity to make the proverbial “good first impression” of lawyers and the legal system in general. Many of the clients simply want to have an attorney evaluate the client’s concerns and issues and render an honest opinion of their case.

Too often attorneys may summarily dismiss a client’s concerns and issues as being too small, too crazy, or too costly to defend or prosecute. Instead, this is the opportunity for the attorney to help guide the client through the procedural and substantive maze we call the legal system.

As part of each consultation with a client, the attorney must inform the client, in layman’s terms, of what facts, what issues, what procedures, and what substantive laws may affect the outcome of the client’s case.

Even if the attorney’s opinion warrants that there is no case (much like Bill Handel on the Law), the attorney must, in layman’s terms, explain why the client’s claims may lack merit.

An overwhelming number of referred clients will be consultations only. However, the few clients that a participating attorney may retain to handle the case may be a great resource to supplementing the attorney’s practice development.

Whether or not the participating attorney provides a consultation only or is actually engaged by the client, the participating attorney has provided a community service by the mere fact of listening to a client’s concerns and rendering a legal opinion. The community service is provided because most, if not all, of the LRS referred clients had not previously had access to an attorney.

By providing quality legal services to the clients referred by the LRS, the attorney may benefit by having the client make other referrals of family members and friends. This is the opportunity to exponentially grow an attorney’s practice development.

If not for the lawyer referral service, many of our fellow residents in the Riverside County area would not have access to lawyers to help address and resolve their legal matters.

To provide a community service and to help participating attorneys supplement their practice development, I highly recommend that Riverside County attorneys consider participating in the Riverside County Bar Association – Lawyer Referral Service. It is good for the community at large and good for the local legal community as well.

*Robert Chandler is a Riverside lawyer with 30 years of experience and is the managing attorney for a small 6-lawyer law firm specializing in real estate and business litigation in the Inland Empire. He serves on the LRS Committee.*



# GET TO KNOW APALIE

The history of immigration in the United States has taught us that the melting pot ideal we learned about in grade school has faced obstacles. Jim Crow laws, the Chinese Exclusion Acts, and the current focus on immigrants from Latin America and Muslim countries show that Americans have struggled with the role of people who make the United States their new home.

California has taken the lead in being a state of inclusion, but it wasn't always so. In 1890, the California Supreme Court ruled that Hong Yen Chang, a Chinese-American graduate of Columbia Law School, could not practice law in this state because of his Chinese heritage. It took 125 years for that decision to be reversed.<sup>1</sup> Fortunately, our state and its laws now strive to be inclusive of all races, national origins, sexual orientations, and gender identities.

The Asian Pacific American Lawyers of the Inland Empire (APALIE) is an affinity bar association representing the interests of the Asian-Pacific American (APA) com-

<sup>1</sup> *In Re Hong Yen Chang* (2015) 60 Cal.4th 1169.

munity. Like our great state of California, APALIE believes that inclusion, un-derstanding, and fellowship are the keys to realizing the melting pot dream we learned as kids. To that end, we have worked with local bar associations like RCBA and other affinity bars like the Richard T. Fields Bar Association to sponsor MCLE programs, mixers, and our annual installation dinners in the spring.

Membership in APALIE is only \$25, and you don't have to be Asian or Pacific Islander to join. The membership fee covers entrance to many of our MCLE programs and social events. We would love to see you at our next MCLE. Judge Jackson Lucky, one of APALIE's judicial liaisons, will show us Hidden Secrets in the California Evidence Code at lunchtime on December 6 in the Gabbert Gallery at the RCBA Building. Come get to know us. All are welcome!

Information about APALIE and its board members is available on its website, <http://apalie.org>.



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# ROBYN LEWIS RECEIVES E. AURORA HUGHES MERITORIOUS AWARD FOR SERVICE

*by Yoginee Patel Braslaw*

Aurora Hughes was an amazing woman and past president of the RCBA. During her lifetime, she worked tirelessly for the betterment of the legal profession and the RCBA. Although she was fighting for her life, she managed to continue laboring to improve the lives of others and established a tremendous legacy of service. She was courageous in her battle against ALS, or amyotrophic lateral sclerosis. We all remember how she continued to serve even when it was very difficult for her. I will certainly remember all the encouragement that she gave me when I was on her RCBA board.

I am very grateful that her legacy continues and we remember her through this prestigious annual award and through the work of other great individuals who demonstrate the same commitment to service that Aurora had.

Candidates for the E. Aurora Hughes Meritorious Award for Service must have accumulated an outstanding record of service to the RCBA. Not surprisingly, this year's winner, Robyn Lewis, has done just that. Robyn is an outstanding community and public servant. She strives for the betterment of the community with hard work, humility, and grace. Robyn has a philosophy and a set of practices that enriches the lives of individuals, builds better organizations and communities, and eventually creates a more just and caring world. She is the epitome of a servant-leader; a person who devotes themselves to serving and putting the needs of others first, and helps people develop and perform as highly as possible to facilitate their personal growth to build a sense of community and joint ownership.

Over the years, I have seen Robyn flourish from a newly minted, young single attorney into an inspiring wife, mother, attorney, and servant-leader in this legal community. She is dedicated to serving the needs of her clients while balancing motherhood, being a partner to her husband Jonathan Lewis, and growing the community. Robyn is a managing partner in the law firm of J. Lewis and Associates, a husband and wife team with a focus on personal injury and elder abuse cases. Over the 20 years she has been working in Riverside, she has successfully handled hundreds of cases in the areas of personal injury, wrongful death, product liability, premises liability, and accident related cases.

In addition, through the tireless hours she has, and continues to, put into the RCBA, Leo A. Deegan Inn of Court, Leadership Riverside, and other organizations, Robyn has received numerous prestigious awards and accolades. Robyn was the first recipient of the Louise Biddle Book Award, which is given to an outstanding young attorney by the Leo A. Deegan Inn of Court for his or her professionalism and

dedication to the legal community. She was also awarded the Terry Bridges Outstanding Attorney Award, which is also given by the Leo A. Deegan Inn of Court.

But this award is all about service. And through Robyn's tireless efforts, this community has benefited immensely. Robyn is so modest about all the activities that she does. If you are not paying attention, you would not know that she is the one behind the activity. But I noticed, after seeing her involvement time and time again. She is exceedingly thoughtful about honoring and serving others.

Robyn is a former president of the RCBA, a past president of the Leo A. Deegan Inn of Court, and an alumnus of Leadership Riverside. In addition, Robyn is the past president of Barristers, past member of the publications committee, past member of the continuing legal education committee, past chair of the RCBA mentorship program, past member of the golf tournament committee, and a former mock trial coach for Santiago High School. Currently, she is the program director for "Bridging the Gap," a program designed to assist new bar admittees, the chair of the organizing committee for the New Attorney Academy, member of the judicial evaluation committee, and chair of the past presidents committee. Due to her continuous community service, Robyn will be receiving the Inland Empire Latino Lawyers Association (IELLA) community member award at its annual holiday celebration on December 6. IELLA honors a person that contributes to the local community.

On a personal side, Robyn is very supportive and loving of her family. Robyn often speaks about her husband Jon's work and has expressed her pride in his accomplishments. She and Jon are parents to triplet boys - Henry, Noah and Hayden (age 8) and two daughters, Finley (4) and Ellie (deceased). Robyn has done an amazing job as a mother while balancing work and community service. I will always be thankful to her for her many years of friendship, love, and support.

To say that Robyn is an asset to the community would be an understatement. While working in Riverside, Robyn found her community amongst the judges and lawyers in Riverside. One of those who had a major impact on Robyn was E. Aurora Hughes, who encouraged Robyn to get involved in different groups and committees. It is fitting that Robyn is receiving an award in honor of E. Aurora Hughes.

*Yoginee Patel Braslaw is a senior research attorney at the Court of Appeal and the copy editor for the Riverside Lawyer.*



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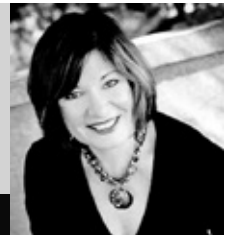
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# THE 28TH ANNUAL RED MASS

by Jacqueline Carey-Wilson and Mitchell Norton

Judges, lawyers, and public officials of many faiths and their families participated in the 28th Annual Red Mass, which was held on October 3, 2018, at Saint Francis de Sales Catholic Church in Riverside. The Red Mass is celebrated each year to invoke God's blessing and guidance in the administration of justice. The mass is held in October to coincide with the opening of the annual term of the United States Supreme Court in Washington, D.C.

During the opening procession of the mass, Mitchell Norton carried a banner depicting the Holy Spirit, the Scales of Justice, and the Ten Commandments, symbolizing the impartiality of justice and how all must work toward the fair and equal administration of the law, without corruption, avarice, prejudice, or favor. Patricia Cisneros processed into the church with a vase of 33 red roses in memory of those members of the Inland Empire legal community family who had passed away in the last year and three additional red roses for Linda Maynes, Helen Rodriguez, and Louise Biddle, members of the Red Mass Steering Committee who had passed away in previous years. The Red Mass was dedicated to all victims of child abuse in our communities.

The chief celebrant was the Most Reverend Gerald Barnes, the Bishop of the Diocese of San Bernardino. Rabbi Lindy Reznick, Rabbi of the Congregation Emanu El in Redlands, read a passage from the Old Testament. Kirk Garvin, Stake President, Church of Jesus Christ of Latter-day Saints, read a passage from the New Testament. Deacon F. Michael Jelley read the Gospel and Monsignor Howard Lincoln, Pastor of Sacred Heart Church in Palm Desert, gave the homily. Judge Gloria Trask (ret.) and Jacqueline Carey-Wilson offered the Prayers of the Faithful, which included remembrances of members from legal community who had passed away during the last year. Barbara Keough led the music during the mass. At the conclusion of the mass, blessings on the legal community in attendance were offered by Bishop Barnes, Rabbi Reznick, Kirk Garvin, Pastor James Pike, Lutheran Church of the Resurrection, and Malek Bendelhoum, Director of the Shura Council of Southern California.

At the hosted dinner immediately following the mass, Peter E. Racobs presented Brian C. Unitt with the Saint Thomas More Award and Pastor James Pike presented the Saint Mother Teresa of Calcutta Award to Honorable Ingrid A. Uhler.



r-l: Deacon F. Michael Jelley, Pastor James Pike, Rabbi Lindy Reznick, Bishop Gerald Barnes, Kirk Garvin, and Malek Bendelhoum



Mitchell Norton and daughter with the Red Mass banner.



Judge Gloria Trask (ret.) and Barbara Keough

## Brian C. Unitt 2018 Recipient of the Saint Thomas More Award

Brian C. Unitt is an exceptionally deserving recipient of our Saint Thomas More Award for 2018. A native Southern Californian, Brian went to the University of California, Riverside for undergraduate studies, starting as a music major and finishing in political science in 1980. He went on to UC Davis for law school and graduation with his JD degree in 1983.

He is a shareholder and the managing partner of the Riverside firm of Holstein, Taylor and Unitt, and is a certified specialist in appellate law. He serves as an arbitrator and mediator for the Riverside Superior Court. Brian has

taught continuing education seminars, and written articles for the *Riverside Lawyer*. He was the 2006 recipient of the San Bernardino County Bar Association Florentino Garza Fortitude Award.

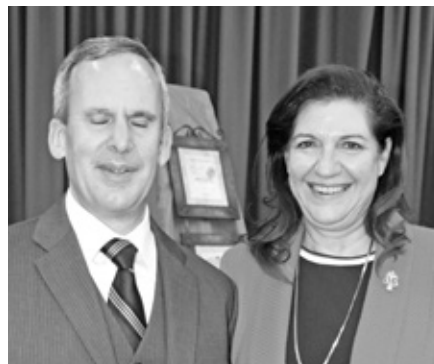
Brian's involvement in his community reaches far and wide. He is a past member of the board of directors of the RCBA, and serves as chair of the steering committee for Project Graduate, a joint program of the Riverside courts, county, and bar to help foster youth graduate from high school and develop a plan for their future. His past community service includes: member of the Riverside County Workforce Investment Board; board member, Community Access Center, an organization that advocates for people with disabilities; leadership role in the Just Wage Coalition, helping to develop a living wage policy for the Catholic Diocese of San Bernardino; member of the Civil Bench-Bar Committee of the Riverside County Superior Court, developing strategies to deal with overcrowded civil court dockets; and, member of the RCC Citizens Bond Oversight Committee, working to assure proper use of Measure C construction bond funds. As an adult leader for the Boy Scouts, he served as troop committee chair, and taught advanced adult leadership training courses, for which he received the District Award of Merit. He is a member of the Leadership Riverside class of 2011.

Brian is married to Patricia Lennan and they have two adult children, Ian and Rebecca. As a family they have attended the St. Andrews Newman Center, St. Thomas the Apostle, and St. Catherine of Alexandria in Riverside.

Brian has a condition known as Retinitis Pigmentosa, which has left him totally blind. Brian's vision problems were first identified when he was a toddler. He had begun to learn Braille by the time he was in first grade. He was educated in mainstream classrooms all of his life and was always in the top of his class. In high school, in addition to being a brilliant student, Brian ran track and played trumpet in the marching band. In high school, in the marching band days, Brian still had the ability to differentiate light and shadows, so he would march with his head slightly turned to the left to make sure he would not crash into anyone. The band director would come over and turn his hat to the right to make sure it appeared that everyone was perfectly in line. He sat for the bar exam, in Braille, and was only given time and a half to accommodate his



*Peter Racobs and Brian Unitt*



*Brian Unitt and Judge Gloria Trask (ret.)*

disability. He took barely over the standard time and, of course, he passed the first time.

As many of our local practitioners know, Brian is a truly accomplished appellate attorney. Watching Brian argue a case to the Court of Appeal is like being in the presence of one of the great silver-tongued orators. In addition to his successful law practice, Brian is a wonderful musician, playing the mandolin, the harp, the trumpet, the penny whistle and some guitar as well. He is a golfer, fisherman and hunter, although, since his former partner Bob Holstein passed away, Brian can't find many volunteers to take him hunting. Brian also has a vegetable garden that would put most others to shame.

Brian exemplifies the highest ideals of the legal profession and serves as an inspiration to those around him. Accordingly, the Red Mass Steering Committee was honored to select Brian Unitt to receive the 2018 Saint Thomas More Award for his extraordinary service and devotion to church, community, and justice.

## **Honorable Ingrid A. Uhler 2018 Recipient of the Saint Mother Teresa of Calcutta Award**

Judge Ingrid Louise Adamson Uhler was born in Taipei, Taiwan. Her father, Richard Adamson, worked for the Central Intelligence Agency as a family physician and was assigned there at the time. Her mother, Ingrid (Heuzeroth) Adamson, was a German war bride and became a U.S. citizen after her arrival in the states. Judge Uhler grew up in Arizona with her three siblings from the age of four until her marriage to Jerrel Uhler in 1983. Judge Uhler graduated from Arizona State University in 1979 and obtained her JD with distinction from the University of Arizona School of Law in 1982. She relocated to San Bernardino County after her marriage and has two adult sons, Jerrod and Lukas.

Judge Uhler was a deputy district attorney with Los Angeles County from 1983 to 1995, handling all phases of criminal trial prosecutions. In 1995, Governor Pete Wilson appointed Judge Uhler to the San Bernardino County Municipal Court and she elevated to the Superior Court in December 1998.

Since her appointment to the bench, Judge Uhler has been recognized as a thoughtful and well-respected



Presiding Judge John P. Vander Feer and Judge Ingrid Uhler



Judge Ingrid Uhler and Pastor James Pike

jurist presiding over misdemeanor and felony criminal trials, along with a daily criminal calendar. From 1996 to 2007, Judge Uhler was the supervising criminal judge in the Rancho Cucamonga District Court. Judge Uhler was assigned to the mental health court in 2007 for one year. During that time, the San Bernardino County Sheriff's Department presented Judge Uhler with the Award for Distinguished Service for her work in that court.

In 2005, Judge Uhler was instrumental in organizing a Homeless Shelter Court. Defendants, cited for such offenses as illegal lodging and trespassing, often cannot secure transportation to the central civil courthouse to defend themselves, so with Judge Uhler's assistance, the courts are able to travel and take justice to those most in need. Almost all defendants are able to attend their hearings and most are sentenced to community service. The Homeless Shelter Court ended in 2008 due to budget cuts, but began again last year and is held once a month at Carnegie Library in Upland. Since last summer, the case volume at the Homeless Shelter Court has increased exponentially to over 175 cases per month. Judge Uhler's involvement in this program is invaluable to the effort to assist these marginalized persons and keep them out of the "revolving door" of the court system and steer them toward breaking the cycle of living on the streets.

Most recently, Judge Uhler provided legal and social services to local veterans at the annual Riverside Area Veterans Expo and Stand Down at March Air Force Base on September 28, 2018. The Riverside Area Veterans Expo and Stand Down is a coordinated effort with the United States Office of Veterans Services and the Riverside Superior Court, where a myriad of resources is offered to those veterans in need including employment assistance, public health, and veterans counselling resources.

Judge Uhler has been a longstanding member of Grace Lutheran Church in Upland. Her involvement with the Mental Health and Homeless Shelter Courts, along with the Stand Down program for veterans, demonstrates how she has enthusiastically lived her faith in word and deed. Accordingly, the Red Mass Steering Committee was honored to select Judge Ingrid A. Uhler to receive the 2018 Saint Mother Teresa of Calcutta Award for her extraordinary service and devotion to church, community, and justice.

*Jacqueline Carey-Wilson is a deputy county counsel with San Bernardino County, co-chair of the Red Mass Steering Committee, and past president of the Riverside County Bar Association and the Inland Empire Chapter of the Federal Bar Association.*

*Mitchell Norton is a deputy county counsel with San Bernardino County and co-chair of the Red Mass Steering Committee.*



## WE REMEMBER THEM

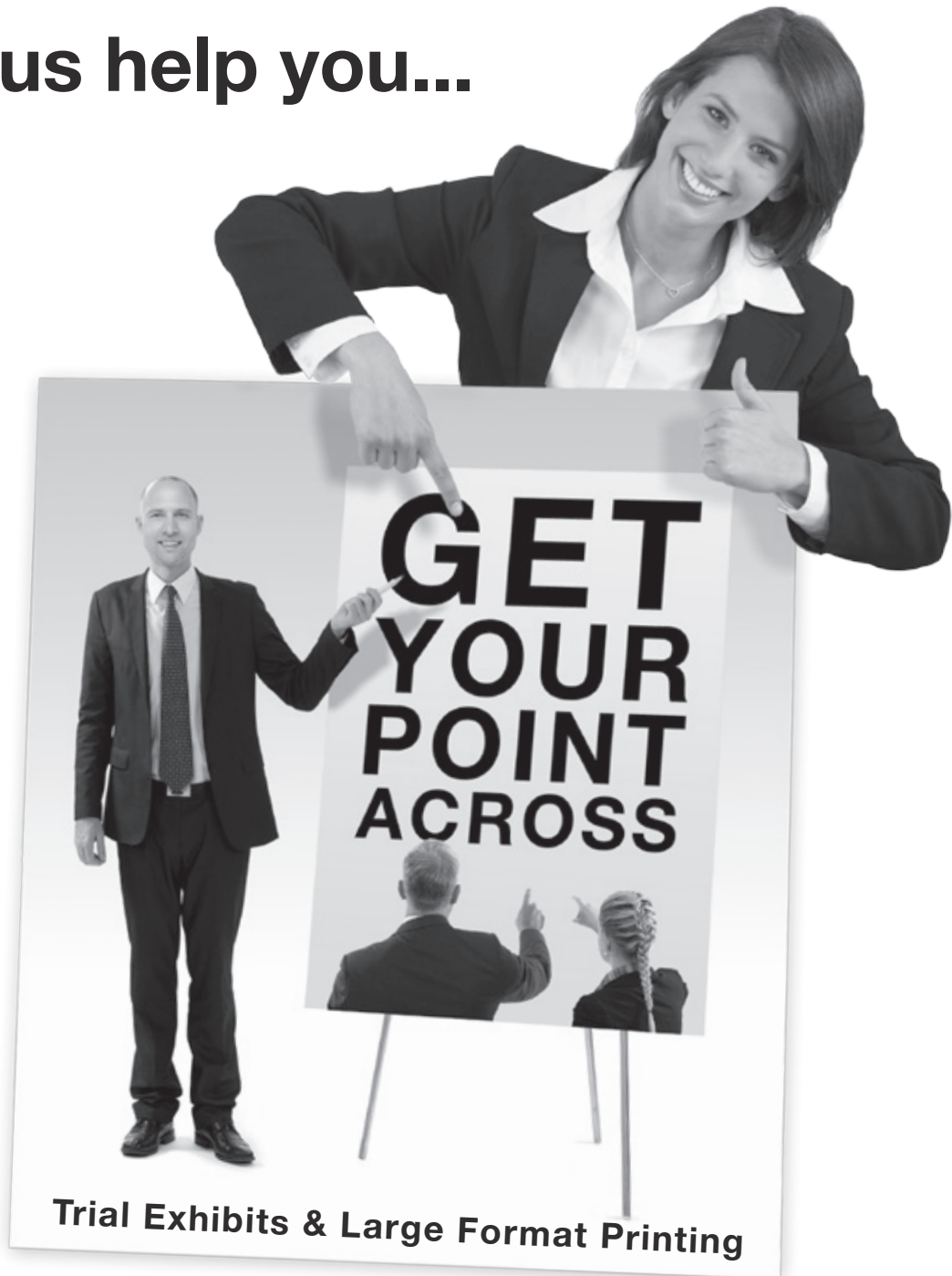
The following members of the legal community family who passed away were remembered at the Red Mass:

- |                                |                            |
|--------------------------------|----------------------------|
| Louise Biddle                  | Robert B. Presley          |
| Betty Jo (BJ) Burgess          | Ronald Powell              |
| MaryAlice Byars                | Judge Stephen R. Reinhardt |
| Judge Thomas Douglas           | Helen Rodriguez            |
| Timothy J. Farris              | Robert Roddick             |
| Agnes "Mimi" Han               | Nathan Rosenberg           |
| Raymond Richard Hruby          | Brian J. Simpson           |
| Gar Jensen                     | Scott D. Showler           |
| Julius Jones                   | Ronald G. Skipper          |
| Kenneth Kreeble                | Hal Charles Smith          |
| Gerald R. Lundberg             | Judge Victor Roy Stull     |
| Linda Maynes                   | Douglas F. Welebir         |
| John Marcus                    | David Whitney              |
| David G. Moore                 | Gary T. Wuchenich          |
| Magistrate Judge Jude Nakazato | Forest Wright              |
| Judge Beverly Reid O'Connell   | Frank J. Vanella           |
| Judge Harry Pregerson          |                            |



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# ALCOHOLISM: LAWYERS NEED A CONFIDENTIAL “HAND-UP”

by Greg Dorst

**Fact:** *Attorneys experience problematic drinking that is hazardous, harmful, or otherwise consistent with alcohol use disorders at a higher rate than other professional populations. Mental health distress is also significant. These data underscore the need for greater resources for lawyer assistance programs, and also the expansion of available attorney-specific prevention and treatment interventions.*<sup>1</sup>

We all know lawyers who drink to excess, smell like alcohol or show signs and symptoms of the negative effects of alcohol and/or other drug usage. On June 8, 2018, the American Bar Association published a list of symptoms characteristic of various stages of alcohol dependency:

“An alcohol use disorder may be mild, moderate or severe depending on the number of symptoms. Symptoms may include:

- Being unable to limit the amount of alcohol you drink
- Feeling a strong need or compulsion to drink
- Developing tolerance to alcohol, so that you need increasing amounts to feel its effects
- Having legal problems or problems with relationships, employment or finances due to drinking
- Drinking alone or in secret
- Experiencing physical withdrawal symptoms — such as nausea, sweating and shaking — when you don’t drink
- Not remembering conversations or commitments, sometimes referred to as “blacking out”
- Making a ritual of having drinks at certain times and becoming annoyed when this ritual is disturbed or questioned.
- Losing interest in activities and hobbies that used to bring you pleasure
- Irritability when your usual drinking time nears, especially if alcohol isn’t available

- Keeping alcohol in unlikely places at home, at work or in your car
- Gulping drinks, ordering doubles, becoming intoxicated intentionally to feel good or drinking to feel ‘normal’.”

This list is by no means exhaustive and could include “drug seeking” behavior, which is characterized by “doctor shopping” and multiple prescriptions, as well as unhealthy relationships with street drug users. All of these signs and symptoms appear over the course of time rather than suddenly and frequently get worse, without help. The disease of addiction is characterized as a chronic and progressive disease, which rarely gets better on its own.

The question that I ask attorneys who find that they are experiencing negative consequences around alcohol and/or drug usage is, “Is it okay with you if your life gets better?” Thousands of struggling attorneys need to know that they do not have to live as they have been living. The practice of law is stressful enough without the constant pressure of not feeling well, broken promises to clients, family and friends and the fear that someone will find out what the attorney is doing and how it is affecting him/her both personally and professionally. Since lawyers make their living by and through their reputation, many feel that they must hide what is going on. This is not an effective strategy. Moreover, trying to solve the problem of addiction all by oneself is a recipe for disaster both personally and professionally. So, where does one start the process of change?

Frequently, a thorough assessment by a professional, such as an MD, social worker, or psychologist is an important step as consequences of quitting “cold turkey” may be grave and can include suicidal ideations, seizures and death. Some, however, want to begin with an anonymous group; there are groups that are specifically designed for professionals. These groups are confidential and support professionals in their recovery. Confidential groups create a community of support which has long been known to increase a person’s chances of recovery.

The Other Bar is just such a community of support. As a private, nonprofit network of recovering lawyers, law students and judges throughout the state of California, the Other Bar is dedicated to assisting others within the legal profession who are suffering from alcohol and sub-

<sup>1</sup> *Journal of Addiction Medicine*, January/February 2016 - Volume 10 - Issue 1 - p 46–52; the research was conducted and reported by Patrick R. Krill JD, LL.M.; Ryan Johnson, MA; and Linda Albert MSSW.

stance abuse problems. All participants in the Other Bar adhere to principles of confidentiality and anonymity. What is shared in meetings and who attended is held in the strictest of confidence. The program is voluntary and open to all California lawyers, judges, and law students and is not aligned with the State Bar of California. No information is shared with any person or organization.

This network of “lawyers helping lawyers” comprises over 30 peer support meetings throughout the state, most of which meet every week. This network serves thousands of lawyers throughout the State of California each year. Its members support each other in recovery and assist others in becoming and staying sober. For many, the Other Bar serves as a bridge to the larger community of recovery options. All lawyers, judges, and law students are welcome regardless of their recovery model: 12-steps, medical, therapeutic, religious, secular, etc. The Other Bar also provides MCLE programs, both online and live, focused on recovery. Through its Shot of Sobriety Loan Program, it assists with the costs associated with hospitalization and residential treatment for those who need it. Finally, it provides two retreats in the fall, one for men and one for women, and a statewide

Networking Conference each spring, where lawyers, judges, law students and their families come together to share their experience, strength and hope.

A community of recovering lawyers can do wonders for one’s sense of well-being and support. Recovery is hard; working toward change with others helps to alleviate loneliness and depression. The cycle of secrecy and aloneness must be interrupted and not reinforced. It is nice to be a part of a community of friends and colleagues who help one another to stay sober one day at a time.

The Other Bar website can be accessed at [www.otherbar.org](http://www.otherbar.org); their confidential 24-hour hotline number is (800) 222-0767. The website offers resources including contact information for consultants here in Southern California as well as in Northern California.

Again, I ask, would you like a hand-up? Is it okay with you if your life gets better?

*Greg Dorst JD, is a Certified Alcohol Drug Counselor II and a Consultant to the Other Bar.*



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LUIS LOPEZ

MARY MADISON CAMPBELL

# NEW PUBLIC DEFENDER OFFICE BUILDING

by Brian L. Boles

In June of this year, the Law Offices of the Riverside County Public Defender moved into our new Riverside office space. Prior to its multi-year refurbishment, the 67,000 square foot eight story building at 4075 Main Street was home to the District Attorney's Office. Once the District Attorney moved on to the downtown law building, which also houses the office of the County Counsel and Probation Administration, the County decided to repurpose the District Attorney's old building to meet the dire need for new office space for the Public Defender. This began an intricate process of space planning, evaluating structural integrity, seismic retrofit, and construction, over a number of years.

The first step was to do some preliminary space planning with assistance from the Riverside County Economic Development Agency (EDA). Facilities staff at the Public Defender's office were new to the process of space planning a high rise and had to rely upon EDA for their assistance in this regard. As it was anticipated that the building would be home to the Public Defender for many years, decisions had to be made early on as to how much space needed to be set aside for future growth not knowing at the time how much growth there would actually be. Once a preliminary space design was developed, the next step was to interview architects from all over the state who were bidding for the job of redesigning the building. After interviews were completed, Holt Architects of Rancho Mirage were selected as partners in the project.

Unfortunately, it was soon discovered by the structural engineers that the building needed extensive seismic reinforcement, which would prove to be costly in terms of both time and expense. Additionally, a decision was made at this point to earmark some space in the building for the needs of the Probation Department. As the footprint of the Public Defender's office was now lessened, new space planning had to be done. In fact, a major challenge throughout the length of the project was the ever changing space needs due to internal department restructuring as well as outside changes of circumstances. Thus, adaptability and flexibility were the key to designing a building that would suit the Public Defender for many years to come.

Moreover, every single detail of the building had to be meticulously selected. These items included light fixtures, paper towel dispensers, door knobs, faucets, carpet, paint, tile, paneling, furniture, etc. Sometimes these details had to be reselected because the passage of time had resulted in the prior selections becoming unavailable.

Ultimately, however, the building turned out beautifully. A new heating and air conditioning system along with upgraded windows and blinds ameliorated prior heat issues on the south side of the building. Many attorneys who never had a window office in their entire career were now delighted to have a window and a view. Speaking of views, an office with a view of the iconic historic courthouse is now prime real estate in the building.

The office also boasts greatly expanded training facilities, and a mock trial practice courtroom for the enhancement of trial skills. Sufficient space was also allocated so that everyone participating in the department's vigorous student internship and clerking program could be fully accommodated. Thus, every law clerk, post-bar clerk, and intern now has a space in which to work. Storage space for everything from I.T. to furniture to office supplies was expanded, and an enlarged clothing room was built to handle all of the clothing the department maintains for its indigent clients to wear in court.

Specific units are now grouped together, so that every unit can be assigned to the same floor including unit supervisors, lawyers, paralegals, and investigators. This is intended to foster group cohesiveness, communication, and morale, so that those in a particular unit are not isolated and scattered around on different floors as had previously been the case. There are also more conference rooms to facilitate group meetings and discussions rather than just the one conference room in the old building.

The location of the building couldn't be better for both clients and staff. The office is now just across the street from the Hall of Justice and the picturesque historic courthouse making it much more accessible for everyone. In fact, there has already been a noticeable uptick in foot traffic for clients coming to consult with their attorneys or to speak to a paralegal. Two new interview rooms are now just off of the lobby for paralegals and staff to use to interview walk-ins. A convenient parking structure for staff right next door completes the picture.

Both the architects and the project managers from EDA were knowledgeable, easy to work with, and responsive to questions and concerns throughout the entire process. The work certainly could not have been done without their professionalism, expertise, and attention to detail. They were also very good in trying to ensure that new redesigns of space were accommodated if at all possible even late into construction.

Although sometimes doubts were expressed that the building would ever be ready for occupancy, patience and perseverance ultimately won the day. Coordinating and scheduling the move was not easy but thanks to the incredible hard work of staff the department is now completely moved in and everyone is loving the results. The boost in morale for departmental staff so far has been tremendous. Moving into the new building has brought a new found feeling of professionalism, pride, and appreciation among all staff members. Everyone is thankful, as well, to the Board of Supervisors and the county's Executive Office for supporting this important project and making it possible for all Public Defender staff to enjoy and thrive in their new work environment for many years to come.

*Brian L. Boles is the assistant public defender for Riverside County.*



# PROJECT GRADUATE'S SPRING FLING

Project Graduate was established in 2011 as a philanthropic program of the Riverside County Bar Association (RCBA) and works in collaboration with the Riverside Superior Court and Riverside County's Department of Public Social Services to assist foster youth to graduate high school, continue their education beyond high school, and plan for a successful future.

In 2015, upon the establishment of Riverside County Bar Foundation, Inc. (the "Foundation") by RCBA, Project Graduate became one of the first four core programs of the Foundation. The Foundation was established as a 501(c)(3) corporation, so that its generous donors would be able to receive the appropriate tax deduction, as allowed by law.

On May 10, 2019, Project Graduate will hold its Spring Fling fundraiser and, hopefully, establish a tradition in the years to come. Each year, Project Graduate needs between \$10,000 and \$15,000 in order to accomplish its mission of helping Riverside County foster youth graduate from high school. Our county has over 4000 youth in foster care and a little more than 50% graduate from high school while in foster care. Each Project Graduate youth is provided a monetary incentive to commit to the program, raise their grades, and graduate high school. All graduates receive a laptop computer and a check to help them in their future endeavors.

The Spring Fling fundraiser will be held at the private residence of Luis Lopez, one of Project Graduate's generous benefactors. It will be a wine-tasting and hors d'oeuvres will be served. Tickets will cost \$30 per person and there is an option to reduce the cost of the ticket to \$20, with the concurrent donation of a stuffed animal or children's book. This option can only be exercised by making your payment and bringing the donation to RCBA at the same time. Inexpensive stuffed animals and hardcover books (\$5-10 each) can be purchased at Kohl's, through its Kohl's Cares programs, which supports four children's hospitals in California.<sup>1</sup> The stuffed animals and books can be found at their registers. Its current promotion consists of Disney stuffed animals and hardcover books.

Project Graduate is seeking sponsors for its Spring Fling, in order to help defray costs. Sponsorships are available at four levels as follows: Valedictorian (\$1000), Salutatorian (\$500), Principal's Honor Roll (\$250) and Honor Roll (\$100). Sponsors at the valedictorian level will receive one complimentary ticket to the event. Project Graduate is also seeking donations of items which can be

auctioned at the event, in either a silent or live-auction format.

If you have any questions concerning Project Graduate, please contact Steering Committee Chair Brian Unitt at (951) 682-7030. If you have any questions concerning the fundraiser, please contact Mr. Unitt or L. Alexandra Fong at (951) 358-4125.



## MEMBERSHIP

The following persons have applied for membership in the Riverside County Bar Association. If there are no objections, they will become members effective December 30, 2018.

**Gregory T. Armstrong** – Inland Counties Legal Services, Riverside

**Teresa K. Brown Beecham** – Office of the County Counsel, Riverside

**Amrit P. Dhillon** – Office of the County Counsel, Riverside

**Anthony D. Esquibel** – Crawford & Bangs LLP, Covina

**Monique A. Gramling** – Klute & Newton, Redlands

**Danielle C. Hunt** – Bratton Razo & Lord, Riverside

**Spenser Kalnin (A)** – Immigration Law Offices of Hadley Bajramovic, Riverside

**David M. McCarthy** – Office of the County Counsel, Riverside

**Cheryl C. Murphy** – Solo Practitioner, Ontario

**Susanna N. Oh** – Office of the County Counsel, Riverside

**David A. Shoup** – Shoup Legal APLC, Murrieta

**Samara N. Silverman** – Office of the County Counsel, Riverside

**Michael C. Thomas** – Office of the County Counsel, Riverside

**Caitlyn M. Thompson** – Wilkinson & Finkbeiner LLP, Temecula

**Yolanda V. Torres** – Solo Practitioner, Santa Ana

(A) – Designates Affiliate Member



<sup>1</sup> RCBA, the Foundation, and the author do not endorse any specific product or store by mentioning it in this article.

# RCBA CELEBRATES CHARLENE NELSON'S 40TH ANNIVERSARY

by Robyn A. Lewis

For anyone who has ever had any involvement with the Riverside County Bar Association (RCBA), there is no doubt that they have had some interaction with Charlene Nelson, its executive director. Charlene is the heart of our organization and is its unsung hero. She greets everyone with a smile, completes every task without expecting any thanks, and is willing to help with anything without question.

What many people do not know is that Charlene has been employed by the RCBA for 40 years. She first came to the RCBA as a student volunteer in September 1977. In January 1978 she was hired by former executive director Charlotte Lewis as an intake clerk and counselor for the RCBA Lawyer Referral Service. From there, she became the office manager for Tel-Law, which was a telephonic legal assistance program then initiated by the RCBA.

In 1983, Charlene added to her responsibilities and was hired by Judge Stephen Cunnison (ret.) as the Project Coordinator for the RCBA's Public Service Law Corporation ("PSLC"), which is now known as Riverside Legal Aid. In 1986, she became the director of PSLC, a position that she held until 2009. In 2009, Charlene became the executive director of the RCBA after its previous executive director, Charlotte Butt, retired. It is a position that she has excelled and we are so lucky to have her at the helm.

Due to her rich history with the RCBA, Charlene is an incredible source of knowledge regarding the Riverside legal community. She is also a local girl, born and raised in Riverside. She graduated from North High School, received an associate of arts degree in general education from Riverside Community College, a bachelor of arts degree in psychology, as well as an elementary teaching credential, from University of California, Riverside.

At this year's annual installation dinner, Charlene was surprised with a special tribute presentation as a thank you for her 40 years of service to the RCBA. During the presentation, Charlene received a check, which was gathered from donations made by attorneys, judges (sitting and retired), and legal organizations throughout the community. Along with the check, Charlene also received a proclamation from Mayor Rusty Bailey, as well as a Senate Resolution that honored her for her service, which was coordinated by Senator Richard Roth.

For those who know Charlene, her love of the Los Angeles Dodgers is no secret. Charlene was also presented with an autographed picture of Tommy Lasorda, legendary



Charlene Nelson

former manager of the Dodgers, as well as a handwritten letter from him to her. In addition to the gift from Tommy Lasorda, Charlene received 100 blue and white roses in tribute to her beloved baseball team.

The presentation at the installation was just a small token of appreciation for all that Charlene has done in the past 40 years and continues to do for the RCBA. We are truly blessed to have her as our executive director and grateful for her years of dedicated service.

*Robyn Lewis is with the firm of J. Lewis and Associates, APLC, chair of the New Attorney Academy, and past president of the RCBA.*



## CLASSIFIED ADS

### 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 Charlene Nelson at the RCBA, (951) 682-1015.

### Office Space – Downtown Riverside

Riverside Legal & Professional Center. Downtown Riverside walking distance to Courthouse. Private Executive Suite offices, virtual offices and conference rooms rental available. We offer a state of the art phone system, professional receptionist and free parking for tenants and clients. Accessible from the 91, 60 and 215 freeways. (951) 782-8089.

### Office Space – Central Riverside

Charming private executive office in Central Riverside for lease! Ground level, private entry, 3-room (600 sq. ft.) professional suite; \$700.00/month + deposit. Assigned free parking spaces. Owner- (local attorney) maintained. On Jurupa Ave between Magnolia and Brockton Avenues. Accessible from the 91 and 60 freeways. (951) 415-4315.

### Conference Rooms Available

Conference rooms, small offices and the Gabbert Gallery 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.





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