

RIVERSIDE LAWYER

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MAGAZINE



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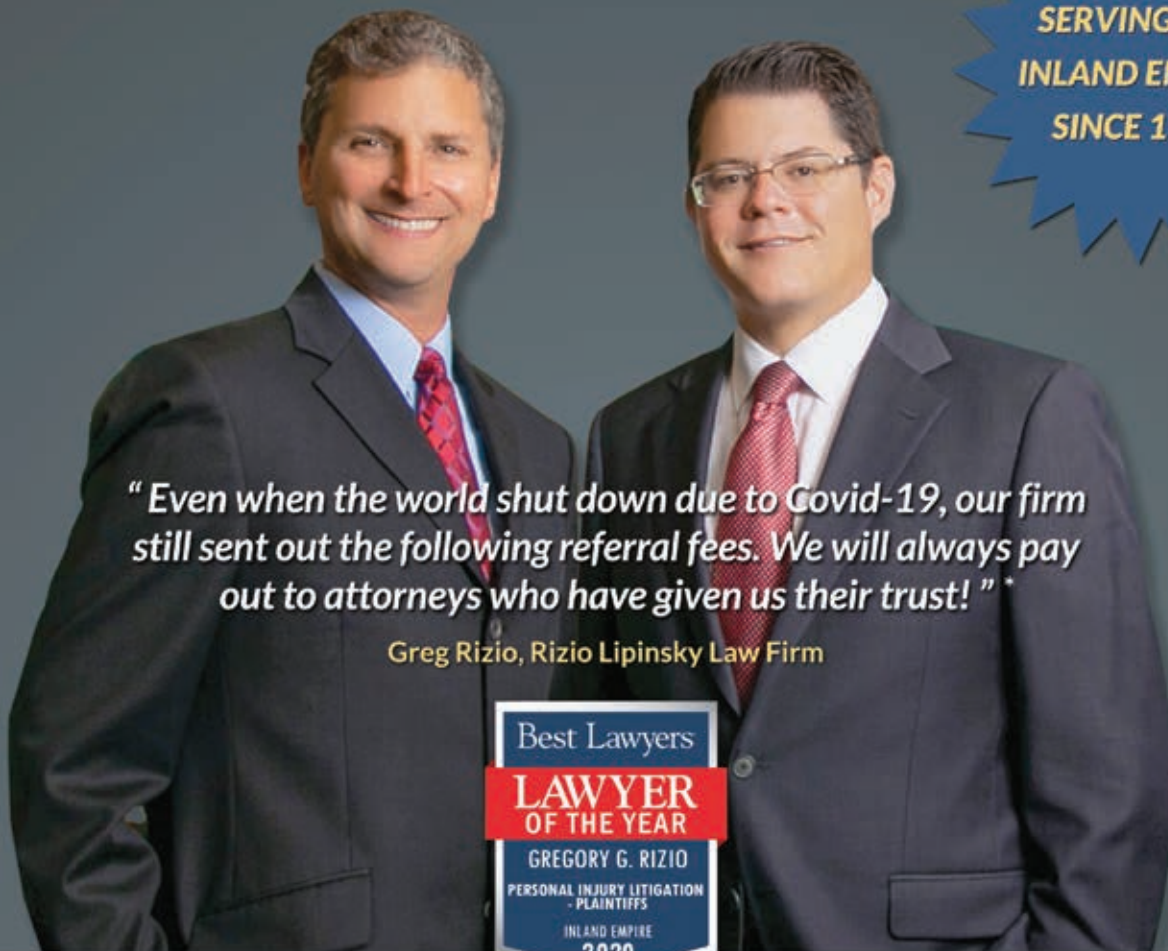


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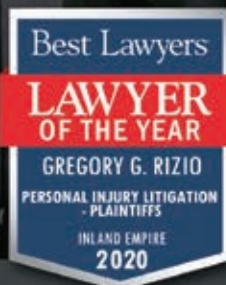
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RIVERSIDE LAWYER

MAGAZINE

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On the Cover: Photo of the Riverside Philharmonic playing at the Riverside City College Coil School for the Arts. Photo taken by Michael Elderman.

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 6th day of the month preceding publications (e.g., October 6 for the November issue). Articles are due no later than 45 days preceding publication. All articles are subject to editing. RCBA members receive a subscription automatically. Annual subscriptions are \$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

October

3 Civil Litigation Roundtable with Hon. Craig Riemer
Noon
Zoom
MCLE

11 Civil Litigation Section
Noon
Zoom
Speaker: Misty Kerrigan
Topic: TBA
MCLE

Landlord/Tenant Law Section

6:00 p.m.
Le Rendez-Vous Café, Colton
Speaker: Commissioner Ronald Gilbert
San Bernardino Superior Court
Topic: Policies and Procedures in Unlawful Detainers that Come Under General Civil Jurisdiction
MCLE

14 General Membership Meeting

Noon
RCBA Gabbert Gallery
Speakers: Judge Randall Stamen & Veterans Court Team
Topic: Veterans Court- From Referral to Graduation and Dismissal
MCLE

20 31st Annual Red Mass

6:00 p.m.
Saint Francis de Sales Catholic Church
4268 Lime Street
Riverside

25 Juvenile Law Section

12:15
Zoom
Joint Meeting with the Public Defender's Office
Speakers: Jennifer Graham and Rabya Shenghur
Topic: Overview of the Foster Youth to Independence (FYI) & Family Unification Program (FUP)
MCLE

EVENTS SUBJECT TO CHANGE.

For the latest calendar information please visit the RCBA's website at riversidecountybar.com.





President's Message

by *Lori Myers*

This year's installation dinner was definitely a night I will never forget. We had over 200 people respond to this event, and I was so happy to see all those tables filled at the Mission Inn with members from our legal community chatting away with each other.

A huge shout out to our amazing sponsors for their generous contributions — the RCBA raised over \$17k in donations this year and we are so grateful for the support of our members in the legal community.

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Although I wasn't able to get over to the photo booth area, I couldn't help but smile every time I looked over to the area to see people partaking in the fun addition to this event. You can always count on the Barristers to get involved in anything fun; they seemed to be having a blast getting their photos taken with the various props that were available to spice up the photos.

An extra special "thank you" goes to our Riverside County Public Defender, Steve Harmon — who not only guided us through the evening with his words of wisdom and funny banter as the master of ceremonies but, we also got to witness him accept his 50-year of membership with the State Bar of California plaque, along with Judge Jeffrey Prevost and Judge Stephen Cunnison.

Additionally, we cheered for Steve as he won the 2022 Attorney of the Year Award for Criminal Law. This man has been a guiding light for so many of us in the legal industry and he always takes the time to listen, encourage, and assist whenever possible.

I want to congratulate all the winners of the first annual Attorney of the Year Awards. We had an excellent line of nominees — Michael Ortiz, Herb Chavers, Steve Harmon, Meghan Blanco, Jessica Munoz, Jason Seward, Maryann Gallagher, Daren Lipinsky, Greg Rizio, Neil Okazaki, Malvina Ovanezova, Michael Razo, Brian Unitt, Alexandra Ward, Elliott Luchs, and Barry Swan.

In case you have not heard, the winners were:

2022 Attorney of the Year Awards

- Appellate Law – **Brian Unitt**
- Civil Litigation – **Greg Rizio**
- Criminal Law – **Steve Harmon**
- Estate Planning, Probate & Elder Law – **Herb Chavers**
- Family Law – **Michael Razo**
- Juvenile Law – **Jessica Munoz**
- Labor & Employment Law – **Daren Lipinsky**
- Landlord & Tenant – **Barry Swan**

As I enter my duties and responsibilities for this year, I want to thank everyone for this opportunity to serve this legal community and look forward to a bright future for all of us.

Lori Myers is a local private criminal defense attorney and founder of the Warrior Attorney Academy©.



ATTENTION RCBA MEMBERS

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



The website includes bar events calendar where you can register for events, make payments and donations.



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Justin King

Oliver King



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BARRISTERS PRESIDENT'S MESSAGE

by Lauren Vogt



Installation Dinner

For those of you who missed it, Riverside County Bar Association just held their annual installation dinner at the lovely Mission Inn Hotel & Spa. While last year, I think we all had a great time at the very lively outdoor auction/installation, it was nice to be back at the Mission Inn.

To mark our return, RCBA hosted a photo booth, which the Barristers took full advantage of. And the phrase “once a Barrister, always a Barrister” rang true, as the current board was joined by many of our past Barristers Presidents for some fun photos to commemorate the occasion.

All in all, the event appeared to be a great success! In addition to the RCBA Board and Barristers Board being installed, we honored Jacqueline Carey-Wilson for her many years of service to the community with the E. Aurora Hughes Meritorious Award for Service. Additionally, as an added bonus this year, attorneys in a variety of practice areas were awarded with Attorney of the Year Awards, for their exceptional practice in their respective fields, including a couple guys I know very well, Greg Rizio — Attorney of the Year, Civil Litigation and Daren Lipinsky — Attorney of the Year, Labor and Employment



Law.

Keep the Party Going

As past Barristers know, the party doesn't stop at the conclusion of the Installation Dinner! Following the event, many Barristers, (and a few others we were able to drag along), moved the celebration to ProAbition. There, we continued the fun and festivities!

As if, all of that was not enough, a couple of days later, Barristers took the party to Universal Studios for an unofficial Barristers event. For those who are unaware, “unofficial Barristers events” are events organized by the Barristers Board, but are not sponsored by Barristers membership funds. We



Darren Pirozzi swearing in the 2022-2023 Barristers Board.



Front row l-r: Maria Pezer, Paul Lin, Priscilla George, Goushia Farook, Erica Alfaro
Back row l-r: Mike Ortiz, Shumika Sookdeo, Lauren Vogt, Michael Mikhail, Sandra Lattouf, David Rivera, Kevin Collins, Viridiana Aceves, Alex Barraza

typically have one or two of these a year, where we will all meet at Disneyland, or in this case, Universal Studios, to embrace our inner Star Wars/Harry Potter nerdiness. They are a ton of fun and allow the Barristers to meet and socialize in an environment completely disconnected from the legal world.

As you can see, we had a blast!! So, if you missed this one, don't worry, you can catch our next one. This year we are discussing having these events more frequently and are considering Disneyland and/or the Knotts Boysenberry Festival. So, keep a look out for the announcement!

Work Hard, Play Hard

Now I know what you are thinking, “those Barristers are all about the partying!!” But don't let appearances deceive you. While we love to play hard, we also work hard and we have tons of great things lined up for this year.

As previously announced, when it comes to social events, in addition to the multiple happy hours we have planned for Barristers to hang out and relax at, we are looking forward to the return of our Annual Judicial Reception, which always offers an amazing opportunity to network with Riverside's

Judicial Bench. Additionally, we are looking forward to teaming up with Inland Counties Legal Services (ICLS) and logging some pro bono hours, helping those in need and the American Board of Trial Attorneys (ABOTA) for an informational “Civility Matters” MCLE.

And while we have a very busy year planned, we are always looking for suggestions for events or community service projects. So, if there is anything you would like Barristers to get involved with, please don’t hesitate to reach out to me, 951-781-6500, or shoot me an email, lvogt@rizio-lawfirm.com, I would love to chat with you!

Follow us!

For upcoming events and updates:

Website: RiversideBarristers.org

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

Instagram: @RCBABarristers

Lauren M. Vogt is an associate with Rizio Lipinsky Law Firm.



Barristers having a blast in front of Hogwart’s Castle at Universal Studios Hollywood.



31st Annual Red Mass
Thursday, October 20, 2022 at 6:00 p.m.

Saint Francis de Sales Catholic Church
4268 Lime Street, Riverside, California 92501



The entire legal community and persons of all faiths are invited to attend the 31st Annual Red Mass on Thursday, October 20, 2022, at 6:00 p.m. The Mass will be held at Saint Francis de Sales Catholic Church, which is located at 4268 Lime Street, in downtown Riverside, across from the Court of Appeal. We are pleased to announce that the celebrant will be The Most Reverend Alberto Rojas, the Bishop of the Diocese of San Bernardino. A dinner reception in the parish hall hosted by the Red Mass Steering Committee will follow the Mass.

The Red Mass is a religious celebration in which members of the legal community of all faiths invoke God’s blessing and guidance in the administration of justice. All who are involved in the judicial system, including lawyers, judges, judicial assistants, paralegals, legal assistants, court personnel, court reporters, court attendants, and peace officers, are encouraged to attend the Red Mass. For those unable to attend in person, a livestream for the Mass can be found through <http://stfrancis-desales-riverside.com>.

***Luis E. Lopez will be presented with the
Saint Thomas More Award***

&

***The Honorable Tara Reilly will be presented with the
Saint Mother Teresa of Calcutta Award***

At the complimentary dinner following the Mass, the Red Mass Steering Committee will present Luis E. Lopez with the Saint Thomas More Award and the Honorable Tara Reilly with the Saint Mother Teresa of Calcutta Award. The Saint Thomas More Award is given to a lawyer or judge who gives hope to those in need, is kind and generous in spirit, and is an overall exemplary human being. The Saint Mother Teresa of Calcutta Award is given to anyone with those attributes who is a member of the legal community or who has made contributions to the legal community. For further information on the Red Mass, please contact Mitchell Norton at (909) 387-5444, MNorton@cc.sbcounty.gov or Jacqueline Carey-Wilson at (909) 387 4334, jcareywilson@cc.sbcounty.gov.

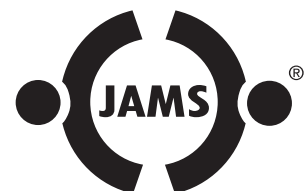


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THE RIVERSIDE ART MUSEUM, THE CENTER OF ARTS IN RIVERSIDE, OPENS THE CHEECH

by Drew Oberjuerge and Michelle Ouellette

The City of Riverside has long called itself the City of Arts & Innovation. One of the primary drivers of the arts in Riverside is the Riverside Art Museum, operating from a historic building in downtown Riverside for the last 60 years. And in one of the most important art events to happen in southern California, the Riverside Art Museum recently opened a second location at the Cheech Marin Center for Chicano Art and Culture of the Riverside Art Museum (The Cheech).

The Riverside Art Museum (RAM) is a nonprofit organization that runs a National Historic 1929 building designed by Hearst Castle and AIA Gold Medal-winning architect Julia Morgan on Mission Inn Avenue. RAM's mission is to integrate art into the lives of people in a way that engages, inspires, and builds community by providing high quality exhibits and art education programs that instill a lifelong love of the arts. As a cultural arts institution, RAM is an accessible institution that serves as a cultural, collaborative, and educational focal point for our diverse community.

Originally formed in the early 1950s by a loosely knit group of artists, RAM purchased Julia Morgan's 1929 Riverside YWCA building in the 1960s, renovating it to become the Riverside Art Museum. At this site, RAM provides a mix of solo, group, and permanent collection exhibits featuring traditional and contemporary/modern art. Key exhibition initiatives have been to present untold stories—from female artists to historically understudied Inland Empire artists, designers, and architectural movements, to artists presenting urgent messages of social justice. A permanent Julia Morgan tribute exhibition sheds light onto this pioneering woman. RAM is governed by a 25 member board of trustees and has a staff of approximately 45 employees.

RAM offers classes and summer programs for children from ages 3 to 17 years. Additionally, RAM brings curriculum-based art lessons to local classrooms through Art-to-Go and brings students to its historic building for Walk & Wonder Museum Tours. During the 2020-21 school year, RAM provided Art-to-Go virtually to all elementary students at Riverside Unified School District. RAM also created a virtual Walk & Wonder Program for all first grader students at Val Verde Unified School District. In 2021-22 school year, RAM was back on-site at the schools, providing Art-to-Go in the classrooms, to nearly all elementary schools in Riverside Unified School District as well as other districts.

In addition, RAM provides art education opportunities to at-promise teens,¹ youth in gang prevention programs, and other justice-involved youth. Creative Horizons engages troubled teens in pro-social art activities that encourage teamwork and creativity through the collaborative production of themed murals, working with incarcerated youth at detention facilities, and with at-promise teens who visit the museum to work on projects. Annually, approximately 50 justice-involved youth participate in this impactful program. Additionally, RAM in 2020–2021 offered online classes to teens on probation and at local group homes, reaching about 150 young people.

At both the Julia Morgan building and now The Cheech, RAM presents approximately 20 exhibits annually to further its work as a distinguished and accessible institution. In addition to presenting quality artwork, the museum provides interactive programming that explores social issues and invites public engagement through tours, panels, and art-making activities. During government-mandated closures during the COVID-19 pandemic, RAM organized digital exhibitions and virtual artist talks. Exhibitions are selected by professional curators hired by RAM in accordance with the museum's overall strategic direction.

RAM also offers adult classes and workshops featuring local and nationally acclaimed instructors to support the development of local artists. New social-based artmaking activities have been offered over the past couple of years, on-site and online, for non-artists. The 52 Project engages adults in a self-directed, group-encouraged, year-long exploration and commitment to individual creativity supported by museum-based get-togethers, culminating in opportunities for mini shows at the museum.

In addition to creating public value and community vibrancy through art education and exhibitions, RAM is expanding its work outside the walls of the museum as it explores how art can advance civic engagement. In addition to providing arts activities at festivals and events (especially in Riverside's marginalized Eastside neighborhood), RAM works with community partners and residents to paint murals at neighborhood sites. RAM also partners with the City of Riverside's Economic Development Department and a local housing authority to place an artist in an afford-

¹ "At-Promise" is a positive term to reference "the extraordinary raw potential every young person possesses" as opposed to using terms such as "at risk." (See: <https://facesforthefuture.org/why-at-promise-youth-are-good-for-global-health/>)

able housing unit recently constructed next to Lincoln Park in Riverside; this artist, contracted by RAM, provides arts engagement activities throughout the neighborhood and at the museum, most recently working with artists and business owners to creatively revitalize storefronts along Park Avenue in Riverside.

RAM's desire to further engage and serve the community was the impetus to create The Cheech. The Cheech opened in June 2022 at the now renovated Riverside Main Library next to the Mission Inn. The Cheech is a public-private partnership between RAM, the City of Riverside, and comedian Cheech Marin—one of the world's foremost collectors of Chicano art. Marin's gift of approximately 500 works by Chicana/o/x artists—among them Carlos Almaraz, Judithe Hernández, Gilbert "Magú" Luján, Sandy Rodriguez, Frank Romero, and Patssi Valdez—to RAM's permanent collection makes the collection a repository for one of the largest holdings of Chicana/o/x art by a non-ethnic specific contemporary art museum. The Cheech is dedicated to showcasing Chicana/o/x art and honoring and exploring its continued social, cultural, and political impact through a comprehensive exhibitions program of the permanent collection, temporary exhibitions organized at the center, and nationally touring exhibitions that align with the Center's vision. The Cheech is approximately 61,420-square-foot and housed in a carefully

adapted and renovated historic New Formalist-style building. World-renowned architectural design firm Page & Turnbull, known for preserving historic buildings, led the renovation in partnership with WHY's Kulapat Yantrasast, an award-winning architect recognized for his global work on museum design. The main level of The Cheech houses permanent exhibition space for The Cheech collection, a gift shop, and a community gallery. The upper level contains exhibition space for temporary exhibitions, auditorium space for performances and lectures, dedicated space for educational programming, and RAM administrative offices. The Cheech has received international acclaim from the art world and is a fantastic new addition to the Riverside art scene.

Drew Oberjuerge has been the executive director of the Riverside Art Museum for over 10 years. Born and raised in the Inland Empire, Drew and her husband are proud parents of a two-year old daughter who loves art as much as her parents.

Michelle Ouellette recently retired from the law firm of Best Best & Krieger, spending 32 years at the firm practicing environmental law. She is a past president of the Riverside Art Museum and continues to serve on the board of directors. She is also a past president of the RCBA.



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RCBA MEMBERS' FAVORITE ARTISTS AND SONGS

A survey of a few of our local attorneys and judges yielded the following comments:

Bill Shapiro

While it's hard to pick an absolute favorite artist, we all have a short list; at the top of mine is the Eagles. In the early 70's, the new sound that blended country and rock captivated me. Poco, the Byrds and others but in 1972 when I heard the Eagles debut album with *Peaceful Easy Feeling* and *Take it Easy*, their music and harmony just did it. No doubt many songs bring back images of the past but for me, the Eagles return great memories of times past, let alone having had a huge impact on my playing.

Favorite song: Hard to pick one but I'd say, *Desperado*. Just great music coupled with awesome lyrics.

Presiding Judge John Monterosso

In what is a departure from my classic rock roots, the 1965 folk-rock hit *Turn! Turn! Turn!* by the Byrds has always been the song that causes me to stop what I am doing and listen. The crisp and melodic guitar, the harmonies, and the change in tempos make the music great enough, but the lyrics give this song special meaning. Taken almost verbatim from the Book of Ecclesiastes, the lyrics speak of a time and season for all things, but end with a resounding plea for "a time for peace; I swear it's not too late." This plea still echoes 57 years after it was first sung.

Jean-Simon Serrano

This is a tough one but I'd probably have to go with Saxophonist Stan Getz as my favorite artist. I started listening to him with my grandfather when I was about 13 and started learning to play the Saxophone. My grandfather had seen him play in Vancouver years earlier and had a bunch of his records. I loved his cool sound and technical ability. I only got more into him when I joined a 30s big band and played everything from the Baritone Saxophone, Tenor Saxophone, and eventually lead Alto Saxophone (age 15-20). Getz has a huge body of work and I still listen to him regularly 25+ years later.

As for favorite song, it would be tough to narrow it down but a few that show some of his skills and diverse range of songs would be: *S-h-i-n-e*, *Desafinado*, *Who could care?* And last, I'm sure most people will recognize this one: *The Girl from Ipanema*

DW Duke

I like many different kinds of music. I think I will choose *Awaken* by YES. I am friends with some of the band members and I always liked the way they blended classical and rock music. I also like *Theme from Mission* by Ennio Morricone.

Paul Lin

Favorite musical artist: NoFX. I like them because they are a punk band with the perfect blend of anti-establishment songs like *Murder the Government*, but at the same time don't take themselves too seriously with songs like *Clams Have Feelings*

Too that appeal to both my 15-year-old self as well as my present-day self.

Commissioner Nicholas Firetag

My favorite song is *Take On Me* by A-ha, as it reminds me of my youth. My favorite artist is Lauren Daigle as her songs are uplifting.

Lauren Vogt

I have pretty eclectic tastes but if you catch me listening to music in my car, it will likely be one of the following: Rock: Incubus, Hip-hop/Rap: Atmosphere, Pop: Ed Sheeran, Country: Old Dominion. One thing they all have in common are lyrics that are relatable or give a message. Give me a good beat and lyrics I can "feel" or relate to and I'm in.

Alex Barraza

Favorite artist: Queen. Freddie Mercury was an absolute visionary and their music is ageless, unapologetic, and soars freely.

Elisabeth Lord

I enjoy many different genres of music. Picking a favorite would be impossible. However, my top four favorite songs are *Heroes* by David Bowie; *Baba O'Riley* by The Who; *Gone Away* by The Offspring and *Welcome to Paradise* by Green Day. Each of these songs and artists bring back great memories from different times in my life.

Priscilla George

One of my favorite composers is John Williams, and one of my favorite artists is Pentatonix.

Michael Ortiz

I currently listen to a lot of the artist FKJ (short for "French Kiwi Juice"), namely his 20-minute piano solo titled *Just Piano*. He is a multi-instrumentalist with a "new jazz" and electronic style, but his piano provides a classical, nostalgic sound tinted with his newer style.

Sharon Ramirez

My favorite band is Hillsong UNITED. They were one of the very first bands I was introduced to as a child, and the first band I saw live in concert. It's been 20+ years, and I have not stopped listening to them. I'm a big fan of music that moves the soul.

Jacqueline Carey-Wilson

I like and listen to many different musicians and bands, including James Taylor, Carole King, Queen, Jackson Browne, Crosby Stills Nash and Young, and Bruce Springsteen. However, my favorite all time song is *What a Wonderful World*, performed by Louie Armstrong. *What a Wonderful World* was played as the first dance at my wedding in 1988, which always brings back treasured memories, and I think about the lyrics, "I see friends shaking hands, saying, 'How do you do?' They're really saying, 'I love you,'" almost every day when I greet other people, reminding me to treat others with kindness.





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by Boyd Jensen

I was defending the Boy Scouts of America – National and Inland Empire Council – in what turned out to be a five-year civil case, with a 60-day jury trial. The lawyer opposing me was Richard Farnell, a former Orange County deputy district attorney, who was renown as a hypnotist of witnesses to “restore memories” for testimony in criminal matters...and the California Supreme Court validated Rich in *People v. Shirley*, 360 P.2d 33 (1961). I worried he would use hypnotic techniques in our civil case, e.g. voir dire to hypnotize the jury, so I tried to prepare. The book *Forensic Hypnosis: The Practical Application of Hypnosis in Criminal Investigations* by Hibbard, Whitney and Worrying (1981), was available at the library and I checked it out and started to read. It was not the only book on hypnosis to which I turned.

This certainly was not my first foray into books about legal topics or lawyers, but represents the breadth within which we often work. *The Diagnostic and Statistical Manual of Mental Disorders*, known as “DSM 3R” and later, “DSM 5R,” became atypical bedside readers, during part of my career. Yet, I never considered these “lawyer literature.” “Lawyer literature” was what I read growing up: Patrick Henry “give me liberty or give me death;” tall slender Abraham Lincoln who could prevail wrestling physically, as well as arguing a case before a court; Andrew Jackson who was less a lawyer and more a fighter; and Daniel Webster who could bring my hero John Marshall to tears ... “a small college. And yet there are those who love it!” (*Dartmouth College v. Woodward*, 17 U.S. 481 (1819)).¹

Turning to the Experts

Teresa Matich at clio.com provides *53 Best Books for Lawyers—Recommended by Legal Professionals*. They contain books about the business of law, the art of persuasion, psychology, finance and our professional culture. While most of these books were unfamiliar to me, it is an able collection. She uses quality resources for her selections. The few books on her list, which I had read, were well known, and not so much lawyer literature, but worthy reads:

¹ These are books on my shelves, which I love and have read or referred to often. *Daniel Webster: The Man and His Time* by Robert V. Remini (1997) and his 3 volume biography of Andrew Jackson: *Andrew Jackson: The Course of American Empire* (1767-1821) (vol. 1); *Andrew Jackson: The Course of American Freedom* (1822-1832) (vol. 2); *Andrew Jackson: The Course of American Democracy* (1833-1845) (vol. 3).

- *The 7 Habits of Highly Effective People* by Stephen Covey. A bestseller in business circles for decades. Teaching by personal invitation about perceptions, productivity, time management, positive, and motivational thinking.
- *How to Win Friends & Influence People* by Dale Carnegie – a bestseller for all time – aids in building relationships including clients, peers, and other professionals.
- *The Power of Positive Thinking* by Dr. Norman Vincent Peale – a book written to help readers use practical techniques to enhance their lives, including as they serve clients.
- *To Kill a Mockingbird* by Harper Lee, I read with my children as it was required reading in high school – truly a classic work of lawyer literature, also honorably portrayed in the wonderful “black and white” movie.

Personal Lawyer Literature

The following books line my shelves, and have been some of my most reliable companions. The first time I flew on an airplane in 1970 was to see the musical *1776* with St. Elsewhere’s doctor William Daniels who played and sang as John Adams. I was later captivated by *For Those Who Love* (1965) by Irving Stone, a love story during an extraordinary and historic time. Abigail Adams, a strong willed and educated woman, who loved a principled farmer become lawyer, later essentially chosen by George Washington to follow him as president, all the while our country was being formed. It was followed by David McCullough’s Pulitzer Prize embodiment of lawyer literature, the biography *John Adams* (2002).

John Adam’s extraordinary life came as a surprise to me. I had always felt Thomas Jefferson was the lawyer from whom I could best learn. I purchased the novel entitled, *Jefferson and His Time*, a magnificent Pulitzer Prize-winning 6 volume biography by Dumas Malone, but after reading McCullough’s book about Adams, and McCullough’s reasons to choose Adams over Jefferson, the 6 volumes about Jefferson remain on my shelves unread.

In 1835, the Liberty Bell cracked in tolling the death of Chief Justice John Marshall, my favorite lawyer subject. In the novel entitled, *John Marshall: Definer of a Nation* (1996) by Jean Edward Smith, the breadth of the person and his commitment to justice are set forth as wonderful lawyer literature. His devotion to his wife Polly, his respect for George Washington,² his forays with his second cousin Thomas Jefferson, and his ability to elevate our profession

² He wrote a 3 volume *Life of George Washington*.

with integrity and determined vision make him worthy of emulation.³

Truly lawyer literature has no better example than Carl Sandburg's biography of Abraham Lincoln. It is textually as much poetry as narration. While I have not read all 6 volumes – 2 volumes *Abraham Lincoln: The Prairie Years* (1926), and 4 volumes *Abraham Lincoln: The War Years* (1939) receiving the Pulitzer Prize in history, I have referred to them often as the emblem of how one should live their life honorably, amidst perhaps the most challenging chapter of our cultural history. Further the recent book *Team of Rivals: The Political Genius of Abraham Lincoln* (2005) by Doris Kearns Goodwin, is a masterpiece of modern perspective on Lincoln. A worthy inspiration for the Oscar Award winning–2012 film *Lincoln*, starring Daniel Day-Lewis, directed by Steven Spielberg, and written by Tony Kushner.

Though my library contains more books describing centuries past, it also contains some wonderful more relevant lawyer literature. *My Life In Court* by New York attorney Louis Nizer, was 72 weeks on *The New York Times* Bestsellers list, and based upon court cases that

³ I have several wonderful books about John Marshall including, *Without Precedent: Chief Justice John Marshall and His Times* (2018) by Joel Richard Paul; and *John Marshall: The Chief Justice Who Saved the Nation* (2014) by Harlow Giles Unger.

Nizer argued in U.S. courts. Before trying a jury trial in front of Judge Victor Miceli as plaintiff counsel, I read *How to Argue & Win Every Time: At Home, At Work, In Court, Everywhere, Everyday* by Gerry Spence. While I did not vote for Bill Clinton, I read and enjoyed his biography *My Life Bill Clinton* (2005). And I cannot leave off the list the book of our own local trial lawyer Lawrence Rookhuyzen, who wrote *Trial by Jury: A Trial Lawyer Recounts His Favorite Courtroom Battles* (2019). Larry is a great friend and it is wonderful that he would write about his career here in San Bernardino and Riverside.

Sadly, Richard Farnell was involved in an airplane accident near Truckee, California in 2014, which injured him and took the life of his wife. Rich and I tangled dramatically for almost 5 years on this one San Bernardino case. But it was not merely the case and statutory authority, the civil procedure, or even the books on hypnosis, which remain important to me. It is more...and that more, I find in abundance in “lawyer literature.”

Boyd F. Jensen II is with the firm of Garrett & Jensen in Riverside and is a member of the RCBA Publications Committee.



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BASIC PRINCIPLES EVERY LAWYER SHOULD KNOW ABOUT COPYRIGHTS IN SONGS AND MUSICAL RECORDINGS

by Gregory T. Meath

When listening to the terrestrial or satellite radio in our cars, streaming from our smartphones, or hearing a favorite song in a commercial or featured in a television or movie, you might think that there's only one copyright for that song, owned by the artist whose voice you hear. But that recording is actually the combination of two different copyrights. One in the written song itself (the Musical Work Copyright). One in the recording of the song (the Sound Recording Copyright). These copyrights in a song are separate. They both involve different rights and sometimes different owners. Each implicate different rights, are licensed independently, and generate distinct revenue streams. Copyright ownership and royalties are split between artists, songwriters, labels, and publishers.

Copyright protection begins when music is fixed in a tangible form, the "fixation." But, depending on the type of music copyright, that can mean different things. For musical compositions, the copyright is created automatically when music or lyrics are recorded, put on paper, or otherwise written down in a document. For sound recordings, the copyright is created as soon as a sound recording is fixed, meaning that the sounds must be captured in a medium from which they can be perceived, reproduced, or otherwise communicated. This may be in a digital track, disk, tape, or other formats.

Copyright In A Musical Work Or Composition

A copyright in a musical work, also called a "composition," represents the underlying music in a record. This is the music written by composers or songwriters which may or may not include lyrics. The musical work copyrights in the songs are owned by their author. Copyright law grants rights to authors, that protect them from infringement, and provide revenue streams when their musical works are used by others.

For copyrights in musical works or compositions, there are four main revenue streams: 1) sheet music sales that generate print music royalties; 2) reproduction on physical records, digital downloads, and/or streams

that generate mechanical royalties; 3) when songs are performed live, broadcast, or streamed, they generate public performance royalties; and also 4) when songs are included as part of separate audio-visual work, such as film, TV, advertising, or even video games, the use generates a synchronization license fee.

Copyright In A Musical Recording

The second copyright is for the "sound recording." Rather than covering the music and lyrics, this copyright represents the recorded performance and its production. Copyrights in sound recordings protect recorded sounds, both musical and non-musical, and include recorded music, songs, audiobooks, sound effects, audio recordings of speeches and interviews, as well as audio podcasts, soundtracks, etc.

When an artist records their song, they satisfy the 'fixation' requirement, and their original song will be protected by the musical composition copyright discussed above. But when they record their song, they also create a new copyright work known as a sound recording, also sometimes known as a "master."

The recorded performance is usually created by a recording artist, but traditionally this copyright is owned by a record company. The record company pays for the recording session, and in return for a share of the sales, the recording artist transfers their ownership of the sound recording copyright to the record company. Still, as the recording process has become easier and less expensive, many artists are avoiding record deals and retaining ownership of their sound recordings.

When the sound recording is copyrighted, it cannot be reproduced or distributed without the consent of the author of the sound recording. The author of a sound recording is commonly referred to as the "producer," a legal term usually taken to be the record company that paid for the recording to be made. The record company will usually be identified as the author and owner of the copyright in the sound recording.

Sound recordings generate a different set of revenue streams than the copyright in the musical composition. When a record is distributed, whether physically or digitally, it generates sales income in connection with the sound recording. When that record is streamed, there is additional revenue generated.

Like compositions, sound recordings may be licensed into other works—both audio and audio-visual—those licenses generate royalties. Also, copyright law protects digital transmissions of sound recordings (though, strangely, in the U.S., over-the-air performances of records on terrestrial radio do not generate royalties). So, owners of sound recordings may collect these royalty revenues when their records are webcast, broadcast over digital radio, or streamed by non-interactive digital streaming platforms such as Pandora and SiriusXM.

Public Performance Rights & Royalties

Musical composition royalties for songwriters and composers are generated when a copyrighted song is performed publicly. In the U.S., these royalties are collected by ASCAP, BMI and SESAC, known as performance-rights organization, or PROs, and distributed to the member songwriters and publishers.

Owners of musical recording copyrights also have related public performance rights. These can be split into: 1) producers' rights (usually those of the record company) and 2) performers' rights (those of the performers that feature on the recording). Performers usually, but not always, transfer these rights to a record company when they sign a recording contract. So, when the sound recordings are broadcast or performed in a public place, a PRO will collect royalties and distribute them to producers and performers on shared basis.

But there is one big difference in the public performance rights of authors of musical compositions and those of the sound recordings — U.S. terrestrial broadcasters are exempt from paying a public performance right for sound recordings. The U.S. is one of the few industrialized countries — if not the only one — that does not have a terrestrial broadcast performance right for sound recordings.

So, when you hear Jimi Hendrix singing “All Along the Watchtower” on the FM radio, songwriter Bob Dylan and his publisher are compensated through SESAC, but the estate of Jimi Hendrix receives no pay for the performance. Neither do the studio musicians, backing vocalists, or the record label. But, if you hear the same performance on SiriusXM, or via a webcast, or on a cable music station (even on a terrestrial radio station's webcast) both Bob Dylan and the estate of Jimi Hendrix get public performance royalties.

Because of the dual nature of the copyrights in a song, and the various parties that may be involved, a single record can become a tangle of rights and revenue streams. Musical works oftentimes have many owners, as each co-writer of the musical composition shares in that ownership. The sound recordings have a completely different owner. In practice, this means that while a songwriter may own one specific musical work, there can be multiple records that embody that work, each a separate sound recording copyright and each with a different owner. Add to that the complexities of the different royalties due for public performance of the musical composition and the

sound recording and the matter can become confusing.

Understanding the basics of how these two copyrights and how they interact, with all of their possible respective owners, and revenue streams is important to understanding the music business and assists the process of negotiation, prevents infringement, and ensures all involved can collect the revenue streams that are due to them.

Gregory T. Meath J.D., LL.M is an Adjunct Professor of Law at University of the Pacific, where he teaches Entertainment Law, and at Humphreys University Lawrence Drivon School of Law in Stockton, where he teaches Intellectual Property, Business Associations, Constitutional Law, and International Law. His law practice focuses on intellectual property, winery law, and domestic and international business transactions.



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60 YEARS OF GREAT MUSIC PROVIDED BY RIVERSIDE PHILHARMONIC

by Becky Whatley



Virginia Blumenthal, President, Philharmonic Board of Directors

The Riverside Philharmonic orchestra is known as “Hollywood’s Best, Riverside’s Own” for the accomplished studio recording talents on soundtracks for Hollywood productions and the investment of their talents to benefit Riverside.

Something similar could be said of our president of the board of directors for the Phil, Virginia Blumenthal, who was named a premier trial lawyer of The National Trial Lawyers Top 100 in the United States and recently inducted into Riverside Poly High School’s Hall of Fame.

Virginia’s interest in classical music was sparked by a fortuitous placement that landed the son of the Riverside Philharmonic’s first conductor, Thomas Facey, in her class at Poly High School. “I started out as an appreciative audience member” said Virginia, “then later volunteered on the board. I’ve always been a believer in promoting the arts as an important part of our society.”

As those of us who work in arts know, finding funding to sustain programming can be more than difficult. “The 2002-03 season was looking to be a tough one,” Virginia recalled. “They had a challenging time raising money; they cancelled concerts. The board became very active: greeting patrons,



Internationally noted conductor, Tomasz Golka

promoting that the music was not just for the elite. It was for citizens, for neighbors, and for our city to hear incredible music!” That was the year Virginia was elected president, and she helped to build a board of people who believed in the city.

Today, 20 years later, Virginia is back at the helm. Together, we are creating an environment for the hearts, ears, and cultural enrichment of the Inland Empire through growing and sustaining an enviable

symphony orchestra in some of the most trying times. The orchestra has always performed quality music -- uplifting, inspiring, beautiful music. So, we are focusing on the experience of attending a concert to match the experience of the music. As Virginia says, “Our competition is for an audience not other symphonies, it’s Spotify and streaming services. What can we do to entice you out of your home and into the concert hall?” In response, we tapped former Riverside City Clerk Colleen Nicol to lead Team Wow, a committee dedicated to providing an elevated experience for concert-goers: from purchasing tickets, to parking, and to lobby art exhibits and pop-up receptions. In May 2022, we had trial run at the Spring Finale concert, which was well received and will be a part of future concerts.

The Riverside Symphony started in 1959 as the orchestra debuted to a sell-out concert at Ramona High School. The orchestra changed its name to Riverside Philharmonic and has changed venues throughout the years to include the Riverside Municipal Auditorium and the Fox Performing Arts Center. Currently, its home venue is the state-of-the-art acoustically impeccable concert hall at Riverside City College’s Coil School for the Arts. Throughout, they have received critical acclaim by local and out-of-town critics for compelling performances, unique programming, and exceptional rosters of guest soloists.

The Philharmonic’s internationally noted conductor, Tomasz Golka, recently celebrated his 10-year anniversary as music director of the Philharmonic and signed a contract to return to lead for another five years. To the delight of audiences, in addition to the classical favorites that patrons return to hear again and again, Golka develops exciting programming that is relevant, such as a series of Black composers for Black History Month; groundbreaking, like last month’s world-premiere of Rothstein’s *Symphony No 1: Judaica (Days of Awe)*; and simply satisfying, as the upcoming *Boats Against the Current* concert featuring *Serenade No. 10* by Mozart, and *Dance Preludes* by Witold Lutosławski.

According to Virginia, “The Philharmonic has been the cornerstone of promoting Riverside as a city of arts: We always have been there to support others ... although we have struggled, we have survived. Other arts groups, performing and otherwise, others — like boats on the rising tide — add to quality of life here.”

Asked why she had returned to lead the board of directors after 20 years, Virginia now chimes in about the comparison between the legal profession and the Philharmonic, “Riverside lawyers are very much a part of the foundation of our city: We’ve been around a long time! Our historic

courthouse was built in 1903. So, I believe anything that promotes our city and promotes respect for our citizens helps esteemed professions like ours, medicine, and so on. Moreover, lawyers need breaks sometimes. We don't take the breaks we need, so what an incredible way to relax and enjoy life: Listen to beautiful music!"

The Riverside Philharmonic performs next at Riverside City College Coil School for the Arts in downtown Riverside on Saturday, October 22 at 7:30 p.m. Ticket

information and the season schedule are available at www.RiversidePhilharmonic.org.

Becky Whatley is the executive director of the Riverside Philharmonic, a nonprofit organization whose mission is to entertain Riverside with excellent performances of great music, to enrich the young and the young-at-heart with the beauty and relevance of the symphony, and to engage our diverse and dynamic community in an appreciation of the performing arts in the Inland Southern California region.



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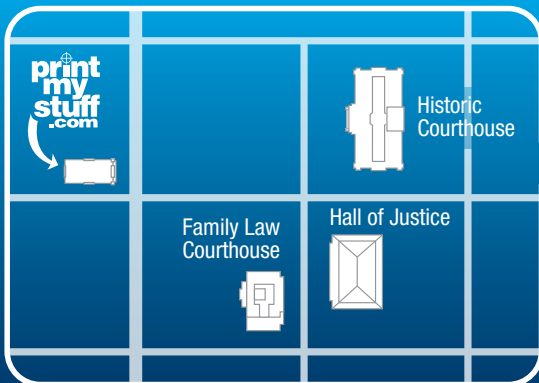
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A LEGAL LEGEND: WENDILL EARL REDWINE

by Bruce Todd

By the time he died on October 24, 1967 at age 69, Earl Redwine had become legal legend.

Known as a tough on crime prosecutor and later, an expert on water law, Redwine is most famous for his successful prosecution of the notorious “Chicken Coop Murderer,” Gordon Stewart Northcutt. Hollywood star Clint Eastwood ultimately produced and directed a film about the Northcutt murders entitled, *The Changeling*, which was released in 1980. It starred Angelina Jolie and John Malkovich.

Redwine was born on January 20, 1894, on a farm in Dade County, Missouri, to Cambridge and Dora Redwine. By the time he moved to Riverside, many of his friends referred to him as “Ozark” because of his place of birth. His parents moved the family from Missouri to Riverside when he was 11 years old. He eventually attended Riverside Poly High and was the class president during his senior year.

He attended Stanford Law School and worked as a law librarian at the school while completing his courses. He was admitted to the California bar in 1921 after graduating that year. By 1925, he was hired as a deputy district attorney in Riverside. It was during these years that Redwine developed his reputation as hardnosed prosecutor.

His “Northcutt” fame started in 1928 when it was discovered that Northcutt, age 23, had murdered and buried the bodies of youngsters (allegedly as many as 20) at his chicken ranch in near-by Wineville. Northcutt eventually surmised that he was under suspicion by law enforcement and fled to Canada. In a previous profile of Redwine by noted Riverside attorney Justin McCarthy, it was reported that extradition problems arose and so Redwine, without telling anyone, traveled to Vancouver, B.C. He spoke with the Mounties and then hustled the suspect into a waiting car and sped for the border with Canadian officials in hot pursuit. He then chartered a train to bring Northcutt back to Riverside.

During the trial, Northcutt was defiant, foul-mouthed, and belligerent. Redwine portrayed him to the jury as a pathological liar and a sadistic degenerate. The jury took just two hours to convict the defendant after about 27 days of trial. He was sent to the gallows on October 2, 1930.

In McCarthy’s profile of Redwine, the prosecutor was quoted as saying “I brought him down here. I tried him. I convicted him and I went and watched them hang the SOB.”

Interestingly, Wineville eventually changed its name to Mira Loma as a result of the bad publicity from the Northcutt case.

By 1930, Redwine was elected as Riverside County’s District Attorney. Various newspaper articles from back in those days describe the tough on crime exploits of his office. For example, in the September 10, 1932 edition of the *San Pedro News*, it was noted that Isaac Rubidoux, 23, of the famous pioneer family, had been arrested for attempting to extort \$5,000 from wealthy rancher, C.W. Benedict.

The same paper reported in its May 5, 1933 edition, that Redwine had served notice upon promoter Hobart Glassey that



Wendill Earl Redwine

a nudist colony would not be issued a permit to operate in Riverside County.

Redwine was reelected as Riverside County District Attorney in 1934. That same year *The Desert Sun* reported that Redwine’s office had moved to close three gambling clubs (Dunes Club, 139 Club, and Cove Club), which were frequented by Hollywood movie stars. It was part of a continuing effort to close all gambling establishments in Riverside County. It appears that nudity and gambling were both on the no-no list under Redwine’s regime.

Another notorious case handled during Redwine’s tenure as the District Attorney occurred in 1936 when Sheriff Deputy John McNeill was

arrested for the beating of his wife. She died that same day on August 13, 1936. McNeill claimed that she had been killed by a prowler, but evidence ultimately established that he committed the crime. Redwine faced defense attorneys Russell Waite and John Neblett in the trial of the case. After five days of trial, the jury convicted McNeill on October 30, 1936 (note that the crime took place on August 13 and conviction occurred just two and half months later!). After an unsuccessful appeal, McNeill was hung on July 9, 1937.

The Desert Sun reported in its August 5, 1938 edition, that Redwine’s office had secured 330 felony convictions out of 334 cases which it had tried over the past two years.

It was while Redwine was the head man at the District Attorney’s office that he became president of the Riverside County Bar Association in 1937. It should also be noted that, while he was the District Attorney, Redwine hired another Riverside legal legend—John Gabbert—to work at the office in 1935.

From 1941-1949, Redwine served as the first County Counsel for Riverside County. He also developed an expertise in water law and was one of the lawyers involved in the significant case of *Arizona v. California* (1955) 350 U.S. 114, which related to a dispute between the two states over water rights from the Colorado River. He served as counsel for the Coachella Valley Water District and he later helped form the Eastern Municipal Water District.

In 1958, Redwine joined with Maurice Sherrill, a former county counsel and public defender, to form Redwine & Sherrill. The long-time firm specialized in, among other matters, water law.

He also served in many community organizations and was a prior Exalted Ruler of the Riverside chapter of the Elk’s Lodge.

Although he passed away over 50 years ago, Redwine remains in the pantheon of illustrious Riverside lawyers and he will always be remembered for obtaining the conviction of one of California’s most infamous serial killers.

Bruce Todd is a current member of the RCBA History Committee, a former longtime member of the RCBA Publications Committee, and who is now happily enjoying the life of retirement.



COACHELLA VALLEY MUSIC & ARTS FESTIVAL AND STAGECOACH: A FESTIVAL FOR LAWYERS

by Boyd F. Jensen



These multiple weekend festivals in Indio, Riverside County, normally in the spring, are considered leading alternative rock festivals in the world. They provide perhaps the largest attended commercial events in Riverside County over less than a month. They clearly present a “festival” for legal support and direction as well. Hardly a single area of the law is without relevance. The festival draws more than 180,000 music fans in and around the Empire Polo Club grounds to see a line-up of more than 100 bands, with performances happening simultaneously on six separate stages. Past headliners have included Paul McCartney, Madonna, Morrissey, and many, many more. The Stagecoach Festival is an outdoor country music festival, held in coordination with the Coachella Valley Music and Arts Festival. Various artists attend – mainstream or relatively unknown, ranging from folk, mainstream and alternative country, bluegrass, roots rock, and Americana.

Stagecoach took place for the first time in 2007. Put on at the same venue, by entertainment promoter Goldenvoice. Stagecoach is seen as a “cousin” of Coachella. In 2012, the festival’s 55,000 attendees marked its first sell-out crowd. In 2018, Stagecoach set a new attendance record with 75,000 attendees. In recent years, Stagecoach has become somewhat of a hotspot for fans and contestants of the reality dating show *The Bachelor*, with numerous contestants from *Bachelor Nation* being invited to attend the festival and post pictures on Instagram. Sections of the 2018 film *A Star Is Born*, starring Bradley Cooper and Lady Gaga, were also filmed in Indio.

Though no Stagecoach Mail Line was actually routed through Indio, the historic Butterfield Overland Mail was a stagecoach service operating from 1858 to 1861, which carried passengers and U.S. Mail from two eastern termini, Memphis, Tennessee, and St. Louis, Missouri, to San Francisco, California. It was complemented by the San Antonio and San Diego Mail Lines, operating on 900 miles of improved trail, and using the regularly spaced water holes at Butterfield Stations. The route traveled from Los Angeles through the hills near Pomona to



Chino and down to San Diego via Warner Hot Springs.

These festivals bring entertainment vendors of all varieties, including the concomitant challenges and legal entanglements. Besides traditional contracts and torts, there are challenges related to patent and trademark infringement, alcohol and drug consumption, municipal curfews, disparagement, and a multitude of both state and county regulations.

For example, one of the vendors provides a very popular and iconic amusement ride symbolic of the preeminence of these festivals. It is a large 100 foot+ Le Grande Wheel seen in the above photo. This wheel has 36 suspended gondolas and is operated by perhaps the largest portable ride operator in the United States. Ray Cammack Shows, Inc. is a multi-generational family-operated carnival, serving patrons in many states for more than 50 years, utilizing over

100 commercial trucks and 195 trailers, travelling millions of miles (in excess of 500,000 miles a year). During this time, tens of millions of riders have been served. Pre-pandemic yearly ridership exceeded 10 million – more than Magic Mountain and Knotts Berry Farm combined. The La Grande Wheel has been a part of the RCS Midway since 2001, and yearly carries thousands of patrons at Stagecoach and the Coachella Valley Music and Arts Festival.

Each year, before operation in California, the Wheel is inspected by the California Department of Industrial Relations, Division of Occupational Safety and Health, Amusement Ride and Tramway Unit. It is also normally inspected at the Coachella Valley Music and Arts Festival, by knowledgeable personnel every day before it is put into operation at the Festival.

There are signs prominently posted inside each gondola warning riders to “Keep Arms and Legs Inside the Gondola at All Times.” This same warning is on a sign at the entrance to the ride. Furthermore, the same warning is part of a spiel that is played continuously over loudspeakers to be heard by riders at the entrance, in the queue, and in the boarding area. Said warning is universal on almost all amusement rides for decades.

But the combination of alcohol can ruin a fun physical activity. The result can be lawsuits, state inspections, and analysis by legal counsel and outside experts. The Stagecoach and Coachella Festivals face many such challenges, but provide an extraordinary event, enjoyed now by millions...and close to home; attended and supported by the finest artists and amusement providers in the United States. Perhaps at no location and at no event is the interrelationship between art and the law more evident.

Boyd F. Jensen II is with the firm of Garrett & Jensen in Riverside and is a member of the RCBA Publications Committee.



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MUSIC, SOCIAL JUSTICE AND TRANSCENDING GENRE

by Juanita E. Mantz, Esq.

I have been a music lover much longer than I have been a lawyer (20 years) or a deputy public defender (14 years). My love of music started at a very young age with the pop tunes of Shaun Cassidy then morphed to me as a tween idolizing girl singers and groups such as Pat Benatar, Olivia Newton John, Joan Jett, and The Go-Gos. Later, as a teenager, I turned to more punk and post punk fare such as X, the Ramones and The Clash, as well as Iggy Pop, Siouxsie & the Banshees, the Buzzcocks, along with bands such as Bauhaus, The Smiths, The Cure and of course, proto punk icon David Bowie. Always a sucker for nostalgia, my sonic tastes remain the same to this day.

I've written many pieces on music and even a hybrid chapbook on the correlation between punk rock and public defense. I've also tried my hand at DJing and for a few months, I drove to the Boyle Heights Arts Conservatory on Sundays to do a radio show that I called "Changes," which was a series of episodes focused on social justice and music. Creating the eclectic playlists was the easy part for me, but I soon realized that if you want to be challenged on multi-tasking, try speaking into a microphone while "running" your own DJ boards and queuing up your music.

To this day, what still gives me the most joy is going to see a punk or post punk show. Some months back, I saw my musical and poetic heroine Patti Smith (who some call the godmother of punk) perform live in Joshua Tree at a venue called Pappy's & Harriet's. When Patti Smith sang her song *People Have The Power*, it not only moved me to distraction, but it reminded me of the importance music plays in social justice movements. And I would argue that, despite it not always being obvious, there is a strong correlation between music and social justice, one that transcends genre.

For example, my first introduction to the 1939 song *Strange Fruit* was the 1980s version by the post punk band Siouxsie and the Banshees who covered Billie Holiday's original haunting version. But it wasn't until I was much older than I learned the story behind *Strange Fruit* and how Billie Holiday was targeted and attacked as a result of her insistence on singing the song, which highlighted the horrors of lynching, exposing hate, and white supremacy. Ultimately, due to Holiday's persis-

tence, the song became famous and shined a spotlight on racism and has been deemed by some as the song that started the civil rights movement. See <https://archive.nytimes.com/www.nytimes.com/books/first/m/margolick-fruit.html>

Music has also always been a place for war protest songs. In the 1960s and 1970s, many artists sang songs expressing their opposition to the Vietnam War, including such folk and rock artists as Bob Dylan, Joan Baez, Janis Joplin, Jimi Hendrix, Marvin Gaye, and John Lennon (along with many others). Country superstars Johnny Cash and Loretta Lynn also joined in too.

Another song that I must highlight is Gil Scott-Heron's social justice anthem from 1971 entitled, *The Revolution Will Not Be Televised*. Part poetry, part social commentary, and part music, it captured the angst of the early 1970s and the explosiveness of the riots and the fragility of race relations.

Bob Marley changed the music scene and the world with his political anthems and calls for peace and change. The Clash's cover of the song *Police & Thieves* also comes to mind as a prophetic warning and was penned by reggae artist Junior Marvin.

Likewise, punk artists have always bucked the establishment, and the movement started by the New York punk scene and the UK punk scene (which, of course, was started by the seminal punk band The Sex Pistols headed by Johnny Rotten aka John Lyndon) ignited social change so much that there are simply too many social justice songs to name. One song that comes to mind is the song *Institutionalized* (highlighting dehumanization) by the band Suicidal Tendencies, along with the Dead Kennedy's political upheaval song *California Uber Alles* as well as the Slits' song *Typical Girls*. Don't miss punk artists such as Spitboy, Fugazi and Bad Brains for political commentary as all of this music holds up so well because of its universality.

Of course, rap brought social justice even more to the forefront and rap bands like Public Enemy (*Fight the Power*), NWA and Tupac Shakur (amongst others too numerous to name) brought police brutality to the forefront of the public discourse. And hard rock bands such as Rage Against the Machine and System Of A Down (whose anthem *Prison Song* is, in my humble

opinion, one of the most powerful songs of all time about mass incarceration) further illustrate the power of music to highlight social justice issues and create change.

What I am here to say is for all attorneys, and all people, to open our minds. We should all aim to open our ears to the powerful force music is within social justice, one that we as lawyers can use as inspiration, to ignite our passions and our writings and discourse, to ultimately try and make lasting change in the institutional systems we all work within.

Juanita E. Mantz is a deputy public defender with Riverside County and a creative nonfiction writer. Her first book Portrait of a Deputy Public Defender, or how I became a punk rock lawyer (Bamboo Dart Press, 2021) was just awarded the Gold Medal at the 2022 International Latino Book Awards for best first book, nonfiction English. Her memoir Tales of an Inland Empire Girl was published in January 2022 by Los Nietos Press. The opinions in this article are her personal opinions only.



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OPPOSING COUNSEL: PRISCILLA GEORGE—BRAVO!

by David P. Rivera

I. The Actor, Creative Mind, and Artist

On a September Saturday in 2022, Priscilla George took the stage of Lifehouse Theater in the City of Redlands as the Caterpillar in the musical *Alice in Wonderland*. As she sang her solo, my friend and I glanced at each other, awestruck. “She... is... good!” we whispered to each other.

And it’s no wonder. Priscilla began developing her creative and artistic talents at a very young age. She has been singing onstage since the age of three. Theater came calling at age 11, when she was cast as the Narrator in *Charlotte’s Webb*; she concurrently understudied to a high school senior for the main character, Charlotte. At age 12, Priscilla joined a theater touring company, performing the works of William Shakespeare throughout several states into her early teenage years.

Since then, Priscilla has appeared in more than 16 theater productions, most of them musicals, including *Rapunzel Untangled*, *Beauty and the Beast*, *Emperor’s New Clothes*, *Peter Pan*, *Phantom of the Opera*, and *Job: A Modern Man*. She assistant-directed *My Fair Lady*, *Treasure Island*, *Job: A Modern Man*, *Little Women*, *Peter Pan*, and *Villainous Showcase*. She directed *Cinderella*, *Wizard of Oz*, and *Snow White*. She was the production assistant for several other productions.

Priscilla’s creative streak extends beyond theater and singing. As a child, she dabbled as a potential entrepreneur. She made photo and scrapbook albums, counting Emeril John Lagassé III, the American restaurateur and celebrity chef, as one of her customers. She even tried her hand at wedding coordinating, leaning into her creative vision and sense for colors, themes, and staging.

Priscilla loves creative writing, having poured significant time and effort into a young adult dystopian novel based on the concept of somatic mirroring among soulmates. Though still a work in progress, she intends to see the project through to completion, if she can ever find the time to write again.

In late 2018, Priscilla began painting canvas while nursing a broken foot. Her paintings have sold at local art festivals, despite her having hiked prices to dissuade purchases. (Priscilla has an emotional attachment to her paintings, which she prefers displaying on her home walls for her personal enjoyment. She donates all profits to support local community theaters.) Ever looking to grow, Priscilla now volunteers her services as a teacher of paint-and-sip classes.



Priscilla George

II. The Law Student

Priscilla’s path to the law began during her undergraduate studies at Cal State University, San Marcos. Initially, she was in the school’s pre-med program for B.S. candidates, having set her professional sights on forensic psychology. After a year, she came to understand that her talents were better suited outside of math and science. She changed her major to Communications, redoubling her efforts. She shouldered 28 units throughout the majority of her second year. Hard work enabled her to graduate magna cum laude in three years with a B.A.

in Communications.

Priscilla balanced her undergraduate studies with work and volunteer services. She worked 20–30 hours per week as a barista and management liaison at Starbucks, where she was exposed to the legal concerns of her co-workers (e.g., child custody, divorce, and employment issues). She also volunteered with JusticeCorps, assisting self-represented litigants in the small claims division of the City of Vista courthouse in San Diego’s North County. Her interest in the law was piqued.

Priscilla sat for the LSAT, intent on applying to only five law schools. All five not only accepted her, they offered her scholarships. She settled on Chapman University’s Fowler School of Law for three primary reasons: as a teenager, she fell in love with Irvine and the surrounding area, her church with her favorite pastor was located nearby, and she appreciated the school’s generous scholarship award.

At Chapman, an evolution happened. Priscilla had entered law school with absolutely no interest in litigation. Then, as a 2L, she enrolled in Litigation Trial Practice, a required class in which all of her classmates were 3Ls. She discovered she actually enjoyed the course material. She earned the highest grade in the class. From that point on, Priscilla knew she wanted to be a trial attorney.

Around a year later, her Trial Practice professor, Judge James Rogan, upon swearing her in as an attorney of The State Bar of California, recounted to Priscilla, “At the beginning of the course, you were a wallflower at the back of class. By the end, you were of the mindset, ‘I’m going to take you down!’” (Paraphrased.)

Priscilla earned her J.D. from Chapman Law School with a high class ranking and several honors, including: Commitment to Service Award, National Order of Scribes Award (outstanding legal writing and professionalism), CALI Excellence for the Future Awards (top grades in multiple classes), and as an Academic Fellow (Legal Research & Writing, and Legal Writing Skills).



Priscilla George (center) as Madame Giry in *Phantom of the Opera* at Lifehouse Theater in the City of Redlands (2019).

III. The Crossover Between Theater and Law Practice

Priscilla sees valuable crossover between her theater experience and litigation. As a prime example, she is able to script out her entire opening and closing statements. She can memorize and rehearse them to the point where she delivers them with manifest authenticity. Using psychology (a continuing interest of hers dating back to her under-

graduate studies) and theater, she can read her audience (i.e., jury) so that she can captivate, motivate, persuade, and become a compelling storyteller. Once she develops her story, her intimate familiarity with it eases anxiety and lends clarity to those moments that aren't scripted (e.g., cross-examination).

In addition, when Priscilla preps her clients for direct and cross-examination, she puts them through a bit of theater workshop. She instructs them on stage presence, confidence, eye contact, and storytelling. All of this develops characters and a story that juries can relate to.

Though it may not be obvious, Priscilla believes that all attorneys, especially litigators, harbor acting potential. She insists that we do it on a daily basis. As attorneys, we are all constantly managing the expectations of our clients, our superiors, opposing counsel, and even judges. In doing so, we essentially get into character. We present a story to our audience in a way that they can identify with and relate to.

At some point in the future, Priscilla would like to teach a class on the value of theater for the practicing attorney.

IV. The Attorney

As an attorney, Priscilla has gained a depth of diverse legal experience over her seven years of practice. She progressed from a small firm to a medium-sized firm, then to in-house counsel positions in the solar and cannabis industries, and finally to Aleshire & Wynder's Riverside office, where she now primarily practices public entity defense litigation and transactional counseling in a wide variety of matters, including: labor and employment matters, personal injury suits, code enforcement, unlawful detainers, CEQA compliance, CERCLA compliance, cannabis matters, ADA compliance, breach of contract actions, and fraud actions.

Though her heart lies in litigation, Priscilla also embraces her transactional work because it informs her on the structure and inner workings of government entities, bringing valuable context to her litigation practice.

Priscilla embraces the opportunity to mold and shape A&W's next generation of attorneys. She chairs the firm's mentorship committee, and serves on its social committee, its recruiting committee, and its interview panel. She also promotes professional growth in the firm's larger Riverside legal community as the Secretary for the Riverside County Barristers Association. "And that's what I love about Aleshire & Wynder... they encourage me to be part of the local legal community."

For Priscilla, as well as A&W, growth extends beyond lawyering skills. As an example of their standing commitment to team building among the firm's attorneys, Priscilla was most recently tasked with helping to coordinate a firm retreat on Catalina Island. She leaned into her creativity and stint as a wedding coordinator to make it happen. In that same vein, she has also instructed a paint-

and-sip class for her firm, including family members.

Priscilla is confident she has found a home at Aleshire & Wynder. She enjoys a work-life balance that allows her to excel at advocating for her clients, yet enables her to travel and pursue her artistic bents, in particular theater.

It's that devotion—that commitment to professional service and creative enrichment—that makes her such an intriguing person. I have no doubt that those who know Priscilla, whether personally or professionally, count themselves fortunate and applaud her wholeheartedly.

Bravo, Priscilla George!

David P. Rivera is a solo practitioner of business law in Highland. He is the President-Elect of the Riverside County Barristers Association, the Treasurer of the Hispanic Bar Association of the Inland Empire, the Treasurer of the Asian Pacific American Lawyers of the Inland Empire, and a member of the RCBA Bar Publications Committee.



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JUDICIAL PROFILE: HONORABLE JOSHLYN R. PULLIAM — A SPIRIT OF DETERMINATION AND PERSEVERANCE

by L. Alexandra Fong

Judge Joshlyn R. Pulliam was born and raised in southern California. Her existence came as a wonderful surprise to her mother when she found out at seven months that she was carrying twins. The doctors informed her mother that she was having two boys and a few days after that revelation, Judge Pulliam and her older twin brother were born.

Judge Pulliam started working when she was 13 years old as a babysitter and helping neighbors. She worked throughout high school, continuing to excel, and graduated with honors. At 18 years old, she worked two jobs, while attending San Diego State University with a double major in English literature and political science. She would attend classes during the day and work at night. On the weekends, she worked at the San Diego Zoo.

While in college, Judge Pulliam was a member of Africana Student Union, the Pre-Law Society, YMCA volunteer tutor, and Amnesty International. She was also a college intern at former United States Senator Barbara Boxer's field office in San Diego. In 2001, she became the first person in her family to graduate from college when she received her Bachelor of Arts Degree.

After college, she was looking for an avenue to project the empathy that her soul possessed for the less fortunate, the misguided, the addicted, the mentally ill, and those whom the legal system is designed to protect. Law school was the logical answer. She attended law school at the University of Southern California, Gould School of Law to learn how to use the system to help others.

While in school, Judge Pulliam received the Trope & Trope fellowship in family law. It provided her the opportunity to work at the Harriet Buhai Center for Family Law which provides free legal assistance to low-income and indigent pro-per litigants by educating them on how to navigate through the court process, and file petitions for dissolution of marriage, child custody, parentage, support, and restraining orders.

She was a law student extern for the Honorable Roy Paul (retired) of the Los Angeles County Superior Court and wrote over 100 case briefs.



Hon. Joshlyn R. Pulliam

Judge Pulliam worked as a law clerk for the State Bar of California Office of the Chief Trial Counsel, where she did legal research, drafted complaints, and attended disciplinary hearings for bar members charged with misconduct.

During law school, she was a member of the Hale Moot Court Honors Program and volunteered in the Street Law Mentoring Program, Public Interest Law Foundation, Criminal Law Society, Barrister's Domestic Violence Program, and Black Women Lawyer's Association.

After graduating from law school, Judge Pulliam worked as a paralegal instructor for ICDC College where she taught legal research, along with law and motion writing. In 2007, she began a career with the Riverside County District Attorney's Office, where she remained until her elevation to a court commissioner with Riverside County Superior on July 1, 2022. Throughout her nearly 15 years as a deputy district attorney, she worked in a wide range of jury trial, which included robberies, domestic violence, prison crimes, mental disorders, civil commitments, and homicides. In her last assignment, she prosecuted sexual assault, child abuse, and sexually violent predators.

Judge Pulliam gained specialized experience in mental health (civil commitment) cases and veteran's court. In mental health court she obtained civil commitment orders for mental and psychological treatment of respondents in the areas of Murphy conservatorships, mentally disordered offenders, intellectually and developmentally disabled offenders pursuant to Welfare Institutions Code Section 6500, and not guilty by reason of insanity. Additionally, she gained over four years of experience working on mental health cases related to persons who were detained pursuant to Section 5150 of the Welfare and Institutions Code, who were subject to a firearms prohibition by the Department of Justice.

Judge Pulliam's experience in Veteran's Court included working with a collaborative team of stakeholders to help active and former military service members who have been charged with criminal offenses avoid incarceration by getting them necessary treatment. The defendants

suffer from diagnosed conditions ranging from post-traumatic stress disorder, substance/alcohol abuse, and/or psychological/behavioral issues connected with their military service. In this unit, she worked directly with the assigned judicial officer, opposing counsel, community organizations such as Reaching New Heights Foundation (comprised of veterans and local citizens), Veterans Affairs, and behavioral health groups. The program's focus is to get the service members rehabilitation and assistance in all areas of their lives, as an alternative to incarceration.

While at the DA's office, she became active within the community as a Mock Trial attorney coach for Citrus Hill High School (2010-2015), spoke at the Women Wonder Writers Program at the Arlanza Park Community Center (2012-2013), mentored fifth graders at Mission Bell Elementary School (2013-2015), mentored law students at University of La Verne School of Law (2015 to present), mentored students at University of Southern California (2017 to present), and mentored high school students at North High School (2018 to present). She hopes to continue these efforts and be a role model and mentor to youth within our community.

Judge Pulliam joined the Leo A. Deegan Inn of Court in its 2016-2017 program year, was elected to the Board of Directors in May 2020, and is currently serving as vice president. In 2021, she became a member of the Riverside Superior Court Elimination of Bias Stakeholder Committee. She is also a lifetime member of the Richard T. Fields Bar Association.

On July 1, 2022, Justice Richard T. Fields, Associate Justice of the California Court of Appeals, Fourth Appellate District, Division Two, administered her oath of office as Riverside Superior Court Commissioner and she was assigned to handle cases at the Southwest

Justice Center in Murrieta. On that same date, she was appointed judge of the Riverside County Superior Court by Governor Newsom.

On July 5, 2022, Presiding Judge John Monterosso administered her oath of office as Riverside County Superior Court Judge. She is currently assigned to handle criminal matters at the Banning Justice Center, Department B301 and, as of mid-August, has already heard two jury trials.

Judge Pulliam's formal enrobement ceremony occurred on Friday, September 30, 2022, in Department 1 of the Riverside Historic Courthouse. Deputy District Attorney Sharunne Foster and Deputy District Attorney William Robinson spoke at her ceremony. Justice Richard T. Fields administered the ceremonial oath of office.

Judge Pulliam continues to reside in the Inland Empire with her firefighter husband and three sons. In her spare time, aside from volunteering as a mentor as described above, she is learning Taekwondo with her sons. She also enjoys international travel and has visited 13 countries and counting. She enjoys listening to music and going to art museums. She has visited the Louvre in Paris, the British Museum in London, the Vatican Museums in Rome, and the National Art Museum of Catalunya in Barcelona. Her favorite artists currently are Sam Gilliam and Charles Henry Alston. Her favorite singers currently are Stevie Wonder and Adele.

L. Alexandra Fong is a deputy county counsel for the Riverside County Counsel's Office in its Child Welfare Division. She is a past-president of the Riverside County Bar Association and Leo A. Deegan Inn of Court. She is the co-chair of the Juvenile Law Section of RCBA, a member of the Bar Publications Committee, and a member of the Continuing Legal Education Committee.



MCLE REQUIREMENTS UPDATE

For compliance groups who must report for the period ending on January 31, 2023, and thereafter.

Rule 2.72 of the Rules of the State Bar of California, which addresses attorney MCLE requirements, was recently amended. Below is a breakdown of the credits required every three years on and after January 1, 2022:

- Half of the 25 MCLE hours must be in activities approved for what is called participatory MCLE credit.
- No more than 12.5 hours can be for self-study.
- Other special requirements:
 - At least four hours of Legal Ethics
 - At least one hour on Competence Issues
 - At least two hours dealing with Elimination of Bias. Of the two hours, ***at least one hour must focus on implicit bias and the promotion of bias-reducing strategies.***

The new requirements will first apply to attorneys in MCLE compliance group 3 who must report compliance for the period ending on January 31, 2023.

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MEMBERSHIP

The following persons have applied for membership in the Riverside County Bar Association. If there are no objections, they will become members effective October 30, 2022.

James D. Armstrong – Riv Co DCSS, Riverside

Paola Y. Castro – Riv Co DCSS, Riverside

Jennifer J. Clark – Riv Co DCSS, Indio

Vanessa Lynn Diaz – Sargent Law Firm, Oceanside

D. Chante El-Alam – Banderas Law PC, Ontario

Julianne E. Fleischer – Solo Practitioner, Ontario

Carmen Godoy (A) – Sandoval Legacy Group, Riverside

Dylan V. Gunzel – Best Best & Krieger, Riverside

Alexis L. Hall – Aleshire & Wynder LLP, Riverside

Joshua Imeri-Garcia – Aleshire & Wynder LLP, Riverside

Shalu A. Jogin – Solo Practitioner, Yorba Linda

Nolan B. Kistler – Law Offices of Harlan B. Kistler, Riverside

Elizabeth M. Lawrence – Riv Co DCSS, Riverside

Sarah Locklin – Aleshire & Wynder LLP, Riverside

Elizabeth G. Mayberry – Cordell & Cordell, San Diego

Robert Louis Miller – Robert Miller & Associates, Newport Beach

Maichi N. Nguyen – Riv Co DCSS, Riverside

Dale H. Oliver – Sole Practitioner, Palm Springs

Sarah E. Oliver – San Bernardino County Counsel's Office, San Bernardino

Shukan Patel – Aleshire & Wynder LLP, Riverside

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