

# RIVERSIDE LAWYER

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MAGAZINE

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- How the Pandemic Changed Everything

State Bar's LAP Provides First Step in Getting Assistance

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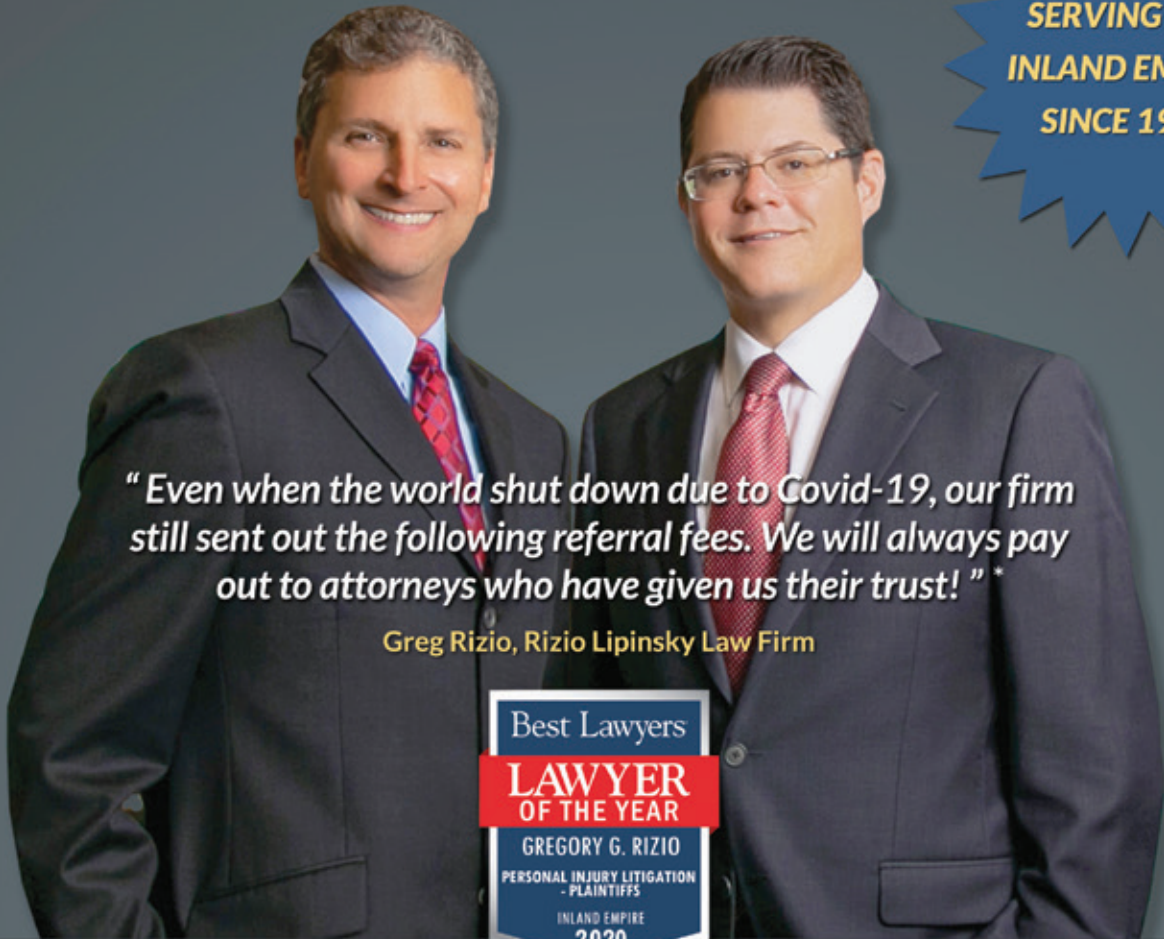
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# RIVERSIDE LAWYER

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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 \$30.00 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

## February

- 2 Mock Trial – Round 1**  
5:30 – 8:00 p.m.  
Virtual
- 7 Civil Litigation Roundtable with Hon. Craig Riemer**  
Noon - Zoom  
MCLE
- 8 Civil Litigation Section**  
Noon - Zoom  
Topic: “Work Life Balance for Litigators”  
Speaker: Lita Abella, Lawyer Assistance Program  
MCLE – 1 hour Competence
- 9 Criminal Law Section**  
Noon - Zoom  
Topic: “Riverside Veterans Court: From Referral to Graduation and Dismissal of Charges”  
Speaker: The Veterans Court Team including Judge Randall Stamen  
MCLE
- Mock Trial – Round 2**  
5:30 – 8:00 p.m.  
Virtual
- 16 Estate Planning, Probate & Elder Law Section**  
Noon - Zoom  
Topic: “Probate Court Update”  
Speakers: Judge Kenneth Fernandez, Judge Jacqueline Jackson, Sheri Gulino, Tom Johnson  
MCLE
- Mock Trial – Round 3**  
5:30 – 8:00 p.m.  
Virtual
- 19 Mock Trial – Round 4**  
8:30 a.m. 11:00 a.m.  
Virtual
- Mock Trial Awards Ceremony**  
3:30 p.m.  
Virtual
- 22 Juvenile Law Section**  
12:15 - Zoom  
Joint Meeting with the Public Defender’s Office  
Speaker: Dr. Mageno  
Topic: Childhood Trauma  
MCLE
- 25 General Membership Meeting**  
Noon - Zoom  
Speaker: Presiding Judge John Monterosso  
Topic: “State of the Riverside Superior Court”  
MCLE

### EVENTS SUBJECT TO CHANGE.

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







by Neil Okazaki

It's already February. This year is already off to a fast start. I hope you are all keeping your New Years' resolutions going strong.

An expert witness once told me that a case he was working on for me was his final case. I asked him why he was fully retiring given that he had a flexible schedule and could just take on less cases. He said the work did not give him the freedom that he wanted as he planned his life around depositions and trials that would inevitably get postponed or cancelled. He wanted to do more traveling and missed out on such opportunities. When I suggested that the money he was making was good, he told me this: "Neil, nobody ever is on their deathbed wishing they had just worked a little longer." I often think about that simple sentence.

In this month's *Riverside Lawyer Magazine*, we have interesting articles on topics that we should ponder during our working years. Health and wellness are always important considerations for attorneys. In 2017, the National Task Force on Lawyer Well-Being (which, in 2020, became the Institute for Well-Being in Law) published *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*.<sup>1</sup> The results from surveys of lawyers and law students found an elevated risk for mental health and substance use disorders tightly intertwined with an alcohol-based social culture. The report found three reasons to take action. First, lawyer well-being contributes to organizational success. Second, lawyer well-being influences ethics and professionalism. And third, from a humanitarian perspective,

promoting well-being is the right thing to do because untreated mental health and substance use disorders can ruin lives and careers.

Another topic in this edition is about civility, which is essential for a healthy legal profession. Former Chief Justice Warren Burger said that attorneys "are the living exemplars—and thus teachers—every day in every case, in every court." He said that your "worst conduct will be emulated perhaps more readily than your best. When you flout the standards of professional conduct once, your conduct will be echoed in multiples and for years to come and long after you leave the scene." While the adversarial nature of law practice can be stressfully competitive, we cannot lose track of the fact that incivility reduces trust in our system of justice. The RCBA has many programs that promote civility. One of the best is our local Leo A. Deegan American Inn of Court which has historically been the model of imparting the importance of civility, ethics, and professionalism.

I would like to conclude by acknowledging the hard-working men and women that make this magazine possible. Each month, the *Riverside Lawyer Magazine* magically appears in our emails and mailboxes. We take for granted that this happens like clockwork. But behind the scenes, there is a lot of work that goes into making the magic happen. And therefore, I first want to acknowledge and thank our longstanding editor Jacqueline Carey-Wilson. I served on the RCBA Board of Directors during her presidency and know firsthand her passionate commitment to this organization. Over the years, she has dedicated an enormous amount of time and effort to producing a magazine that is both interesting to the casual reader and professionally relevant in a complicated profession – which is a difficult balance to strike. Her immense contributions cannot be overstated. Second, we are also very fortunate to have Juanita Mantz serve as our copy editor. She finds the time to help us notwithstanding her full caseload at the Public Defender's Office. Copy editing requires great language skills and an ability to make things grammatically correct while also maintaining the writer's voice. Juanita is a published writer herself and brings extraordinary talents to this effort. Lastly, our Publications Committee are the unsung heroes who do all the things – large and small – to make this publication thrive. Thank you to Sophia Choi, Melissa Cushman, Megan Demshki, DW Duke, Abram Feuerstein, Stefanie Field, Alexandra Fong, Betty Fracisco, Andrew Gilliland, Amy Guldner, Boyd Jensen, Robyn Lewis, Juanita Mantz, Charlene Nelson, Wade Pyun, David Rivera, Nesa Targhibi, Gabriel White, Jamie Wrage, and Lisa Yang. Without these dedicated and hard-working professionals, none of this would be possible. This staff continues to demonstrate a tremendous amount of talent and commitment. This is particularly impressive given that they all have other jobs. They maintain their health and wellness and do this work with civility. We owe all of them a debt of gratitude for their important contributions.

1 The report can be found at <https://lawyerwellbeing.net/wp-content/uploads/2017/11/Lawyer-Wellbeing-Report.pdf>.

Neil Okazaki is an assistant city attorney for the City of Riverside.



# BARRISTERS PRESIDENT'S MESSAGE

by Michael Ortiz



My law school professional responsibility professor once asked the class, “Why do people hire lawyers?” The answer seemed simple. But as students offered answers, without fail, my professor had a response which demonstrated why lawyers are not really that special.

An experienced court clerk or paralegal can do about as much as any licensed attorney except provide legal advice and argue in court. Legal knowledge can be easily obtained from many sources, and I would assert most attorneys use Google for much of their legal research. Legal advice is rarely accurate, and even United States Supreme Court justices often disagree on how cases should be resolved.

Granted, there can be technical reasons why people hire attorneys. Business entities must be represented by a licensed attorney in judicial proceedings. In most instances, however, a party may represent itself in propria persona. And sometimes, a non-attorney can represent a party in mediation, arbitration, or administrative matters. Business agreements are commonly negotiated and drafted by non-attorneys. Except in rare specific circumstances, lawyers are not necessary.

So, why do people hire lawyers? The answer I think that makes most sense, and the answer I believe my professor hinted at without explicitly stating so, is people hire lawyers to win. Whether it be a dispute, negotiation, or other matter, clients want the result best for them and, usually, at the expense of another party. If a client believed they could win without a lawyer, they would not pay a lot of money to hire a lawyer. The client, therefore, expects the lawyer to provide the results for which they are paying.

The rules of professional conduct also recognize the duties a lawyer owes their client and, arguably, require lawyers to try their best to win for the client. Lawyers must be competent, diligent, and exercise loyalty to

their clients. In the California Attorneys Oath, lawyers swear to “faithfully discharge the duties of an attorney and counselor at law to the best of my knowledge and ability.” The Preamble of the ABA Model Rules of Professional Conduct also describe that one function of a lawyer as “zealously” asserting a client’s position. Both clients and the laws that govern lawyers expect a lawyer to “fight” for their clients.

A problem arises, however, from the fact that there is often another lawyer in direct opposition to us and our client’s position. Opposing counsel also owe their clients the duties of competence, diligence, and zealous advocacy. This creates an adversarial interaction—each side is doing their very best to make sure they win and the other side loses. Just like a simple game of Monopoly can cause fights among family, an adversarial situation between lawyers can bring out the worst from both sides.

It is as if nature recognizes the paradox created by two zealous advocates asserting opposing interests – an unstoppable force against an immovable object, if you will – and the mental and emotional toll faced by both lawyers, in my opinion, is the root cause of incivility. I believe that most lawyers are fundamentally civil. We act with dignity, courtesy, and respect toward others. However, take a lawyer, subtract sleep, add client expectations, deadlines, interruptions, stress, anxiety, and high stakes, and you create a potentially explosive situation. And egos, well, egos can be sensitive.

The congruence of a lawyer’s conflicting responsibilities of its client, the court, and the profession creates a nearly impossible task: how to ensure we maintain civility no matter how heated a dispute. There is no simple solution to this paradox, but guidelines and resources do exist.

One of my favorite resources is the Riverside Superior Court Guidelines of Professional Courtesy and Civility. These guidelines address commonly encountered situations where civility might be overlooked.

Wellness also plays a large role in civility. Happy lawyers are not just better lawyers, they are more civil professionals. In line with wellness is becoming a part of the legal community where you practice. I contend that lawyers are more likely to maintain civility when they know they might see opposing counsel at a local bar association event. Finally, it helps to remember the metagame. Just like any other game, it benefits you to keep a cool head.

## Upcoming Barristers Events:

February 25 @ 5:15 – Happy Hour at Lake Alice

March 13 – Barristers Disneyland Day

March 17 – Happy Hour location TBD

April 20 – Happy Hour location TBD

## Follow Us!

Website: [RiversideBarristers.org](http://RiversideBarristers.org)

Facebook: [Facebook.com/RCBABarristers/](https://www.facebook.com/RCBABarristers/)

Instagram: [@RCBABarristers](https://www.instagram.com/RCBABarristers)

*Michael Ortiz practices estate planning and administration at Ortiz Law.  
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# PRACTICING RESPONSIBLY AND ETHICALLY

## CIVILITY: LEARNING HOW TO BEHAVE AS A LAWYER

by David Cantrell

When I began practicing law, I believed zealous advocacy required something just short of a “win at all costs” mentality. It was not until a very experienced opponent asked me “why are you always so mean to me?” that I realized I didn’t need to practice this way. Since then, I have made efforts to have cordial and trusting relationships with my litigation opponents in the hope that between us we might be able to find justice for our clients. There is a time for us to pull out our swords in a trial court; but in day-to-day communications this only seems to increase tension and client costs.

Three years ago, the court of appeal decided the case of *Lasalle v. Vogel* (2019) 36 Cal.App.5th 127 and offered a reminder to lawyers about the need for civility in our profession. In that case, Lasalle (plaintiff) was suing Vogel (defendant) for allegedly committing legal malpractice related to a family law matter. Plaintiff’s counsel served defendant with the summons and complaint and after 35 days, sent defendant an e-mail suggesting he had to take her default if she failed to respond by the following day. Two business days later, plaintiff’s counsel filed a request for entry of default. Defendant received the request for default and immediately sought a short extension. She quickly found an attorney and the attorney filed a motion to set aside the default within a week. When the motion to set aside the default was denied by the trial court, the court of appeal reversed. It could have easily done so in a quiet, unpublished opinion. Instead, it recited several prior cases that addressed civility issues. We should all consider the following snippets:

“We conclude by reminding members of the Bar that their responsibilities as officers of the court include professional courtesy to the court and to opposing counsel. All too often today we see signs that the practice of law is becoming more like a business and less like a profession. We decry any such change... The legal profession has already suffered a loss of stature and of public respect. Lawyers and judges should work to improve and enhance the rule of law, not allow a return to the law of the jungle.”<sup>1</sup>

...

“The law should not create an incentive to take the scorched earth, feet-to-the-fire attitude that is all too common in litigation today.”<sup>2</sup>

...

“We close this discussion with a reminder to counsel – all counsel, regardless of practice, regardless of age – that zealous advocacy does not equate with ‘attack dog’ or ‘scorched earth,’ nor does it mean lack of civility. Zeal and vigor in the representation of clients are commendable. So are civility, courtesy, and cooperation. They are not mutually exclusive.”<sup>3</sup>

...

“It’s gotten so bad the California State Bar amended the oath new attorneys take to add a civility requirement. Since 2014, new attorneys have been required to vow to treat opposing counsel with ‘dignity, courtesy, and integrity.’ That was not done here. Dignity, courtesy, and integrity were conspicuously lacking.”<sup>4</sup>

The *Lasalle* case provides not-so-subtle reminders that (1) the practice of law is a profession, and we should strive to bring back the professionalism and civility that seems to have been lost, and (2) “pit bull” tactics are not likely to advance your client’s objectives – thousands of dollars and many months were spent on the motion and appeal in that case. And for what?

In concluding its remarks, the *Lasalle* court cited a statement from Supreme Court Justice Warren Burger as a reminder of what we should strive for: “Lawyers who know how to think but have not learned how to behave are a menace and a liability ... to the administration of justice... [¶] ... [T]he necessity for civility is relevant to lawyers because they are the living exemplars – and thus teachers – every day in every case and in every court and their worst conduct will be emulated perhaps more readily than their best.”<sup>5</sup> I look back to my time as a first-year lawyer and realize I knew how to think, but not how to behave. My hope is that we will all train the next crop of lawyers to strive to get results while acting with dignity, courtesy, and integrity.

*David Cantrell is a partner with the firm Lester, Cantrell & Kraus, LLP. His practice focuses on legal malpractice and professional responsibility issues. David is certified by the California State Bar’s Board of Legal Specialization as a specialist in legal malpractice law.*



1 *Lasalle* at 132, citing *Lossing v. Superior Court* (1989) 207 Cal. App.3d 635, 641.

2 *Lasalle* at 133, citing *Pham v. Nguyen* (1997) 54 Cal.App.4th 11, 17.

3 *Lasalle* at 133, citing *In re Marriage of Davenport* (2011) 194 Cal. App.4th 1507, 1537.

4 *Lasalle* at 134.

5 *Lasalle* at 141.



# WAITING FOR WELLNESS AND SEARCHING FOR BALANCE – HOW THE PANDEMIC CHANGED EVERYTHING

by Juanita E. Mantz

The theme for this month's *Riverside Lawyer* is health and wellness, an issue that is of utmost importance in these trying times. Since the pandemic, many employees have had to risk their very health just to do their jobs. The result is that many employees are questioning whether it is worth to work at their respective places of employment. People are leaving the marketplace in droves in search of work at home options as well as a more balanced existence and/or an employer that is more health "friendly" [See <https://www.bbc.com/worklife/article/20210629-the-great-resignation-how-employers-drove-workers-to-quit> and <https://www.computerworld.com/article/3643335/technology-is-to-blame-for-the-great-resignation.html>].

Government employees are not immune. If anything, our very existence and work ethic was taken for granted. Most county employees were only allowed to work from home for a shortened period of time. But even with allowing us to work from home, many of us were forced, as many other "essential" workers were, to risk our own health, as well as the health of our families, to do our jobs when we had court call. As a deputy public defender who works with incompetent clients at the state hospital (where there was a COVID breakout after breakout) and one who helps care for my 87-year-old mother-in-law, I was terrified. Every day in court, my heart would pound. But I did it. Not happily, but I tried to do it with grace. You see, I knew my clients were also suffering and even more at risk than myself.

The anxiety was overwhelming as were the hours as I filed bail motion after bail motion. I had some success helping those clients with low level felonies and misdemeanors have their bail reduced to "zero." I remember one client's mom was so happy, she cried and cried over the phone with me, when I told her she could pick up her son. She was convinced he would have died in custody. Thankfully, we will never know.

Most days during the pandemic times, I would pray before court and light my candles and say my mantras to calm myself. I would sanitize and sanitize and wore my mask to protect myself, but also to cover my grimace of fear. Even more concerning, I knew my family was doubly at risk as my husband is a dentist and once dental offices reopened, his face was literally in people's mouths.

So, I guess what you want to know is, was it worth it? Yes, but only because my mother-in-law, who is the "sun" to her son, my husband, is still here. If she had gotten sick, I might not have ever forgiven myself. Yet, I was able to get through and we all muddled through, although I, and many others, paid a very heavy price.

In September, after working extreme hours for way too long, my health suffered. I doubled over most days when I

returned home from a chronic issue that became even more inflamed. My doctors ordered an expedited surgery and wrote me off work pending that surgery. I knew I had to step down and put my health first which I had never done.

You see, I knew one thing, I needed to live to see my second book to fruition, a young adult novel/memoir that I had worked on for over a decade. So, despite my nature, I stepped down and put myself first. It was hard to speak up and demand that I be seen and for others to listen. But I did it. And to my office's credit, they heard me and were very supportive.

Most people are not comfortable sharing this kind of private information. They are scared of being judged. But I am here to say, let's talk about it. The thing is, I am not only a lawyer, but also a writer first and foremost. My early mornings are spent writing stories and essays and I truly believe that stories and narrative have the power to change the world.

This may not be a fairy tale, but still, my story has a happy ending. I was off work for about two months and disability insurance covered the second month. I fought with the insurer to pay my claim timely as they are known to drag their feet. It probably helped that I had practiced plaintiff's insurance coverage law in my past life as a big firm litigator. I knew the game and I was not playing. They paid me. Quickly. Plus, I am feeling so much better that I wonder how I was able to get through the years before my surgery.

What is my takeaway from all this? I suppose I am here to say, protect your health. Speak up if you are in pain or your health needs attention, including your mental health. Take time off if needed. Make all your health appointments. Say no when needed. Demand what is needed because in the end it is up to you, and only you, to let your employer know what you need health and lifestyle wise.

Speak up. Ask yourself, what are you waiting for?

*Juanita E. Mantz has been a deputy public defender with Riverside County for over thirteen years and is also a writer, performer, blogger and podcaster. Her short multi-genre book, Portrait of a Deputy Public Defender, or How I Became a Punk Rock Lawyer (Bamboo Dart Press, 2021) was named a Hispanic Heritage Month Pick. Her young adult novel/memoir, Tales of an Inland Empire Girl, was just released by Los Nietos Press on January 7, 2022. She will be a featured writer at UCR Writer's Week in February. Find out more about her at <https://juanitaemantz.com/>. The opinions in this article are her personal opinions only.*







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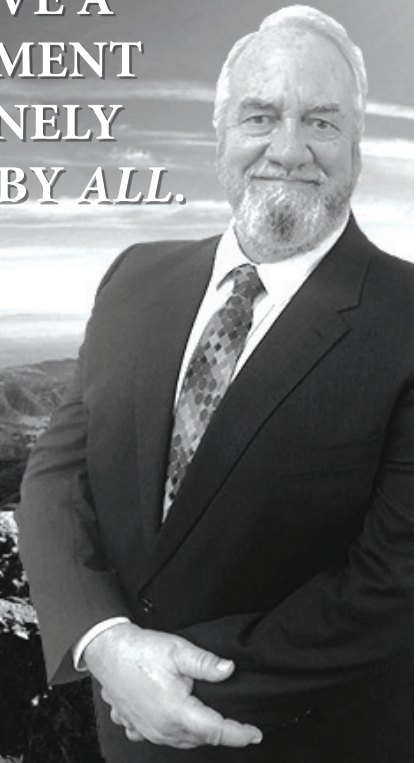
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# STATE BAR'S LAP PROVIDES FIRST STEP IN GETTING ASSISTANCE

Whether a toddler working on their bipedal instincts to stay upright or an alcoholic looking to get sober, the first step toward the rest of their life is often the hardest to take. That was the case for Susan (not her real name), a Southern California-based attorney and recovering alcoholic.

Susan took her first step to recovery after her father witnessed her go into an alcohol-withdrawal seizure while she was in law school and fully in the throes of addiction. That turning point led to a 45-day treatment program, followed by two years of recovery work before finally getting sober in California. "I knew that there was something going on, but I didn't know what to do," said Susan.

She eventually found herself utilizing the resources of the State Bar of California's Lawyer Assistance Program (LAP), a program that assists attorneys (active, inactive, disbarred), and law students struggling with a range of issues, including alcohol and drug addiction, mental health, and work/life balance.

By law, voluntary participation in LAP is strictly confidential. For Susan, she came to LAP as a proactive move, knowing she had left out a DUI conviction in her law school applications, which would be flagged during the moral character process. When she finally had a moral character review meeting with the State Bar to discuss, in part, her relationship to alcohol and drugs, she was already fully, and happily, immersed in her sobriety. She was participating in LAP's monitoring and group therapy, and in Alcoholics Anonymous. As a result, she was granted a positive moral character determination.

"For me, what LAP did was it created a healthy routine for me," said Susan. "And for people to get sober, they have to be accountable."

Susan has been sober for four and-a-half years and a licensed attorney for over a year.

During the pandemic, there has been a collective effort (including in this publication) to recognize mental health, stress, and addiction issues, as well as work/life balance needs for employees everywhere. In a high-stress career like the practice of law, suicides, in "normal times," are already too high. Getting assistance, or even admitting you need help, especially for a profession that prides itself on giving assistance, can be difficult.

## Access to assistance is also a challenge.

A 2021 COVID-19 Impact Survey by the State Bar (contact LAP for details on the study) found that about half of attorneys were without access to mental health and substance use counseling through work. About 44 percent of women responded that they have never had access to these resources at work versus about 53 percent of men and 58 percent of gender

nonbinary attorneys. Only about 17 percent of government attorneys and 23 percent of corporate attorneys report never having had these resources at work. About 79 percent of solo practitioners, on the other hand, report having gone without these supports.

## Where does that leave you?

A recent study by Peter Anderson and several colleagues out of Newcastle University in England found that the top purchasers of alcohol in England bought 17 times more alcohol during the pandemic in 2020. And according to the landmark 2016 study by the American Bar Association and the Hazelden Betty Ford Foundation, one in five of the lawyers and judges surveyed reported problematic alcohol use, but actually more than one in three of the respondents qualified as problem drinkers.

If you had an untreated problem before the pandemic, it's likely to have intensified. And it is also likely people (family, colleagues, clients) have noticed.

In retrospect, when Susan looks back at the height of her addiction, when she was drunk for every law school exam, she is sure that people saw she was in trouble. Perhaps they did not know how to help or what resources were available.

Here's what the LAP has to offer to help you or someone you know take the first step. All services are available to attorneys (active, inactive, or disbarred), law students, or State Bar applicants:

### Orientation and Assessment

LAP's clinicians will provide a free mental health assessment followed by recommendations and referrals. There is also an opportunity to participate in the Lawyer Assistance Program support groups without making a long-term commitment.

### Short-term Counseling

The State Bar provides free, short-term counseling for personal problems or career transition. You can access up to two free one-on-one counseling sessions with a local therapist who specializes in working with legal professionals around any personal issue or concern impacting work productivity—stress, burnout, depression, career concerns, or relationship issues.

### Career Counseling

You can also access up to two free one-on-one sessions with a career counselor for those who:

- Have difficulty finding meaningful work;
- Find their current employment unsatisfying; and
- Want to better utilize their law degree.

For information on short-term counseling services, please call 800-341-0572 or email the Transition Assistance Service.



## Support Groups

The LAP offers a weekly support group meeting with other legal professionals. Groups are facilitated by a licensed mental health professional. There is a fee for group participation. Financial assistance is available for qualified participants.

## Monitored LAP Assistance

To satisfy a specific monitoring or verification requirement imposed by an employer, the Office of Chief Trial Counsel, the State Bar Court, the Office of Admissions, or another entity the Monitored LAP is designed to provide the structure and documentation of a professional monitoring program.

## Taking LAP on the (Zoom) Road

For no fee, the LAP staff will conduct presentations and webinars to law firms, bar organizations, government agencies, conventions, and State Bar hosted events for licensed attorneys hoping to earn MCLE credit while also learning about all that LAP has to offer. Additionally, LAP will tailor a presentation to a law school organization, class, or student group. To schedule a presentation, please contact Lita Abella at [Lita.Abella@calbar.ca.gov](mailto:Lita.Abella@calbar.ca.gov) or call 213-765-1165.

## The First Step is the First Step

Susan hopes her story particularly touches young attorneys and that they take the time to let their guard down. "Help is out there. Whether it's LAP, or somewhere else," Susan said. "There are people ready to assist you. Lawyers don't want to show their weakness, but part of getting sober is showing your weakness."

## And that could be the first step toward the rest of your life.

For more information on any of the programs the State Bar of California's Lawyer Assistance Program provides, please go to [www.calbar.ca.gov/LAP](http://www.calbar.ca.gov/LAP), email [lap@calbar.ca.gov](mailto:lap@calbar.ca.gov), or call 877-LAP-4-HELP.



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# THE LOSS WE FEEL IS REAL

by Greg Dorst JD, CADC II

With all that has gone on since February 2020 to the present, it is time that we take a fresh look at how we are feeling about the changes in our world and how we have responded to loss and uncertainty. All of us feel the stress and anxiety of loss, change and uncertainty and many of us need help to readjust, adapt or reset. The size and scope of what we are collectively feeling is big and it feels different than anything that we have previously experienced. As an addiction and well-being professional, I help people to move toward a more physically, emotionally, and spiritually healthy lifestyle. Now, more than ever, I am contacted by attorneys, judges and law students who have a diminished zest for life as a result of having to cope with significant loss and change in their professional and personal lives. They cannot seem to pull themselves out of negative thinking often using alcohol, food, and sleep in ways that are unhealthy just to get through the day. It is great that these brave professionals are reaching out for help; something that most of them have never done before. Many of these legal professionals have tried to implement change on their own using techniques that are available on the internet or through self-help books and articles. With honest resolve, each made some progress and then slipped back into old behaviors. Most are aware that there are really great strategies for attorney well-being and healthy living at our finger tips through organizations like the California Lawyers Association (Lawyer's Assistance Program—see article on p. 8) and local bar associations.

On these critical issues of attorney health and well-being, the National Task Force on Lawyer Well-Being produced a comprehensive report in August of 2017. As a result of this research and the publication of the report, strategies for attorneys to improve the functionality of body and mind are becoming mainstream in the legal community. All of this is in an attempt to raise awareness in the legal profession concerning physical, intellectual, social, emotional, financial, occupational, environmental, and spiritual health. Resources are offered through these publications and organizations which target healthy eating, anxiety and stress relief, meditation and yoga classes along with tips for reducing alcohol consumption during these stressful times. These strategies are scientifically proven to improve anyone's well-being. There is no lack of access to excellent information concerning holistic health strategies in today's world. There is lots of theory available on health and well-being research and methods yet there is notably very little practice. We know what to do but we cannot seem to do it.

Moreover, as I work day to day with attorneys who are facing increased alcohol consumption and drug usage along with a seeming inability to accomplish the things that they have to do, I am convinced that in many cases there is an “elephant in the room” and we have to recognize it before we can move forward with a well-being plan. The complex emotion or “elephant in the room” that is getting in the way of practicing tried and true methods of improving lawyer health and well-being is grief.

Most everyone associates grief with death. However, there is a broader view which encompasses not only death, but the loss of something like a relationship, a job, a sacred trust, financial security, a routine, freedom, community, and health security. What we have come to believe to be “our life” has been demolished, lost, taken away, restricted, or changed with no certainty that anything will ever be the same again. People feel this way about their work, their families and relationships, their communities and even their country. Grief is a complex emotion that cannot be avoided or ignored. Physical symptoms might include fatigue, nausea, lowered immunity, weight loss or weight gain, aches and pains, and insomnia. Emotional symptoms pinball from fear to anger to disbelief and include feeling like you're going crazy, feeling like you're in a bad dream, or questioning your religious or spiritual beliefs. There is a deep sense, underlying everything, that something is wrong. A timely article entitled *Coping With Grief and Loss* by Melinda Smith, M.A., Lawrence Robinson, and Jeanne Segal, Ph.D., provides ways to identify losses that are personal to you and the physical and emotional feelings that accompany such losses. Moreover, it describes a path forward with incremental steps designed to allow for healing in these difficult moments of loss and change. As with any good article, including this one, it must be recognized that there are times when mental health professionals are necessary and advisable. If you are suffering and/or feeling suicidal, contact 24-hour Suicide Prevention Lifeline: 800-273-8255 or text 838255.

With grief, below the surface there is a kind of depression, suffering, and aloneness. It will keep us from moving forward on our well-being journey until it is recognized and addressed. Grief is natural; ways of working through loss or the feelings of loss are different than all of the attorney well-being strategies that we talk about day in and day out. The language used in working through grief is much different; it is the language of sharing and describing emotions on the road to acceptance. In the recovery field there is a saying,



“First things first.” Grief work must come first as it is the prerequisite to the change that we would like to see in other areas of our lives. Grief deals with deep causative feelings, beliefs, and emotions. The first step is to identify what you are grieving and then recognize that healing through your grief is a journey of accepting current circumstances. Note that this is much different than embarking on a series of changes that will affect well-being.

As we work through our grief toward acceptance of our current circumstances brought on by emotional, social, and financial loss, we can actually see the value of well-being

strategies and access them. Before, these strategies were beyond our grasp. Being at peace through acceptance of our current circumstances will help each of us to move forward with new, healthy choices. Just in time for 2022 and beyond.

*Greg Dorst is the Southern California Consultant to the Other Bar, Inc., a private nonprofit that helps lawyers, judges and law students to make changes that can save lives and careers. Greg can be reached at [gdorst2@gmail.com](mailto:gdorst2@gmail.com) for confidential help or any questions or comments that you might have. Moreover, [www.otherbar.org](http://www.otherbar.org) is a wealth of information for attorney wellness and change.*



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# LINCOLN THE LAWYER: SPLITTING RAILS OR SPLITTING HAIRS

by Abram S. Feuerstein

Abraham Lincoln practiced law for a quarter of a century before he became president, or a period nearly five times longer than his presidency.<sup>1</sup> Yet, except for Lincoln scholars and aficionados, the nature of his law practice seems inscrutable, shrouded in a prevailing image of Lincoln as a frontier or prairie Atticus Finch – a rail splitter with a J.D. who righted miscarriages of justice, possibly slayed a few vampires along the way, and later emerged as the Great Emancipator. But it turns out that the actual Lincoln was a work-a-day lawyer, with a messy desk,<sup>2</sup> who successfully handled thousands of mostly routine, unremarkable, and boring cases while trying to earn his weekly envelope at a respectable job.

That the common, near-mythical image of lawyer Lincoln does not match the real lawyer Lincoln should not be a surprise. By infusing Lincoln's lawyering with heroism and virtue, early Lincoln historians could separate "Honest Abe" from the negative public perceptions of lawyers and the legal profession generally and maintain the narrative that Lincoln "belonged to the ages."<sup>3</sup>

Further obscuring Lincoln's lawyering, until recently, historical records about Lincoln's law practice were skimpy. Lincoln began practicing in 1836 at a time of courtrooms without court reporters; and only a handful of his cases were the subject of detailed newspaper accounts.<sup>4</sup> To be sure, several lawyers who practiced with Lincoln authored memoirs, but modern historians treat

these frequently exaggerated and sometimes distorted recollections with skepticism.<sup>5</sup>

Mostly, little is known about Lincoln's law practice because of Lincoln himself. It seems Lincoln was a difficult person to get to know.<sup>6</sup> He entertained colleagues with stories and jokes but really did not have close friends. And, although he jotted down a handful of observations about the general practice of law, his writings are not self-reflective about his own law practice -- why he decided to pursue a legal career, what was his typical business day like, the reasons for his case selection or choice of law partners, the results he achieved, or even if he found personal satisfaction from his practice.

## The Lincoln Legal Papers

Knowledge concerning Lincoln's law practice emerged from the anecdotal and came into focus around the year 2000 with the completion of the Lincoln Legal Papers Project. For more than a decade, the State of Illinois funded teams of researchers to scour County courthouses searching for cases in which Lincoln had been involved.<sup>7</sup> Although thieves had cut out Lincoln's valuable signature on some papers, in a pre-copy machine age requiring lawyers mechanically to transcribe documents in full, Lincoln's distinctive handwriting made the task less onerous. In sum, the project compiled approximately 100,000 documents and associated Lincoln with representing clients in more than 5,000 cases.<sup>8</sup> These new documents

1 Or, as historian Brian Dirck phrases it: "he held national elected office for 1,981 days, which constituted approximately ten percent of his entire life; he was a licensed, active attorney for 8,552 days, or about 40 percent of his life." B. Dirck, *Lincoln the Lawyer*, p. xi (University of Illinois Press 2007 (hereafter, "Dirck" with page references to the First Paperback Ed. 2009)).

Dirck, along with Mark E. Steiner's *An Honest Calling: The Law Practice of Abraham Lincoln*, p. 8 (Northern Illinois University Press 2006) (hereafter, "Steiner," with page references to First Paperback Ed. 2009), provided most of the context and nearly all of source material for this article.

2 By some accounts Lincoln's law offices were seedy and dark, with the windows closed because they opened over the roof of a stable. Documents were easily misplaced on tables covered with papers and books. Indeed, Lincoln had written on a large folder: "When you can't find it anywhere else, look in this." Dirck, p. 37-8.

3 The words commonly are attributed to Secretary of War Edwin Stanton who allegedly said them bedside immediately after Lincoln's death.

4 Steiner, p. 8.

5 This is particularly true with respect to the main one, *Herndon's Lincoln: The True Story of a Great Life*, written by William H. Herndon, Lincoln's law partner for 16 years. Writing to almost everyone in Springfield who knew lawyer Lincoln, Herndon started gathering material for his work shortly after the assassination. But he did not publish his volume until 1888. A valuable starting point for Lincoln research, the work nonetheless is viewed as controversial because of the lapse of time (faded memories), the assassination's effect in lionizing Lincoln's reputation among those who knew him "back when," Herndon's heavy drinking, and the significant story-telling liberties employed by Herndon's collaborator, Jesse Weik, likely the biography's main author. See generally, Steiner, p. 8.

6 Dirck, p. 31. Herndon commented that even after his long association with Lincoln, he "never fully knew or understood him" and that Lincoln "never revealed himself entirely to one man." *Id.*

7 Dirck, pp. ix-x.

8 Dirck, p. x; Steiner, p. 17.



enabled scholars to assess the full breadth of Lincoln's law practice and his development as a lawyer.

Lincoln joined the bar in 1836. Information as to why he chose the law is near non-existent.<sup>9</sup> The failure of early other business ventures after he migrated from Kentucky and moved to Illinois left Lincoln heavily in debt.<sup>10</sup> He had little formal education and did not enjoy the physical labor associated with farming or other trades.<sup>11</sup> No immediate family members were lawyers, but he had encountered the law: his father had been embroiled in litigation at various times during Lincoln's childhood, and Lincoln himself, like many people, may have attended trials as a form of entertainment – the equivalent of reality T.V. today.<sup>12</sup> At some point Lincoln picked up a copy of Blackstone's *Commentaries on the Laws of England* and likely read a couple of other legal treatises. While serving in the militia during a United States/Native American conflict in 1832 known as the Black Hawk War, he befriended a man named John Stuart.<sup>13</sup> Stuart had become a prominent Springfield attorney and made his law library available to Lincoln.<sup>14</sup>

After reading for the law, Lincoln took the bar exam. There are no records as to who administered the test or what was on it, but the requirements were not rigorous and the test likely consisted of a few oral questions.<sup>15</sup> After a County clerk entered in the docket that Lincoln was "a man of good moral character," Lincoln obtained his law license, joining a Springfield bar consisting of approximately a dozen lawyers.<sup>16</sup>

John Stuart asked Lincoln to join him as a partner in 1837.<sup>17</sup> The firm advertised in local newspapers.<sup>18</sup> Lincoln soon appeared for the first time as counsel of record in a case, *Hawthorne v. Wooldridge*. Lincoln represented the defendant, who allegedly failed to pay the plaintiff for his services in preparing a 38-acre parcel for farming and for breaching an agreement authorizing the plaintiff to use part of the land. The matter settled.<sup>19</sup>

The Stuart/Lincoln partnership lasted about four years.<sup>20</sup> While Stuart was pre-occupied with politics and successfully ran for election to the U.S. House of

Representatives, Lincoln handled a general practice consisting of contract and partnership disputes; debt collection; probate; and assault and battery cases.<sup>21</sup> These cases constituted the bread and butter for Lincoln at this and his future law firms. Typical retainers ranged from \$5.00 to \$10.00.<sup>22</sup> Eventually, with Stuart spending most of his time in Washington, D.C., the partners agreed to dissolve their partnership in 1841.

By then, a well-regarded Springfield judge, Stephen Logan, had decided to leave the bench in order to earn more money, and he and Lincoln teamed up.<sup>23</sup> As a judge, Logan had seen Lincoln's work when presiding over several cases in which Lincoln was counsel, and in 1838 Logan and Lincoln successfully co-counseled a murder trial, obtaining an acquittal on self-defense grounds.<sup>24</sup> Logan's reputation ensured higher paying and higher quality cases for the firm, and he appears to have acted as a mentor for Lincoln.<sup>25</sup> Nevertheless, the firm dissolved in 1844 when Logan brought his son into the law practice.<sup>26</sup>

In 1844, Lincoln's own reputation had solidified. A young attorney, William Herndon, had completed his legal studies in the Logan/Lincoln office and Lincoln approached Herndon to form a partnership. The two remained partners until Lincoln became president in 1860. According to Herndon, as Lincoln left for Washington and noticed the Lincoln and Herndon sign on the building, he told Herndon to keep the sign up: "Let it hang there undisturbed," Lincoln allegedly said. "If I live, I'm coming back some time, and then we'll go right on practicing law as if nothing had ever happened."<sup>27</sup>

## Unnotable Cases

To the extent that lawyer Lincoln specialized in any area of law, it likely was debt collection. Of the 5,000 cases associated with Lincoln, debt collection comprises about half of them.<sup>28</sup> Many of these cases have a similar sound – farmer A loans farmer B \$200, and maybe even agrees that if he did not repay the loan, farmer B would give A a pig. Farmer B defaults. Farmer A may sue, but more likely he would have sold the underlying promissory note to a third party, who in turn might have sold the

9 Dirck, p. 11.

10 Dirck, pp. 54-55.

11 Dirck, pp. 12-15.

12 Dirck, pp. 14-15.

13 Dirck, pp. 20 and 24.

14 Dirck, p. 21.

15 *Id.* Dirck notes that Massachusetts initiated the first written bar test approximately 20 years later in 1855.

16 *Id.*

17 Dirck, p. 25.

18 *Id.*

19 *Id.*; Steiner, pp. 75-76.

20 Dirck, p. 26.

21 *Id.*

22 *Id.*

23 Dirck, p. 27.

24 The case, *People v. Truett*, is discussed at Dirck, pp. 28 and 115-16.

25 Dirck, pp. 28-29.

26 *Id.*

27 Quoted in Michael E. Ruane, *Lincoln biography: rail splitter's feast*, Baltimore Sun, October 15, 1995 (book review of Lincoln by David Herbert Donald).

28 Dirck, pp. 59-60; Steiner, p. 100.



Abraham Lincoln  
*Defending young Armstrong*

note again. These credit arrangements were common in a developing frontier economy. And lawsuits involving them were a volume practice for lawyers like Lincoln.

In these thousands of cases, Lincoln represented creditors far more than debtors – maybe two-thirds of the time.<sup>29</sup> It was not for ideological reasons -- creditors simply had a little more money to hire attorneys and pursue debt collection. The cases generally did not proceed to trial. Matters settled or resulted in a confession of judgment.<sup>30</sup> Many debts were not collectible. Some debtors simply left the geographic area and scrawled on their front doors, “GTT,” or “gone to Texas.”<sup>31</sup> The bankruptcy option largely was not available.<sup>32</sup>

In addition to debt cases, Lincoln’s portfolio included numerous land ownership disputes. For example, aside from title disputes, Lincoln was counsel of record in 140 lawsuits to partition real estate typically resulting after a landowner’s death.<sup>33</sup> Other common representations involved animal ownership disputes, as would be expected in a farming community.<sup>34</sup> Lincoln’s

firm also handled civil and criminal assault and battery cases, another prominent feature of frontier life.<sup>35</sup> Slander cases, too, appear to have added another 92 matters to the litigation pile handled by Lincoln or his partners, with many involving accusations of fornication or adultery.<sup>36</sup>

Lincoln supplemented his income by also “riding the circuit.”<sup>37</sup> He and other Springfield attorneys for parts of the year would travel by horse and buggy to handle case dockets generated in other central Illinois counties. They were joined by itinerant judges. Everyone shared meals, and stayed at village inns, two to a bed, eight to a room.<sup>38</sup> One day a lawyer might represent a plaintiff; the next day the defendant. Lincoln even presided as a judge in approximately 300 cases when a bench officer otherwise was unavailable.<sup>39</sup> In addition to the needed income (40 percent of Lincoln’s cases came from outside the Springfield/Sangamon County area),<sup>40</sup> Lincoln appears to have enjoyed the fraternal atmosphere of the circuit, staying away from Springfield for periods as long as three months.<sup>41</sup> Later, the contacts he made throughout the State while riding the circuit would be important in his efforts to secure the Republican presidential nomination in 1860.<sup>42</sup>

Of note, as Lincoln became known in the 1850s as a formidable attorney with strong oratory skills, the Illinois Central Railroad retained Lincoln to represent its interests. As a “railroad” attorney (albeit he worked the plaintiff’s side and sued railroads, too), Lincoln represented the Illinois Central in approximately 50 cases.<sup>43</sup> Most were unremarkable, involving damages to farmland caused by railroad activity. However, he handled several significant appellate matters, including one in 1855 which Herndon called the firm’s most important case: *Illinois Central Railroad v. McLean*

29 Dirck, p. 61.

30 Dirck, p. 67. Debt collection in small communities could create enemies among neighbors, so achieving voluntary repayment arrangement frequently was preferable. In notes for a law lecture found in Lincoln’s handwriting, Lincoln famously advised lawyers to “discourage litigation” and to encourage their “neighbors to compromise” whenever possible. He urged: “Point out to them how the nominal winner is often a real loser – in fees, expense and waste of time.” *Id.*

31 See generally, [https://en.wikipedia.org/wiki/Gone\\_to\\_Texas#:~:text=Gone%20to%20Texas%20\(often%20abbreviated,from%20the%20South%20and%20West](https://en.wikipedia.org/wiki/Gone_to_Texas#:~:text=Gone%20to%20Texas%20(often%20abbreviated,from%20the%20South%20and%20West).

32 Dirck, pp. 63-64. Although Congress under the Constitution is charged with enacting bankruptcy laws, for most of Lincoln’s legal career it had not done so except for a brief interval in 1841-42 during which Lincoln filed approximately 75 bankruptcy petitions in U.S. District Court on behalf of clients.

33 Steiner, p. 76.

34 Steiner, pp. 81-82.

35 Steiner, pp. 83-84.

36 Steiner, pp. 85-100.

37 Dirck, p. 44.

38 Dirck, p. 45.

39 Dirck, p. 51.

40 Dirck, p. 46.

41 *Id.* This gave rise to rumors that he had an unhappy home life with Mary.

42 Dirck, p. 47. The judge that accompanied Lincoln and his brethren on the circuit frequently was David Davis, a colorful and influential individual who befriended Lincoln and who is best known as a manager of Lincoln’s political campaigns. See W.D. Bader and F.J. Williams, “David Davis: Lawyer, Judge and Politician in the Age of Lincoln,” *Roger Williams University Law Review*, Vol. 14, Issue 2 (Spring 2009), p. 180. Davis’ floor strategy at the 1860 Republican convention is credited with blocking Senator William Seward from obtaining the nomination on a first ballot, enabling Lincoln to win the nomination ultimately. Lincoln subsequently appointed Davis to the Supreme Court.

43 Dirck, p. 97.



County, Illinois.<sup>44</sup> The County had attempted to tax the railroad's property located within its jurisdiction. But subjecting railroads to local taxes would be costly and impede growth, so Lincoln's victory for his railroad client was consequential beyond the immediate financial interests of the litigants.<sup>45</sup>

## Notable Cases

Most accounts of Lincoln's law practice highlight four or five major cases handled by Lincoln during his career, including the railroad tax case. Two other cases that make the list, albeit for vastly different reasons, are "The Almanac Case," and a case in which Lincoln represented a slaveowner named Robert Matson who attempted to establish his property rights in an escaped slave, Jane Bryant, and her four children.

In the Almanac Case,<sup>46</sup> a Lincoln friend, Duff Armstrong had been accused of murdering another young man in a fight after a drinking bout. The main prosecution witness claimed to have seen Armstrong kill the person using a weapon known as a "slungshot," some type of heavy stone or piece of lead wrapped in leather and attached to a thong. The fight had taken place late at night, but the witness, standing a distance away, insisted he could see it clearly because there had been a full moon. In an apparently dramatic cross examination, Lincoln produced an almanac evidencing that the moon already had set at the time of the fight. Armstrong was acquitted.

By contrast, Lincoln's representation of Robert Matson<sup>47</sup> is a troubling case for Lincoln admirers. Matson, a slaveowner who was from Kentucky, bought land in neighboring Illinois and transported the enslaved Bryants from Kentucky to help maintain his Illinois property. The Bryants sued for their freedom after hearing of Matson's plans to sell off his slaves and break up their family, asserting that their two years on Illinois' free soil terminated their slavery. In the fall of 1847, on behalf of Matson, Lincoln contended that the Bryants should remain enslaved because their presence in Illinois was transitory in nature. Holding that Matson had "forfeited all claims to their services" by bringing the Bryants into Illinois and domiciling them

there," the courts ruled against Matson.<sup>48</sup> And lawyer Lincoln.

To modern eyes, Lincoln's representation of Matson cannot be rationalized; and past efforts to do so by claiming Lincoln "threw the case" and highlighting Lincoln's consistent public opposition to slavery and even his legal representation in other cases of slaves seeking their freedom sound feeble.<sup>49</sup> A better explanation is the simpler one: Lincoln was not a deep-thinking legal ethicist who selected cases based on a private morality code. Or, in historian Steiner's phrasing, "Lincoln was able to represent a slaveholder because he was able to suspend his moral judgment."<sup>50</sup>

## A Good Time

A focus on lawyer Lincoln and his law practice takes Lincoln down from a deserved Mount Rushmore perch and certainly makes Lincoln more understandable as a human being. As a lawyer and later politician, Lincoln was hardworking and ambitious, described by his law partner Herndon as "a little engine that knew no rest."<sup>51</sup> The law mainly allowed Lincoln to earn a steady living. But as he progressed in his career, the law enabled Lincoln to refine his reasoning, written and oratory skills, and to make important political connections. The cases handled by Lincoln, too, might have given him a front row seat to the increasing complexity of commercial transactions and the nation's maturing economy.

Yet Lincoln also must have enjoyed his legal career and expressed a desire to return to it after his presidency. When Lincoln's son Robert approached him during the White House years and informed his father that he wished to attend Harvard Law School, the self-taught lawyer Lincoln said, "If you do, you should learn more than I ever did, but you will never have so good a time."<sup>52</sup>

*Abram S. Feuerstein is employed as an Assistant United States Trustee by the Department of Justice. The mission of the United States Trustee Program is to help protect the integrity of the bankruptcy system for all its constituents. The views, if any, expressed in the article belong solely to the author and do not represent in any way the views of the United States Trustee, the United States Trustee Program, or the US Department of Justice.*



<sup>44</sup> Dirck, p. 98.

<sup>45</sup> After prevailing, Lincoln felt justified in billing the railroad \$2,000 for his services, but the railroad refused to pay. Lincoln then successfully sued the railroad for his \$5,000 fee, giving half to his grateful partner. "We both thanked the Lord for letting the Illinois Central Railroad fall into our hands," Herndon wrote. Dirck, p. 98.

<sup>46</sup> Dirck, pp. 116-19.

<sup>47</sup> See Steiner, pp. 103-36.

<sup>48</sup> Steiner, p. 121.

<sup>49</sup> Steiner, pp. 103-36.

<sup>50</sup> Steiner, p. 136.

<sup>51</sup> Geoffrey C. Ward, "Before He Became a Saint," *The New York Times*, October 22, 1995 (Book review of Lincoln by David Herbert Donald), retrieved at <https://archive.nytimes.com/www.nytimes.com/books/98/12/06/specials/donald-lincoln.html>.

<sup>52</sup> Dirck, p. 175.

# JANE W. CARNEY: A CENTERPIECE OF RIVERSIDE'S LEGAL COMMUNITY

by Teresa J. Rhyne

*This article is the continuation of a series highlighting all of our RCBA Past Presidents.*

In 1989 when Jane Carney was president-elect of the Riverside County Bar Association, she took a lead role in requiring the group then known as the "Lawyer's Wives Club" to change its name to "Lawyer's Alliance," since, to state what was not then obvious to all, not all lawyer's spouses were "wives." In retaliation, the club boycotted her inauguration, refusing to provide the centerpieces as they had for the past inaugurations of (male) RCBA presidents. This is an anecdote that sums up Jane Carney well—she's a leader, she's going to be out in front of societal and political issues, and there probably are not going to be flowers.

Born December 7, 1942, Jane grew up in Minneapolis, Minnesota. She graduated from the University of Minnesota in 1964 and taught high school for three years. She married and had three children, son Michael, and twin daughters Lynne and Laura. Following a divorce, with three children in elementary school and determined to be self-supporting, Jane attended law school at UC Davis where in her class she was one of four single women with children. UC Davis law school was new then and was purposefully admitting students who were out of the norm for law schools at that time—ethnic minorities, students who had been in the world of work for several years, and single mothers with children. One of the single mothers in Jane's class dropped out during the first year. The other three tried to show the administration that it was not a mistake to admit them. Jane graduated in 1976 and was awarded Order of the Coif—making it clear her admission was anything but a mistake.

In 1977 she married Francis Carney, a founding and much beloved UC Riverside professor of political science and history, whereupon she moved to Riverside. Her legal career began at the firm of Hennigan & Butterwick, later known as Butterwick, Bright, Pettit, & Cunnison. In 1981 she joined Surr & Hellyer in San Bernardino. In 1985 when Surr & Hellyer merged with Reid, Babbage & Coil to become Reid & Hellyer, one of the senior partners of Reid, Babbage & Coil objected to having a woman partner in the firm. But partner Joe Sax, a curmudgeonly, tough former Navy pilot said, "Carney's included, or the deal is off." Joe, of course, loved telling Jane that story. Eventually, the senior partner, like anyone who practices with Jane Carney, came to have great respect for her as a person and a lawyer.



Jane W. Carney

Carney practiced in mergers, acquisitions, and business transactions, quickly becoming sought after by business owners throughout the area. She was likewise noticed by colleagues and community leaders. She served on the Inland Counties Legal Services Board from 1979-1982, the State Bar Committee on Professional Responsibility and Conduct from 1980 to 1983, and the Public Service Law Corporation Board from 1984 to 1986. She was elected to the board of the Riverside County Bar Association in 1986 and served as President in the 1989-90 year.

During her term as President of the RCBA she was tasked with choosing the art for the entryway of the criminal courts building, along with fundraising for the artwork. She was joined in her efforts by the late Judge

Victor Miceli and Justice James Ward. As a result, the trio learned just how easy and enjoyable it was to work together.

Judge Victor Miceli, Justice James Ward, and Jane Carney then founded the Riverside-San Bernardino Committee on Federal Courts for the two-county area in 1990. The three legal stalwarts became known variously as the "Unindicted Co-Conspirators," "Gang of Three" and "The Three Musketeers." Together, they spearheaded the establishment in Riverside of a federal courthouse and bankruptcy court, and the transfer of the 4th District Court of Appeal, Division Two headquarters from San Bernardino to Riverside. Their leadership shaped downtown Riverside as a state and federal justice center with \$100 million in new construction. Not bad for an attorney who rarely went to court.

As though those feats did not keep her busy enough, Jane Carney also served as president of the Riverside Downtown Partnership in 1991-1992, a member of the board of directors for the Greater Riverside Urban League from 1991 to 1993, a member of the esteemed Monday Morning Group from 1990 to 2003 (serving as president from 1996 to 1998), and on the Riverside Community College District Board of Trustees from 1993 to 1995.

In 1991, The Greater Riverside Chambers of Commerce presented Jane with the Athena Award, which honors a person who fulfills their mission to open doors of leadership opportunities for women through inspiration, education, cultivation, and mentoring. *The Black Voice News* named her a "Woman of Achievement" in 1992.

Jane was a candidate for California State Assembly in 1992. She ran as a Democrat in a heavily Republican dis-



trict, and narrowly lost—a testament to the respect the community had for her.

In 1994, she formed the boutique business law firm of Carney & Delany, LLP together with partners Frank Delany and Teresa Rhyne, and later, Curt Knudsen and Richard Roth (now a California State Senator). Naturally, her leadership and community service did not rest, nor did her political involvement. She chaired or co-chaired campaigns for several Democratic candidates, including George Brown, Jr., Alan Cranston, Tom Bradley, Kathleen Brown, and Ron Loveridge.

She was honored as the Citizen of the Year by the Greater Riverside Chambers of Commerce in 1997. In order to raise funds for the downtown Riverside statue honoring Martin Luther King, Jr., Jane co-chaired a successful dinner event. She was also co-chair of the Center for Community Action and Environmental Justice 20th anniversary celebration.

In 2000, she was appointed by the California Senate Rules Committee to the South Coast Air Quality Management District Governing Board—a position she held until 2012. She earned the Distinguished Service Award from the Riverside Community College District in 2008. Together with her husband Francis, Jane was given the Distinguished Service Award by the Citizens University Committee of UC Riverside in 2010.

Carney and Delany dissolved in 2008 and Carney spent her last few years of practice with Roth Carney LLP. When Jane retired in 2010, she dyed her hair a vibrant royal

blue, proof to the world she was on to her next adventure and no longer practicing law. She could do something crazy with no clients or partners to object or look askance. When one begins a law career with three small children in tow, in an era that still had “Lawyer’s Wives” clubs, and then goes on to become one of the most respected attorneys and community leaders of her time, one is entitled to go a little crazy at retirement. Royal blue suited her.

But of course, this is Jane Carney of whom we’re speaking. Retirement has meant time with her children and three grandchildren, but also serving on The California Housing Foundation Board of Directors (2013-2018), the UCR Public Policy Advisory Board (2014 to 2018), the Civil Rights Institute of Inland Southern California board of directors (2012 to current), the James Irvine Foundation Board of Directors (2006 to 2018), and the Board of Trustees of the California State University (2016-2022).

Tireless, sharp, dedicated, passionate, and brilliant, Jane Carney does not need centerpieces—she is a centerpiece of Riverside’s legal community.

*Teresa J. Rhyne is an attorney practicing estate planning and trust administration in Riverside and Paso Robles. She is also the #1 New York Times bestselling author of The Dog Lived (and So Will I). Her most recent book is Poppy In the Wild: a Lost Dog, 1,500 acres of Wilderness, and the Dogged Determination that Brought her Home, which takes place in Riverside’s Sycamore Canyon.*



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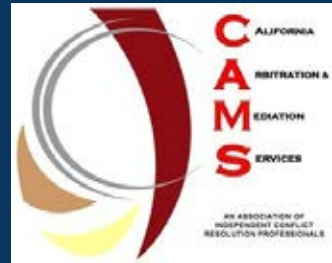


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# OPPOSING COUNSEL: MICHAEL BAZZO

## CIVILITY 101

by Betty Fracisco

Civility is defined as politeness and courtesy in behavior or speech. Unfortunately, in the legal profession, civility often takes a back seat to the desire to win or even aggression. We found a Riverside lawyer who carried on his life's work with a high level of civility, as anyone who opposed him could probably relate. Michael Bazzo, recently retired, is one of those people who reflected civility in every aspect of his legal career.

One wonders what in a person's background leads him to a life of civility. Michael Bazzo comes from several generations of hard working Italians. His grandfather grew up on a farm in Italy when, in 1920, at the age of 17, his father put him and his cousin on a ship to America (steerage class). He never saw his parents again. His father and cousin went to Chicago, and since he didn't speak English, his first job was shelling walnuts. Within 10 years, now a baker, he was married with children, and was able to buy a house and a car. Time passed, the family grew, and eventually Michael Bazzo was born, the son of a graphic artist/advertising dad and nurse mom. In the late 40's, his dad and grandfather made an exploratory trip to southern California, and in the early 50's, when Michael was 2, the entire family, grandparents, aunts and uncles and cousins moved to Covina, where they all bought homes on two adjacent streets (which resulted in a lot of kids in the neighborhood). They spoke Italian in their home. The touchstone of his family was that they all worked very hard entitled, *Random Acts Of Fishing: Fly-Fishing Tales* (<https://www.amazon.com/Random-Acts-Fishing-Fly-Fishing-Tales/dp/1440473625>).

Michael graduated from Covina High School a three sport athlete (tennis, track, and football) but not a sterling student. He attended Mt. Sac, taking all science classes, and earning a 4.0, which encouraged him to dream of med school. His mother suggested a career as an X-ray technician, so he switched to a two-year radiology school, where he was second in his class. He began working at San Gabriel Hospital as an X-ray technician. For the next three years, he followed a grueling schedule of working full-time and attending UCLA full-time. He was pre-med for one quarter, then changed his major to classics, literature and languages (he had taken German in high school and spoke Spanish and Italian). Any free time was spent travelling. After graduation in 1984, he continued as an X-ray technician. He met his wife in 1987 and then wanted to marry her, but he realized that the X-ray field had no room for advancement and a



Michael Bazzo

demanding schedule. They married in 1988. At Thanksgiving 1989 his wife's uncle, Judge Lance Ito, was with them for dinner, and Michael asked his advice regarding what he should do about his career. Judge Ito suggested law school—he felt Michael could combine work as a lawyer with his knowledge of the medical field.

Michael graduated from Western State University School of Law in 1993. After passing the California State Bar exam, he was hired by Bonne Bridges as medical malpractice defense counsel, mostly representing Kaiser Permanente. For nearly 10 years, he managed their litigation in the Inland Empire. While at Bonne Bridges, he joined the RCBA Publications Committee, first as a

contributing writer, then as a contributing editor, working for editors like John Vineyard and James Heiting. In 2005 when James Heiting resigned as editor after his election as president of the State Bar, Michael and Jacqueline Carey-Wilson became co-editors. He left the committee in 2006 when he was hired by LaFollette, Johnson, DeHaas, Fesler and Ames to work in their Los Angeles office.

From childhood Michael had developed a passion for flyfishing. In the late 90's, he started writing articles for fishing magazines about his adventures. Then he published his own column covering flyfishing in the Bishop, Mammoth, and Bridgeport areas. Eventually he was compensated for the hotels and meals, so he would drag his wife and two sons along for a week in the mountains, which was great family time. Then he branched out and Flyfishing America Magazine would send his articles to several magazines, widening his audience. Later, in 2006, he combined a selection of his fishing articles into a book that was sold on Amazon.

During these years Michael was also a Boy Scout leader (until 2014) and he and his family belonged to a Civil War reenactment group. They would spend a weekend reenacting a specific battle, wearing period clothes and uniforms. He has a clear recollection of he and his then 14-year-old son charging Pickett's charge at Gettysburg. It was a fun family activity, camping out with other families. Michael had to discontinue this activity when he made partner at La Follette.

It was in 2014 that Michael made partner at La Follette Johnson and became managing shareholder of their Inland Empire office. He had continued to defend Kaiser Permanente and other medical entities and had published over 100 articles on medical legal issues and other topics. He was a contributing editor of ProActive Risk Management newsletter and editor of

Global Outreach Magazine. He remained an active member of RCBA and served as the chair of the RCBA delegation to the annual meeting of the Conference of Delegates.

In his spare time Michael, who loves science fiction, wrote *Pirates of Neptune* in 2015, which he followed with 3 sequels, described as “fun stories.”<sup>21</sup> He calls this “just a hobby,” but he is working on one right now, after writing nothing during the dark days of the pandemic. In fact, it was the pandemic that made him decide it was time to retire from La Follette and his legal career. When everything became remote, he couldn’t reach his clients, couldn’t work on his cases, couldn’t do much of anything...we all know the feeling.

So now Michael Bazzo is a very recently retired attorney who has lived in Chino Hills for 33 years and has been married to the same woman for 34 years. His two boys are responsible adults, one a first responder on his way to becoming a fireman and the other working in the corporate/banking area. He is working on a different book with his wife, as always, as his editor. When asked about civility, he said he has spent 25 years being nice and civil. He knows that he would get a lot further with opposing counsel by being civil and dealing with people on a cooperative basis. As lawyers, you do not always have to fight. While defending medical clients he would think, “Why fight with me? I have

1 (see, [https://www.amazon.com/s?k=books+by+michael+bazzo&cr id=L5W70FG4HPPY&srefix=books+by+michael+bazzo%2Caps%2C137&ref=nb\\_sb\\_noss](https://www.amazon.com/s?k=books+by+michael+bazzo&cr id=L5W70FG4HPPY&srefix=books+by+michael+bazzo%2Caps%2C137&ref=nb_sb_noss))

the money.” He always appreciated plaintiff attorneys who were up front and not combative. These are sentiments to live by. Michael Bazzo has lived a life guided by civility, and no doubt he passed it on to those who worked for him, following his example.

*Betty Fracisco is an attorney at Garrett & Jensen in Riverside and a member of the RCBA Bar Publications committee.*



## MEMBERSHIP

The following persons have applied for membership in the Riverside County Bar Association. If there are no objections, they will become members effective February 28, 2022.

- Wei Liu** – Stream Kim Hicks Wrage & Alfaro, Riverside
- Alejandro Marin Macias** – Law Student, Perris
- Ta’Nekeo Shawn Marcus** – Inland Empire Justice, Riverside
- Stacie R. Mathews** – Solo Practitioner, Murrieta
- Treashal K. Parmar** – Varner & Brandt, Riverside
- Lawrence D. Simons** – Law Offices of Larry D. Simons, Riverside



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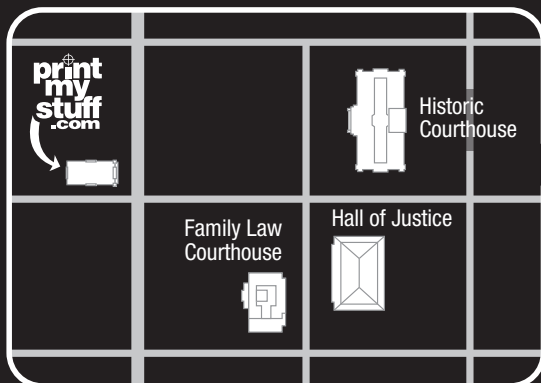
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# JUDICIAL PROFILE: HONORABLE JOSHUA KNIGHT

by Valerie Navarro

Judge Joshua Knight is an intelligent and kind husband, father, and friend. His wife is his “best friend,” and they are enamored with their three precocious daughters (including a set of twins). In discussing his life and pivotal moments he wished to share, Judge Knight highlighted three exceptional experiences.

In high school, Judge Knight developed a fascination with language and, in particular, the German language and culture, and he dedicated himself to becoming German/English bilingual. Because he worked tirelessly to master the German language, he was afforded the opportunity, as an exchange student, to live with a family in a small town outside of Nuremburg. That experience was invaluable to Judge Knight, providing him with a global perspective of social justice issues and forcing him to break through his shyness and become more outgoing and social. Judge Knight was able to return to Germany during his college years at the University of California, Santa Cruz and participate in a four-month intensive language program, followed by a year-long study abroad program.

Judge Knight attributes his discovery of his passion for the law to this experience. While living in Germany, Judge Knight befriended another student from the United Kingdom, and they found themselves continually debating principles and systems of justice. This friendship and these discussions inspired Judge Knight’s decision to pursue a career in law. This decision was further fueled by his experience working with Santa Cruz County, in preparation for the 2000 and 2004 presidential elections.

Judge Knight also values his experiences at the University of Oregon School of Law, not only because that was where he met his wife and best friend, but also because he discovered another passion while in law school – coaching and refereeing youth soccer programs. Over the past two decades, Judge Knight has found this avocation to be inspiring, fulfilling, and fun.



*Hon. Joshua Knight*

Finally, Judge Knight attributes much of who he has become to his experience working as a deputy public defender for Kern and then Riverside County. Judge Knight was “in the trenches” throughout most of his career as a deputy public defender, trying more than fifty felony cases to verdict; due to his exceptional intellect and love of the law, he was identified as an excellent addition to the Public Defender’s writs and appeals unit. In that assignment, Judge Knight became an expert in felony sentencing law and personally handled complex postconviction matters, including representation of young people who had been sentenced to die in prison and not-so-young people, given a second chance on life due to the modifications of the Three Strikes Law made by Proposition 36.

Judge Knight is an advocate for justice and a lover of the law. He believes in the greatness in all human beings and every man, woman, and child’s capacity for redemption. He is also a fierce guardian of the rights of crime victims and takes very seriously his duty to balance those rights against the guarantees of due process afforded defendants by the state and federal constitutions.

As a bench officer, Judge Knight wants to further public trust and confidence in the justice system. He wants to make sure the law is fairly and justly enforced, and that all parties are treated with respect and provided an opportunity to be heard. Judge Knight wants to project to the parties before him that he is open minded with sound reasoning for his decisions.

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*Valerie Navarro has been a Riverside County deputy public defender for 14 years. She worked under the supervision of Judge Knight in the writs and post-conviction unit (formerly writs and appeals). She currently oversees the volunteer and law clerk program, MCLE training, and is assigned to the writs and post-conviction unit.*







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# THE RCBA CHRISTMAS ELVES PROGRAM 2021

by Brian C. Percy

On December 24, 2021, the RCBA's Elves Program concluded its twentieth annual program of bringing Christmas joy to needy families throughout Riverside County. Every year the success of the RCBA Elves Program is solely due to the great support and generosity of you, our membership. Helping others is infectious and Elf participation has grown beyond the RCBA members to now include their office staff, their families, clients, and friends. Since this was our second year of facing the logistical challenges of COVID, the adjustments we made to our program last year were carried over to our program this year.

This year we worked with the following organizations to identify families in need: Supervising Probation Officers in Riverside, the Family Justice Centers in Riverside and Indio, the Victim Services Division of the Riverside County District Attorney's office, the Riverside County Probation Department, Wealthykids.org, and the Lighthouse Social Services organization. The RCBA Elves provided Christmas gifts, a holiday dinner and gas cards to 54 families (141 children and 77 adults).

As you can see by some of the images, all the hard work you did was worth it!



From left to right: Anne Hoover, Judge Kiya Kato, Koji Cephas, Elisha Cronin, Tiffany Nocon and Yuri Han.

## Now time for some recognition:

### The Money Elves

As always, our funds came from direct donations and monies raised at bar association events held throughout the year. The money raised provided wrapped gifts for each family member, a Stater Bros. gift card to buy food for a holiday dinner and a Union 76 gas card to help each family's holiday travels. Because of our successful fundraising effort, we addressed the inflationary pressures everyone has been facing and provided more money per family than in years past. I would like to thank the following Money Elves for their support:

Varner Brandt, Charity Schiller, Mark Easter, Bratton Razo & Lord, Diane Huntley, Ward Simmons, Sophia Choi, Deborah Vivian, Mary Karlson, Erica Alfaro, Matthew Forsche, Judge Jean Leonard (Ret.), David Werner, Kendall MacVey, Aaron Chandler, Ward & Ward, Dan Hantman, Marcia Gilman, Melissa Cushman, Martha Knutson, Judge Kira Klatchko, Aidan McGloin, Neil Okazaki, Jeff Ballinger, Peggy Barnes, Bianca Carvajal, Sonia Carvalho, Henry Castillo, Kara Coronado, Pamela Crawford, Scott Dittfurth, Ashley Fernandez, Ryan Guiboa, Denise Hansen, Liz Hecht, Julia Hernandez, Amy Hoyt, Tammy Ingram, Thomas Jacoban, Roxana Jimenez, Zarina Jurlin, Ron Kauffman, Craig Keller, Megan Kilmer, Jessica Lomakin, Cheryl Madaris, Jose Martinez, Richard Martinez, Kerry McCoy, Chris Moffitt, Laura Moreno, Mona Nemat, Briana Noreen, Damian Northcutt, Jenny Oberg, Thomas O'Connell, Susan Plummer, Glen Price, Brittany Reese, George Reyes, Riki Rivera, Lisa Ruiz, Megan Russell, Isabel Safie, Andrew Saghian, Mrunal Shah, Haviva Shane, Monica Smith, Greg Snarr, Holland Stewart, Carol Swanson, Cathy Tisnado, Mandy Villareal, John Wahlin, Attorneys to Go, Judge Richard Van Frank (Ret.), David Bristow, Judge Gary (Ret.) and Janet Tranbarger, John Michels, Presiding Judge John Monterosso, Lazaro Fernandez, Mary Reyna, Michael Ortiz, Judge Irma Asberry, Robert Swortwood, Susan Exon, Judge William Bailey (Ret.), Christine Renken, Donald Cripe, and Barrie Roberts.

I would also like to provide a very special "Thank You" to Sean Varner and his assistant Carol of Varner & Brandt, who were able, once again this year, to provide and secure a large donation from their firm and from Stater Bros. This generous donation covered most of our food card



needs for the families and allowed much, much more of the cash raised to go toward gifts. And another huge shout out to Mark Easter. Mark did his usual fantastic job of rallying a large number of his colleagues at Best Best & Krieger to the cause raising some of the largest amounts ever. And a very special thank you to Kirstie Donaldson (spouse of RCBA member Michael Donaldson) and her mother, Jodi Helms and the Helms Christian Pre-School in Murrieta. For the last several years, Kirstie and Jodi have conducted their own toy drive at their school and were able to donate several boxes of toys for our families this year.

## The Shopping Elves

It was a joy to experience the festive mood of various individuals, firms, and families, put on their Elf hats and used their best bargain-hunting skills to shop and find great deals for our families. While Walmart only provided us one associate this year (instead of the usual 4), with the help of Charlene Nelson, Anna Gherity, Bruce Larson, and Veronica and Marcos Reynoso, we were able to bag, tag, and deliver hundreds of presents to the RCBA office in record time. This year's Shopping Elves were:

Sophia Choi, Kyrie I, Matt David, Candi Erwin, Diane Huntley, Judith Murakami, Marika Myers, Zack Myers, Diana Renteria, Judge Sunshine Sykes & Family, William & Pamela Bratton, Michael & Carissa Razo & family, Elisabeth Lord & family, Danielle & Joshua Linker, Goushia Farook, Kyle Hass, Terri Moothart, Alma Suarez, Albert Suarez, Diane Peck & family, Toni Lorenz & family, Rachel Scarlett, Sara Tavakoli, Marie Moreno Myers, Barbie



*Mike Razo and Sons.*



*Bratton Razo & Lord*

Trent, Aiden McGloin, Marty Nicholson, Bruce Larsen, Mia Malloy, Christine Godbey, Kimberly Prendergast, Angela Viramontes, Anthony Beaumon, Christine Renken, Jesse Male & family, Malvina Ovanezova, Veronica Garcia, Kristine Borgia, EvanRae Easter, Martha Knutson, Matthew Kraus, and Veronica and Marcos Reynoso.

Walter's Auto Sales & Service once again provided a large Mercedes Sprinter Van to use to transport our purchases from Walmart to the Bar Building for the night. A great big "Thank You" to General Manager Steve Kienle and his Parts Manager Scott Eisengberger for providing our "sleigh."

## The Wrapping Elves

After the shopping was finished, all the gifts were delivered to the RCBA and filled the board room. Like last year, wrapping was not performed on site. Instead, our Wrapping Elves picked up bags for wrapping at their homes or offices and then brought them back to the RCBA for pickup by the Delivery Elves. In many instances our Wrapping Elves also became Delivery Elves, making the



*Sophia Choi and Kyrie.*

trip back to the RCBA unnecessary. A huge thank you to this year's Wrapping Elves:

Liz Hecht, Jerrad Hecht, Judy Murakami, Sophia Choi, Kyrie I, Aaron Chandler, Anna Zagari, Liz Ditfurth, Scott Ditfurth, Marika Moreno, Judge Kiya Kato, Koji Cephas, Elisha Cronin, Tiffany Nocon, Anne Hoover, Yuri Han, Claudia Carr, Tony Luzuriaga, Antoniette Jauregui, Angelica S. Jauregui, Alexandra Fong, Erica Alfaro, Dasiy De Anda, Vivian Duarte, Kimberly Pendergast, Angela Viramontes, Bryan Sahagun, Judge Sunshine Sykes & family, Veronica Garcia, Virginia Corona, Maddie Nopwaskey, Mike & Carissa Razo, Elisabeth Lord, Toni Lorenz, Pamela Bratton, Danielle Linker, Mike Ortiz, Alejandro Barraza, Paul Lin, Priscilla George, Brigitte Wilcox, Orquidea Wilcox, Ellen Peng, Brendan Wong, Tommy Pan, David Rivera, Anthony Beaumon, Ankit Bhakta, Gabriela Rodriguez, Mackensie Peace, Treashal Parmer, Scott Heil, Chris Milligan, Michael Wolfe, and Angelica Samaniego.

While we missed having the camaraderie and the sounds of Christmas music and eating goodies while wrapping at the RCBA, fingers crossed that we will have returned to our usual routine for Christmas 2022.

## Delivery Elves

Like Santa himself, our gifts were not deterred by COVID. Your gifts were delivered personally (but in a “socially distanced” way) by Delivery Elves throughout Riverside County, including the cities of Riverside, Nuevo, Indio, Coachella, Desert Hot Springs, San Jacinto, Corona, Moreno Valley, Perris, Hemet, and Blythe. A special thank you to our brave Delivery Elves who donated their time and fuel:

John Michels, Michelle Ewing, Judge Sunshine Sykes & family, Tania Johnson, Judge Koosed & family, Shaana



*Kristine Borgia and Family*



*Jesse Male*



*Matthew Forse and son Matthew II.*



*Head Elf Brian Percy and some of the shopping elves.*



Ramos, Kimberly Prendergast, Tony Luzuriaga, Angela Viramontes, Daisy De Anda, Vivian Duarte, Matthew Forse & family, Bryan Sahagun & family, Margeuax Mernick, Veronica Garcia, Jeremiah Raxter, John Byerly, Gabriela Rodriguez, Nicole Koshmerl, Scott Heil, Michelle Wolfe, Antoniette Jauregui, Angelica S. Jauregui, Rebecca Ulhry, Lorie Nicholson, Jei Roberts, Michelle Ewing, Tania Johnson, Lilja Whiting, and Crystal Neito.

## Special Thanks

Once again, big kudos to: the Riverside County Bar Association staff, especially Charlene Nelson, who works tirelessly for all events, from the very beginning with shopping, sorting, bagging, organizing the wrapping, and coordinating the preparation of all deliveries. Also, much appreciation to the RCBA's Lisa Yang. This event could not succeed without their energy and assistance.



Candi Erwin and Marie Moreno Myers.



Back Row left to right: Tommy Pan, Orquidea Wilcox, Brendan Wong, Priscilla George, Alejandro Barraza  
Front Row left to right: Paul Lin, David Rivera, Ellen Peng, Mike Ortiz and Brigitte Wilcox.

And to the management and social workers of Light House Social Services, Wealthykids.org, Riverside Police Department, Riverside Courts, Riverside Family Justice Centers and the Probation Department of the Riverside County District Attorney's Office, and the Probation Offices in Desert Services Division and Indio.

Big thank you to Bill and Pam Bratton, not only for your annual photos, but your financial and personnel support over all these years. And to Bruce Larsen along with Veronica and Marcos Reynoso who not only assist with bagging all gifts at the registers at Walmart, but then assist with loading the van and delivering all gift bags to the RCBA.

Most importantly, a big thank you to my assistant Anna Gherity, who makes it all happen.

Finally, a jumbo sized "thank you" to all the Elves. You rock! Your wonderful spirit and camaraderie, which are represented in the photos accompanying this article, make this entire endeavor so rewarding to yours truly. Lots of holiday spirit.

For those of you who still have not yet volunteered as an Elf, I suggest you put it on your agenda for next year.

*Brian C. Percy was president of the RCBA in 2002 and is the chairperson (i.e. "Head Elf") of the Elves Program.*



Legal Aid Society of San Bernardino

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FLORINDO GARCIA ATTORNEY AT LAW			

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MARCH 4, 2022

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Seeking experienced attorney with minimum one year of labor & employment defense litigation experience to join our labor and employment team in our downtown Riverside office. Practice areas include: all forms of harassment and discrimination, wrongful termination, wage and hour, and class action / PAGA defense. Trial experience and class action/PAGA experience a plus. Full benefit package and competitive salary with performance bonuses. Please send resumes to vb@varnerbrandt.com.

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Opportunity available in our downtown Riverside office for a litigation legal/paralegal assistant with 3+ years litigation law experience. Excellent location in historic downtown Riverside with competitive salary and benefits package. Please send resumes to vb@varnerbrandt.com.

## **Estate Planning Attorney**

Available opportunity in our Ontario office for an attorney to join our Estate Planning team. Potential candidates must possess a strong background in estate planning, trust administration and probate matters (at least 2+ years of relevant experience). Please send resumes to vb@varnerbrandt.com. The following are requirements for this position: Estate planning, trust administration and probate experience; Excellent written and oral communication skills; Excellent organizational and interpersonal skills; Acute attention to detail and ability to multi-task in a fast paced culture; Must have initiative, be able to act decisively, work independently and exercise excellent and ethical judgment.

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Opportunity in our Ontario office for an experienced full-time probate paralegal to join our Estate Planning team. Potential candidates must possess a background in estate planning, trust administration and probate matters (2+ years). The following are requirements for this position: Estate planning, trust administration and probate experience; Excellent written and oral communication skills; Excellent organization and interpersonal skills; Acute attention to detail and the ability to multi-task in a fast paced culture; Competitive salary commensurate with experience along with bonuses. Great benefit package including health, dental, vision, life insurance, 401K, and a great working environment. Please send resumes to vb@varnerbrandt.com.

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Opportunity available in our downtown Riverside office for a legal assistant/paralegal with 2+ years' experience with comprehensive transactional and corporate knowledge and top-notch technical, communication and administrative skills. Job duties include working with our transactional attorneys, document preparation, maintaining and processing client information, and managing the progression of matters. Familiarity with complex business transactions and associated documentation is required. Excellent location in historic downtown Riverside with competitive salary and benefits package. Please send resumes to vb@varnerbrandt.com.

## **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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