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RCBA Board
2011-2012



Barristers Board
2011-2012



The official publication of the Riverside County Bar Association

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RIVERSIDE LAWYER

MAGAZINE

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MISSION STATEMENT

Established in 1894

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

RCBA Mission Statement

The mission of the Riverside County Bar Association is to:

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

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

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

Membership Benefits

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

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

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

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

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

MBNA Platinum Plus MasterCard, and optional insurance programs.

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

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

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

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

CALENDAR

DECEMBER

2 Appellate Law Section

Court of Appeal – Noon – 1:15 p.m.

\$20 RCBA Members/\$25 Non Members – Lunch will be served

“Do’s & Don’t’s at the Court of Appeal” followed by a brief update on the State of the Court by Justice Ramirez.

MCLE

6 Civil Litigation Section Joint with Federal Bar Assn IEC

RCBA Gabbert Gallery – Noon – 1:15 p.m.

“Do’s & Don’t’s When Using Experts in Court”

Speakers: Ken MacVey & John Holcomb

Lunch will be served. Please call the RCBA for cost.

MCLE

7 Joint RCBA/SBCBA General Membership Meeting

Mission Inn, Spanish Art Gallery – Noon

“State of the State Bar”

Speaker: State Bar President Jon Streeter

RSVP to RCBA by December 2

8 Bar Publications Committee

RCBA Boardroom - Noon

12 CLE Brown Bag

RCBA John Gabbert Gallery

Noon – 1:15 p.m.

“Ethics for Government Attorneys - Not Really an Oxymoron”

Speaker: Elizabeth Martyn of Lewis Brisbois Bisgaard & Smith

RCBA Board of Directors Meeting

5:00 – RCBA Boardroom

RCBA Shopping Elves – at Kmart

(contact RCBA for more info)

13 Holiday Mixer – for the RCBA, FBA & SBCBA

Crescent Jewell Restaurant – 4:30 p.m. to 7:30 p.m.
3597 Main Street, Riverside

For more information contact the RCBA (951-682-1015)

14 Estate Planning, Probate & Elder Law Section

Christmas Luncheon at Best Best & Krieger - Noon

Mock Trial Steering Committee Meeting

RCBA Boardroom - Noon

14-15 RCBA Wrapping Elves

RCBA – 4:30 p.m.

(contact RCBA for more info).



Cover photos by Michael J. Elderman

RCBA Board: (back row) Scott Talkov, Harlan Kistler, Jean-Simon Serrano, Richard Roth, Jack Clarke (front row) Jackie Carey-Wilson, Kira Klatchko, Chad Firetag, Robyn Lewis, Richard Ackerman, Chris Harmon

Barristers Board: (back row) Jean-Simon Serrano, Scott Talkov, Brian Pedigo (front row) Amanda Schneider, Sophia Choi, Arlene Cordoba



President's Message

by Robyn A. Lewis

This month's *Riverside Lawyer* focuses on the state of our legal community – the state of our courts and the state of our bar association.

In today's economy, we certainly have experienced a tough road. Unprecedented budget cuts from our legislature have caused our third branch of government to come to a screeching halt in some counties. Statewide, there is and should be growing concern, as nonlawyers who are serving as our lawmakers are making decisions that will affect access to justice all over the state of California. Despite the previous authorization for new judgeships in Riverside County and judicial vacancies, there is still a significant shortage of bench officers in relation to its growing population. And on a more local level, a sitting judge is being challenged in the upcoming election, which I fear may cause a further divide among members of our own legal community. So what is being done to try to turn the tide around?

I must first address the efforts that the Riverside County Bar Association is making to improve the legal community. Through the hard work of the board of directors and under the wise guidance of local attorney Richard Pershing, the RCBA's officers have formulated a strategic plan to be implemented over the course of the next three to five years, with the following mission statement in mind: "To serve our members, to serve our communities, and to serve our legal community." I would like to take this opportunity to thank Richard Pershing for his wisdom and for the time that he devoted to our bar association to accomplish this difficult task.

We are striving to improve the RCBA's technology by updating the web site, exploring social media, and implementing video conferencing so that members in areas such as the desert or in Southwest can enjoy the continuing

education programs and participate in the monthly general membership meetings. A summit is planned for late April, to which leaders throughout the legal community, including the bench, will be invited. The goal is to plan an annual meeting so that leaders from all different areas and offices can meet and discuss issues that are pertinent to the practice of law in Riverside County. A legislative outreach program has been contemplated and will be established to ensure that Riverside has a voice in statewide discussions regarding the judicial branch, including proper funding for the courts in our county. Many other goals have been determined, and I am optimistic that our bar association will become an even stronger organization in the future.

If any of you have any comments or suggestions about the RCBA, please direct them to me or to Charlene Nelson, our executive director. We would love to hear input from our members as to programming ideas, social events, or other issues that concern us all. As a reminder, I would urge all of you to consider participating by attending a section event or a general membership meeting, or by volunteering your time to such worthwhile community outreach programs as Mock Trial, Project Graduate or the Elves Program.

Through the hard work and foresight of our presiding judge, the Honorable Sherrill Ellsworth, and the court executive officer, Sherry Carter, our superior court has been able to weather the storm of the recent budget cuts with a minimal impact. However, it is so important that Riverside remain in the statewide conversation regarding those cuts.

The State Bar Association has implemented a monthly phone call between all of the bar leaders statewide to keep the channels of communication open. State Bar President John Streeter and State Bar Executive Director Senator Joe Dunn participate in these conversations to keep bar presidents across the state informed on what is being done to try and keep further budget cuts from happening. Already, a legislative task force has been formed. However, we have been asked for our help.

Currently, the legislative task force has been gathering information on how the reductions to the judicial branch budget have impacted attorneys and their clients, as well as members of the public who access trial court programs and services throughout the state. That task force is in the process of developing the necessary information to convey to the legislative and executive branches the true nature of these impacts and the need to restore funding to the judicial branch budget. To be most effective, we must capture and share clear, meaningful examples of what

these reductions mean in human terms and how access to justice has been compromised in California.

Specifically, the legislative task force is asking that you immediately begin sending your observations and experiences – and those of your clients – as they occur to Donna Hershkowitz, Assistant Director of the AOC Office of Governmental Affairs, by email at donna.hershkowitz@jud.ca.gov. Donna will aggregate the information for use in statewide outreach and education efforts conducted by you, members of the judicial branch, and our justice system partners. Your submission should include enough information to enable the legislative task force to aggregate similar stories and to present a picture of the cumulative effects on the public. For instance, it is recommended that you provide the following:

1. The trial court at which the incident you are describing occurred;
2. The type of case you or your client brought before the court;
3. The specific reduction in programs or services that impacted you or your client;
4. The immediate, subsequent or residual effect that the reduction had on you or your client, and what that means in terms of access to and delivery of justice; and

5. Your contact information, should a follow-up be needed with you on your submission.

Finally, I wanted to publicly state my support for Judge Craig Riemer in the upcoming contested election for his judicial office. Judge Riemer has been a fine bench officer and has served his office well. Moreover, he has been a champion for the RCBA, serving our organization not only as a past president, but for many years in other capacities. However, I think it is important to consider the impact that a contested election for a sitting bench officer will have on our legal community and the community at large. While I certainly support our democratic system, a contested judicial election threatens the independence and impartiality of our judiciary. Such elections can erode the public's confidence in the courts, as voters may think that "justice is for sale." In my opinion, competent sitting judges should not have to be pushed into the political arena, as it takes away their ability to properly serve their judicial responsibilities and calendars while they invest their time to campaign.

Robyn Lewis, president of the Riverside County Bar Association, is with the firm of J. Lewis & Associates, APLC.



INLAND EMPIRE LATINO LAWYERS ASSOCIATION HOSTS FIFTH ANNUAL VOLUNTEER ATTORNEY RECOGNITION FUNDRAISER

The Inland Empire Latino Lawyers Association (IELLA) will host its Fifth Annual Volunteer Attorney Recognition and Silent Auction Event at the Riverside County Law Library. The fundraising event will be held on December 8 from 6:00 to 8:30 p.m. and will include a live and silent auction and hosted appetizers and wine, as well as a short recognition program.

Attorney volunteers who give of their time to help the Legal Aid Project in its mission to provide free legal services for the poor and underprivileged residents of Riverside and San Bernardino Counties will be honored at the event. The program will also include the presentation of the Wiley W. Manuel Award, given by the State Bar of California to attorneys who have provided more than 50 hours of service in the past year.

The live and silent auctions will run throughout the evening. The live auction will include a Cabo San Lucas vacation stay, a helicopter ride for one with the Riverside Police Department, a day at the shooting range with attorney Anthony Beaumon, and other exciting items. The silent auction will feature an iPad2, Disneyland tickets, sports and

theater tickets, dinners at local restaurants, and a variety of gift baskets.

"The pro bono legal assistance provided at the IELLA Legal Aid Project to needy residents allows them to avoid homelessness, helps kids stay in school and provides families with stability and support," says Rina Gonzales, event chair. "The tireless work and compassion of the attorney volunteers must be recognized, and we are happy to combine the recognition with necessary fundraising efforts."

IELLA has served the counties of Riverside and San Bernardino since 1978. IELLA assists with limited civil and family law cases, including divorces, legal separations, annulments, custody and visitation, child support, spousal support, restraining orders, limited civil complaints, eviction defense, consumer rights, collection cases and small claims demands. The IELLA Legal Aid Project Volunteer Attorney Panel consists of approximately 40 local attorneys who are present at the weekly and monthly legal aid clinics held in Riverside (Eastside and Arlanza), Colton and Ontario. For more information, visit iellaaid.org.



BARRISTERS PRESIDENT'S MESSAGE

by Scott H. Talkov



Using Social Media to Organize Lawyers

With the advent of social media as a means to connect with one another, many organizations depend upon such social media to get their messages out. Recognizing the power of social media to organize lawyers, the Riverside County Barristers Association has harnessed this new technology to increase attendance of young and new attorneys, whose reliance on social media is ever-increasing. Specifically, the Barristers' use of our Facebook group, Constant Contact email list, and website has coincided with our exponential

growth over the past two years.

Facebook

The Barristers Facebook group is constantly growing, with 121 young and new attorneys receiving updates each time they log in. In fact, a substantial number of people who recently attended Barristers meetings have indicated that they learned of the association and its meetings through our Facebook group. Unlike other technologies, Facebook is interactive, allowing members to write posts and to discuss the posts of other members. We also use the group to create Facebook events to inform our members about upcoming speakers and socials. By doing so, we can message our members with updates or simply remind them to attend. Members can also post any questions or comments they may have about the events. Best of all, Facebook is entirely free.

Email

The Barristers also send out emails to those who have been added or have added themselves to the email list. Rather than simply emailing attorneys from our Outlook mail client, Constant Contact maintains the list of attorneys, allowing them to opt in and out without any effort. These emails are formatted so that attorneys can easily receive the information. We know our members are busy working on their cases, so we always include all relevant information in the email, rather than requiring further action, such as downloading an attachment or clicking on a link. Event announcements profile topics and speakers in detail. The general information, such as the venue, date, and time, is also prominently displayed. We try to stand out from their other emails through the use of images, unique layouts, different text sizes, colors and other features to engage readers in our content. These emails can easily be forwarded to others to view. Yet again, Constant Contact is free through the use of the RCBA's account.

Website

Another marketing tool is our new Barristers website, located at riversidebarristers.org. This site includes information on the association, the board, events, sponsors, and other related matters. Any of our members can easily update the website to include information about upcoming events and other changes in the organization. The key to a good website is accuracy, which goes hand-in-hand with regularly updating information. There are amazing tools out there that will make any lawyer look like a web professional. By far the most

popular is WordPress, which is entirely free. Our website provides links to join the association's Facebook page or to sign up for the email list.

Using Digital Marketing to Grow Your Committee or Organization

These three forms of social media have been tremendously useful and effective in reaching out to the young and new attorneys of Riverside. Using them has allowed our association to grow, not only in the number of members, but also in the commitment of those members, who have built strong and lasting relationships with one another. The Barristers believe that these means can be effectively utilized to reach out to an organization's existing members and to grow the organization as new members learn about the numerous opportunities to help attorneys and the public. Harnessing these technologies might be easier than you think.

Upcoming Barristers Social and Meeting on Public Interest Law

Our December event will focus on giving back to public interest law and improving access to justice, with Darrell Moore of Inland County Legal Services as our featured speaker. The event will be held from 5:30 to 7:30 p.m. on Wednesday, December 14 at Packinghouse Brewing Co., located on the north side of the Riverside Municipal Airport at 6421 Central Ave., Suite 101-A, Riverside, CA 92504. A portion of all proceeds will go to the RCBA's Elves Program to provide toys to underprivileged children in our community. More information will be provided through our Facebook page, email, and website.

Scott Talkov is the 2011-12 President of Barristers as well as an attorney with Reid & Hellyer, where he practices real estate and business litigation.





SECTIONS OF THE RCBA

The sections listed below are semi-autonomous from the RCBA, and are empowered to establish their own procedures subject only to compliance with the RCBA Bylaws and review by the Board of Directors. The activities of the sections are largely devoted to the presentation, discussion and study of matters pertaining to the practice of a substantive area of the law. Most sections are using monthly meetings as a means to acquire MCLE credit. To join one or more sections, please contact the RCBA (951-682-1015 or rcba@riversidecountybar.com). All members are eligible—attorneys, judges, students, retired members and affiliates.

Appellate Section

The Appellate Section meetings will take place from noon to 1:15 p.m. the first Friday of each month beginning with December 2, 2011. Although most meetings will be in the John Gabbert Gallery at the RCBA, Presiding Justice Manuel A. Ramirez of the Fourth District, Division Two Court of Appeal has graciously offered that facility for December 2nd. The topic will be “Do’s and Don’t’s at the Court of Appeal.” The presentation will be followed by a brief update on the State of the Court by the Presiding Justice.

Plans are still developing for meeting topics in 2012. RCBA members are encouraged to contact the Section Chair, Susan Knock Brennecke at Thompson & Colegate, LLP at 951-682-5550 or sbrennecke@tclaw.net with input for possible topics and/or speakers. The slated topic for January will be “Procuring, Correcting and Augmenting the Record on Appeal.” The Section is also exploring presentations on criminal appeals, Ninth Circuit appeals and petitions for review to the California and United States Supreme Courts.

Business Law Section

We are excited and pleased to be resurrecting the Business Law Section of the RCBA! We envision the section as providing valuable information regarding developments in and the practice of both transactional business law and business law litigation. To that end, we kicked off our efforts with a presentation on the importance of document retention policies and the implications for e-discovery. Upcoming programs will include business valuations and issues and resources relating to the creation, formation, and expansion of businesses. Because we seek to serve the interests of our members, we would welcome any input you have regarding topics for future presentations. Please contact Stefanie Field at stefanie.field@greshamsavage.com or J Niswonger at jniswongerlaw@gmail.com with

any suggestions that you have. We look forward to hearing from you and providing you with informative presentations and forums for discussion.

Civil Litigation Section

The leadership of the RCBA is very pleased to report that, after a hiatus of a few years, the Civil Litigation Section is active again. Our section meets at noon on the first Tuesday of each month in the John Gabbert Gallery of the RCBA Building for a brown bag lunch. Our first meeting, in October, featured Commissioner John Vineyard and attorney Michael Friedland presenting a program on pre-trial remedies, including TROs, preliminary injunctions, writs of attachment, and writs of possession. In November, Commissioner Paulette Barkley and attorney Michael Kerbs provided a bench and bar perspective on discovery motions. The discussion and the question and answer sessions at both programs were lively and informative.

Future programs will also feature a bench and bar format, aimed at providing our local practitioners with helpful tips and guidance regarding everyday litigation topics. That said, we solicit your input and suggestions. It is our goal to make the Civil Litigation Section an invaluable resource for educational programs, networking opportunities, and the enjoyment of our wonderful profession.

John Holcomb can be reached at (951)781-9231 or jholcomb@kmob.com.

Criminal Law Section

The Criminal Law Section of the Riverside County Bar Association is for lawyers interested in the practice of criminal law. Each month the section sponsors meetings with speakers relevant to criminal law practitioners. Topics relevant to both prosecutors and defense attorneys are discussed at each meeting. Each meeting features a noted speaker of distinction in an area touching upon criminal law. Past speakers include Superior Court Judges, Justices of the Court of Appeals, experts in various disciplines, elected District Attorneys and others with interesting information on exciting topic. MCLE credit is given for each meeting and there is no charge for attendance.

The Chair of the Criminal Law Section is Paul Grech and he can be reached at (951)682-9311.

Environmental Section

The Environmental Sections of the Riverside and San Bernardino County Bar Associations try to provide local-area attorneys with both MCLE and a forum for discussion of topical issues related to the environment. Whether

these issues relate to CEQA, CERCLA or cultural resources, the sections strive to provide a place where environmental issues that are of local as well as state and national interest can be discussed. Guest speakers are often used to present a talk on areas of interest to all environmental attorneys, and we are always open to suggestions on how the section can grow and be more responsive to the needs of practicing environmental attorneys in the local area. As chair, I am always looking for new speakers and topics and look forward to suggestions in that regard. We meet on the last Wednesday of the month, during the lunch hour, alternating between Riverside and San Bernardino County.

Garry Brown can be reached at (909)890-4499 or garry.brown@greshamsavage.com

Estate Planning Probate and Elder Law Section

The Estate Planning Probate and Elder Law Section is co-chaired by Pamela Valencia (of Dennis M. Sandoval, a PLC) and Laila Kepler (sole practitioner). The section provides speakers on the third Wednesday of each month, except December. Our December meeting has traditionally been an update on estate planning laws hosted by Best Best & Krieger at their Riverside office. That date is still to be determined. We are looking for speakers on estate planning issues, both transactional and litigation-related, as well as elder law issues. Our October speakers, a panel from the district attorney's office, discussed criminal elder abuse, and our November speakers discussed registered domestic partner estate planning. Generally, the meetings are brown-bag, but the RCBA staff provides coffee and bottled water. When we remember, we bring cookies as incentive for the members who are dithering between coming for the shared expertise and remaining burrowed in their offices.

For more information about the section, you may contact Laila Kepler at (951) 265-9716 and Pamela Valencia at (951) 787-7711.

Human Rights Section

The RCBA Human Rights Section focuses on issues pertaining to human rights in our modern society. The goal of the Human Rights Section is to educate lawyers and others about such matters as human trafficking, child slavery, civil rights, political incarceration and related topics and to provide an opportunity for attorneys to become involved.

On November 10, 2011, the Human Rights Section, in cooperation with the Institute for Children's Aid, held a conference in Temecula to address issues pertaining to child rights. If you have an interest in becoming involved, please contact DW Duke at dwduke@spile-siegal.com.

Immigration Section

The Immigration Section is chaired by Kelly O'Reilly, formerly an immigration officer and now a partner in the boutique immigration firm of Wilner & O'Reilly. As a result of Mr. O'Reilly's former employment with the INS, the section is able to book current administrative supervisors and front-line officers to address real-world problems and to give best-practice advice to immigration attorneys and attorneys who have come across immigration issues. The goal of the section is to supply practical information and to develop agency contacts so that the practitioner will not only know how to solve a client's problem, but have the contacts to make it happen quickly. The section meets bimonthly on the third Thursday at noon in the Gabbert Gallery of the Riverside County Bar Association. For more information about the section, please contact Kelly O'Reilly at (562) 207-6789.

Landlord/Tenant Section

The Landlord/Tenant Section of the RCBA meets eight times a year as a joint section with the San Bernardino County Bar Association. We meet on the second Tuesday of the month, January through May and September through November. About 25 members attend each meeting, with an equal amount from the tenant side and the landlord side.

We alternate between the Cask 'n' Cleaver in Riverside and Napoli's in Loma Linda. We have had various federal judges, state court judges and commissioners speak during the year. There are various topics that cross over into landlord-tenant issues, and we are always having new experts coming to the meetings to speak. We would love to have you attend meetings. Contact Barry O'Connor (951-689-9644 or UDlaw2@aol.com) or Bill Garrett (909-889-0631 or billgarrett@dslextrreme.com) and we will add you to our email list.

Solo/Small Firm Section

The Solo Practitioner/Small Firm Section is chaired by Connie Younger and co-chaired by Jean-Simon Serrano.

We are hoping to re-energize this committee this year with exciting new topics and speakers that cater to the unique needs and interests of the solo practitioner and those in small firms. Future meetings will include topics such as "Available Software for Solos" and "Teaming up with Other Solos to Handle Larger Cases."

Jean-Simon Serrano of Heiting & Irwin joins the section as co-chair this year and welcomes all suggestions and ideas. Contact him at (951) 682-6400 or via email at jserrano@heitingandirwin.com.

We look forward to seeing you at our meetings.



COMMITTEES OF THE RCBA

The committees listed below are established by the Riverside County Bar Association. To join one or more committees, please contact RCBA at (951) 682-1015 or rcba@riversidecountybar.com. All members are eligible—attorneys, judges, students, retired members and affiliates.

Mentoring Program Committee

The Mentoring Program Committee consists of four members: L. Alexandra Fong, deputy county counsel for the County of Riverside (chair); Jeb Brown, supervising deputy city attorney for the City of Riverside; and solo practitioners Connie Younger and Richard Reed.

The focus of the Mentoring Program Committee is to pair protégés (attorneys with less than five years of practice) with mentors to gain experience in the practice of law and within the community.

Mentors are encouraged to meet with their protégés at least once a month to discuss a plethora of topics, including, but not limited to: ethics and professionalism; practice and law office management; business/client development; networking; lawyering skills; areas of practice and types of firms; issues generally affecting the legal profession; courthouse personnel; courthouse procedures and jargon; attorney-client relationships; pro bono opportunities; and how a protégé can be a valuable asset to his or her employer.

To obtain additional information about the Mentoring Program Committee or to download an application, please visit the RCBA website.

Mock Trial Steering Committee

The Riverside County Mock Trial Program is a joint effort of the RCBA, the Riverside Superior Court, and the Riverside County Office of Education. The overall coordination of the Mock Trial Competition is vested in the Mock Trial Steering Committee, whose members include RCBA members, superior court judges and court

personnel, and the Program Coordinator for the Riverside County Office of Education. The Steering Committee is charged with preparing for and coordinating the competition. Its focus prior to the competition is on recruiting scoring attorneys, working with the superior court judiciary to arrange for presiding judges, and assisting teams with issues that arise relating to the case materials and their interpretation. During the competition, the committee is responsible for the seeding for each round, assigning scoring attorneys and judges, and coordinating the scoring of each round through the championship.

The 2012 competition will start on February 8, with regional rounds in Indio, Southwest and Riverside, and continue with weekly rounds at the Riverside Hall of Justice. Following the first four rounds, the top eight teams will compete in a single-elimination tournament leading to the championship round on March 3, 2012.

The Mock Trial Program is an outstanding high school extracurricular activity. It would not be possible without the numerous volunteers from the RCBA and the superior court, either as attorney coaches for the participating teams or scoring attorneys and presiding judges.

John Wahlin is the Chair for the Mock Trial Steering Committee. He can be reached at (951) 686-1450 or john.wahlin@bbklaw.com.



THE DESERT BAR ASSOCIATION

by *Mary E. Gilstrap*

The Desert Bar Association, formed in 1951, is the legal bench and bar organization for the Coachella Valley, including the cities of Bermuda Dunes, Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Mecca, Palm Desert, Palm Springs, Rancho Mirage, Thermal and Thousand Palms.

Promoting legal programs for its 200-plus members, maintaining the honor and integrity of the practice of law, and on a lighter note, providing social events for its members are the DBA goals. There are monthly luncheons with guest speakers, all offered with MCLE credit for attendance, as well as cocktail mixers at local restaurants and art galleries. The DBA also offers a Senior Law Day program, which provides free legal seminars on topics of interest to seniors. Other DBA services include fee arbitration and client relations, plus a free monthly mediation program at the courthouse in Indio, organized in coordination with Judge Randall White and mediator Gary Galton.

The DBA has also been tapped by Justice Douglas Miller of the Court of Appeal to participate with him this year in a pilot program called "Adopt a School," instituted by the State Bar of California. Desert Mirage High School in Thermal has been "adopted" by the DBA, and a series of lectures, mock trials and a Legal Career Day will be put on there by local attorneys, judges, district attorneys, public defenders, sheriff's deputies, court reporters, paralegals, legal assistants and law professors. The hope is that other law firms and organizations will "adopt" other schools to highlight and promote the legal professions at the high school level.

One of the most popular events put on by the DBA is the Annual Bird Awards & Distinguished Judges Night. Now in its 35th year, the event is both a dinner and a theatrical show poking mild fun at the legal community in the DBA's version of the Oscars. Legal bloopers, funny things said by lawyers in the courtroom, and even humorous judi-

cial gaffes are rewarded by a small golden statuette of a roadrunner. There is no shame in receiving a "Bird Award," and many a desert office has at least one proudly displayed on a desk or bookcase. The shows are elaborate, with great sets, costumes, and music, and showcase the amazing talents of desert judges, attorneys and other legal professionals. Slated for June 30, 2012 at Sun City Palm Desert, this year's show is still a secret (if a poorly kept one); however, last year's show, "Beach Blanket Bingo," written by Marty Mueller of Mueller/Olivier/Whittaker, was enthusiastically received.

The DBA's current slate of officers and trustees was installed October 22, 2011, at Spencer's on the Mountain in Palm Springs, with Federal Magistrate Judge David Bristow officiating. The new board consists of: Mary E. Gilstrap – President; David Mule – President-Elect; Patricia Muro – Secretary; Mike Rover – Treasurer; and Julie Rosser, Karen Sloat, Carlos Campos, Kimberly Lee, James Latting, Rob Gilliland and Roger Tansey – Trustees.

You can read more about the Desert Bar Association and its programs by visiting its website at desertbar.com.

Mary Gilstrap, President of the Desert Bar, is with the firm of Roemer & Harnik in Indian Wells.



INLAND COUNTIES LEGAL SERVICES, INC.

has two vacancies on its Board of Directors
for attorneys who are members of the
Riverside County Bar Association (RCBA)
which is the appointing organization.

Make this year's resolution to get more involved in the community!

For information contact:

Irene Morales, ICLS Executive Director at imorales@icls.org, or
Charlene Nelson, RCBA Executive Director at (951) 682-1015

THE FEDERAL BAR ASSOCIATION INLAND EMPIRE CHAPTER

by Dennis Wagner

The Inland Empire Chapter of the Federal Bar Association was formed in 1997. The formation of the chapter coincided with the Honorable Robert J. Timlin being appointed as the first United States district judge to sit in the Inland Empire. Judge Timlin had bipartisan support from the community for his appointment. We are most grateful to Judge Timlin, who was an active member of the local FBA chapter, for helping to get the chapter started and off the ground.

The Eastern Division of the Central District now includes U.S. District Judge Virginia A. Phillips and three magistrate

judges, David T. Bristow, Oswald Parada and Sheri Pym. There is still an allotment for one district judge position, which needs to be filled due to the vacancy left from Stephen G. Larson leaving the federal bench in September 2009. Former Judge Larson is sorely missed due to the work load that has piled up on our remaining district judge, Virginia A. Phillips. All of our federal judges play an active role in the Inland Empire Chapter of the Federal Bar Association. The chapter puts on monthly programs, which include topics that affect both civil and criminal practitioners in the federal system.

The Inland Empire Chapter is helping to support a Pro Se Clinic at the Federal Courthouse, staffed by volunteer attorneys who provide general assistance to the public on civil and bankruptcy matters. The Grand Opening of the Pro Se Clinic is December 1, 2011 at 4:00 p.m. at the Federal Courthouse, and we all hope to see you there for the celebration.

Since 2001, our chapter has honored a local member of the bench or bar who has been instrumental in defending our federal constitution. The award is entitled the "Erwin Chemerinsky Defender of the Constitution Award," in honor of Dean Erwin Chemerinsky of the University of Irvine School of Law. The 2011 winner was Charles S. Duskow, who was a local practitioner for many years and who has served as dean and is currently a professor at the University of La Verne School of Law. Other past recipients of the Defender of the Constitution Award include Judge Robert J. Timlin, Magistrate Judge Oswald Parada, Andrew and Diane Roth, Art Littleworth, James Parkinson, Robert O'Brien and Judge Stephen Larson, and John Porter.

In 2009, the FBA chapter hosted a contingent of women attorneys from Afghanistan and spent many hours working with them to exchange ideas.



District Attorney Paul Zellerbach, Judge Virginia Phillips, U.S. Attorney Andre Birotte, and District Attorney Michael Ramos

RICHARD T. FIELDS BAR ASSOCIATION

Founded: 2010.

Location: Inland Empire, serving Riverside and San Bernardino Counties.

Background: The Richard T. Fields Bar Association represents the interests of African-American attorneys in the Inland Empire. As the local affiliate of the National Bar Association and the California Association of Black Lawyers, it seeks to promote pipeline initiatives to increase the number of youth of color in the area who pursue careers in law and to promote justice for communities of color in the Inland Empire. The organization was preceded by the African American Attorneys Association of the Inland Empire, which operated in the 1990s and shared many of the goals of the current organization.

On July 11, 2010, the RTF Bar Association held its Inaugural Event and Reception, which was the first official event of the new organization. Judge Fields was honored and the new members of the board took oaths administered by Justice Candice Cooper. Nearly 100 persons were in attendance for this event, which was hosted at the University of La Verne College of Law.

Current Association Leadership:

President: Willie W. Williams, Law Offices of Willie W. Williams, Rancho Cucamonga; employment, real estate and business disputes.

President-Elect: Eric V. Isaac, Supervising Attorney, Office of the Public Defender, Riverside.

Secretary: Jennifer Small, Office of the Public Defender, Riverside.

Treasurer: Kamola Gray, the Law Office of Kamola Gray, Riverside; bankruptcy and family law.

Board Member: Gary Polk, Office of the District Attorney, Riverside.

Contact Information: Richard T. Fields Bar Assoc., P.O. Box 3716, Rancho Cucamonga, CA 91729; rtfIELDSBA@gmail.com.

About the Association's namesake: The bar association bears the name of the Honorable Richard T. Fields, who was the first African-American judge in Riverside County. Judge Fields has presided in the courts of Riverside County for the past 20 years. In 2007 and 2008, Judge Fields served as the Presiding Judge of the entire Riverside County court system. Prior to his appointment to the bench, Judge Fields served as a Reginald Heber Smith National Poverty Law Fellow with the Legal Aid Foundation of Los Angeles. He was associated with the Law Offices of Susan R. Wasserman, and he also served for several years as a Riverside County deputy public defender. Judge Fields was also associated with the law firm of Reynolds, Bawden & Lawson.



*Judge David Bristow, Judge Sheri Pym,
U.S. Attorney Andre Birotte, District Attorney Michael Ramos
and Dennis Wagner*

Presiding Judge Audrey Collins addressed a luncheon we had on their behalf to honor them for their courageous work.

The Inland Empire Chapter exists for the sole purpose of providing support to practitioners who appear in federal court and a liaison between our attorney members and the federal bench. The board of directors meets monthly and currently consists of the following board members: Dennis Wagner (President), Dan Roberts (Secretary), Robert Stacy (Treasurer), Jacqueline Carey-Wilson, Charles S. Doskow, John Holcomb, Ken MacVey, Mark Schnitzer, Richard Scott, Emile Mullick, and Jeb Brown, along with the following honorary members: Antoine Raphael, Jesus Bernal, Judge David Bristow, Judge Oswald Parada, Judge Virginia Phillips, Sheri Pym (President Elect), and Kiry Gray.

Our chapter will be in excellent hands for the 2012 calendar year, with Magistrate Judge Sheri Pym taking on the responsibilities of our chapter president.

Dennis Wagner is the current President of the Inland Empire Chapter of the Federal Bar Association. He is a partner with the firm of Wagner & Pelayes, LLP.

Photographs courtesy of Jacqueline Carey-Wilson.



*Stephen Larson, District Attorney Paul Zellerbach,
and Magistrate Judge Oswald Parada*



HISTORIC RIVERSIDE: THE 1921 STATE BAR COMES TO THE RIVER CITY

by Bruce E. Todd

Most everyone in Riverside is aware of our historic Mission Inn. Many may not know, however, that one of the earliest annual conventions of the California Bar Association was held at the venerable hostelry.

The 12th Annual Meeting was hosted at the Mission Inn on October 20-22, 1921. At that time, Jefferson P. Chandler, of Los Angeles, was the in-coming president of the California Bar Association. Other members included Vice-Presidents William B. Bosley (San Francisco), Frank James (Los Angeles), J.M.S. Butler (Sacramento), Treasurer Delger Trowbridge (San Francisco) and Secretary T.W. Robinson (Los Angeles).

Local attorney Hugh Craig was a member of the Laws Relative to Trusts and Corporations Section and Loyal C. Kelley, the then-president of the Riverside Bar Association, was part of the Law Reporting Committee. H.L. Thompson, the founder of Thompson & Colegate, and Raymond Best, of Best Best & Krieger fame, were also two of the attendees at this convention. Others in attendance from Riverside were C.W. Benshoof, Walter C. Davison, W.H. Ellis, Lyman Evans, W.G. Irving, C.L. McFarland, Thomas F. Porteous, James L. Richardson, George A. Sarau and Kenneth Evans Schwinn.

Attorneys from San Bernardino included the Honorable J.W. Curtis, Henry Goodcell, A.S. Maloney, Ralph E. Swing and Bryon Waters.

The meeting was called to order at 2 p.m. on October 20, 1921 by H.C. Wyckoff (Watsonville), who was serving as the 12th State Bar President. Wyckoff then introduced Dr. Horace Porter, who was in his fourth year at the mayor of Riverside. It was Porter who delivered the opening address to those in attendance.

Like any good political salesman, the mayor commenced his address by praising the many benefits of his fine city. He noted that Riverside had already hosted numerous national, state and local conventions. He complimented the Mission Inn by stating that "this hotel is a convention hotel." He commented that conventions can be held in "this beautiful musical cloister, or in the Spanish Arts room."

Dr. Porter was also quick to note that his fair city could host even larger conventions. Specifically, he said pointed out that the Polytechnic High School Auditorium could seat up to 1,500 people. He expressed his hope that Riverside would one day have what every town hopes to have – a municipal auditorium. He lamented that "we haven't got it yet."



Loyal C. Kelley,
RCBA President, 1921 and 1926

The mayor acknowledged that he himself was not a lawyer, and yet he expressed his interest in the law. "I do not know anything more fascinating, more instructive and inspiring than the pages of Blackstone," said Dr. Porter.

Porter then complimented the founder of the Mission Inn. He said that "you lawyers are a good deal like the master of the inn here." Specifically, he spoke of Frank Miller, whom he described in glowing terms as a "peace idealist."

The mayor continued his address by stating that he had high hopes that the California State Bar is a "progressive body." He opined that there were two great conservative things in the world which need to be reformed and made progressive – theology and the law. He

commented that they seemed to compete with each other to be "more conservative or medieval."

Dr. Porter then praised City Attorney Miguel Estudillo for guiding him for the past four years through difficult legal issues involving electric lights, water and power, street building and traffic, and police and police methods. Estudillo was admitted to the bar in 1896 and held bar number 1,617.

Riverside's mayor closed his address by praising the legal profession with the comment that "when you get down to the heart of it, lawyers stand for law and right and justice and truth."

Following Dr. Porter's welcome address, Charles S. Cushing, San Francisco, provided a response to it.

He thanked his legal brethren from Southern California for hosting the convention. He said that "when we come to Southern California we can expect to be heartily welcomed; indeed, the name 'Southern California' is itself a term that indicates hospitality."

Cushing said that he expected to have a "royal good time" in coming to the "site of this beautiful city." He noted that the mayor's address provided "assurance that our welcome here is as genial and as warm as is the sun upon the sides of its beautiful streets."

Before closing his remarks, Cushing poked fun at the mayor's comments about theology and the law being reactionary. He quipped that "this is the first time in the history of the California Bar Association that we have held our meeting in a chapel. I feel sure that this combining of the law and the gospel that has taken place here will tend to make us more progressive, if we are not already so."

He then completed his address by thanking the mayor for having brought us to "this delightful inn."

State Bar President Wyckoff then proceeded with the annual president's address. He recalled that the first State Bar meeting was held in Los Angeles in December of 1910. He lamented that the Honorable Curtis H. Lindley, the first president, had passed away during the previous year. He praised Judge Lindley, opining that the formation of the California Bar Association was largely due to his Honor's initiative. Wyckoff also expressed his condolences on the passing of two other former state bar presidents during the past year.

Wyckoff continued on during his address to praise the passage of various state bar-initiated legislation, including legislation that increased the powers of the bar examiners, improved disbarment procedures, and removed the disability of women to sue or be sued without the joinder of their husbands. He also noted the addition of two divisions of the district courts of appeal. He further complimented the beginning of a Board of Bar Examiners and the resulting improvement of the requirements for admission to the bar. He noted that, with the endorsement of the bar association, legislation had been passed during the previous year to prohibit the unlicensed practice of law.

It was during this convention that there was discussion about the creation of a Judicial Section of the California Bar Association, but, alas, it was not until two years later, at an annual convention held in Stockton, that a bill was unanimously approved for the creation of this section and directed to be introduced in the Legislature in 1925.

During the convention, following the end of the second session on Friday evening, October 21, the attendees were treated to a lovely banquet in the hotel.

Following another lengthy session of all-day discussions on Saturday, including afternoon entertainment hosted by the Riverside Bar Association, the convention was adjourned by incoming President Chandler.

Presumably, many of the attendees then retreated to the Glenwood Tavern to quench their parched throats.

Bruce E. Todd, a member of the Bar Publications Committee, is with the law firm of Osman & Associates in Redlands.



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INSTALLATION OF OFFICERS DINNER



Jim Heiting & Magistrate Judge David Bristow (Master of Ceremonies)
Photograph courtesy of Jacqueline Carey-Wilson



Senator Bill Emmerson, Michael Clepper, Judge Woody Rich
Photograph courtesy of Jacqueline Carey-Wilson



*Jean-Simon Serrano, Teresa Rhyne, Mitchell Edwards,
Brian Percy, Tera Harden*
Photograph courtesy of Jacqueline Carey-Wilson

The RCBA's Installation Dinner was held on Wednesday, September 21, 2011, at the Mission Inn. Robyn A. Lewis was installed as the 2011-2012 President. The other officers who were installed were Christopher Harmon (President-Elect), Jacqueline Carey-Wilson (Vice-President), Chad Firetag (Chief Financial Officer), Kira Klatchko (Secretary), and Directors-at-Large Richard Ackerman, Jack Clarke, Jr., Richard Roth, and Jean-Simon Serrano. The 2011-2012 officers of Barristers are Scott Talkov (President), Brian T. Pedigo (Vice-President), Arlene Cordoba (Treasurer), Amanda E. Schneider (Secretary), and Director-at-Large Sophia Choi.

Jim Heiting, past RCBA President and State Bar President, presented the first E. Aurora Hughes Award posthumously to Aurora Hughes. This award, which will be given annually, was named in honor of Aurora Hughes, past President of the RCBA, who passed away in 2011 from ALS (Lou Gehrig's Disease). The award is to honor a distinguished member of the RCBA for their service to the Riverside County Bar Association and to the legal community.

In addition, Michael H. Clepper was honored for his 50 years of membership in the State Bar of California.



*Kristen Barnes, Katie Beilin, Robyn Lewis,
Beverly Barkala and Avery Barnes*
Photograph by Michael J. Elderman



RCBA President Robyn Lewis and her husband Jonathan Lewis
Photograph by Michael J. Elderman



Justice John Gabbert and his daughter Katie Smith
Photograph by Michael J. Elderman



Harlan Kistler, Judge Gloria Trask, and Lori Kistler
Photograph by Michael J. Elderman



*Harry Histen, Bill DeWolfe, Judge Virginia Phillips,
Senator Bill Emmerson*
Photograph by Michael J. Elderman



*RCBA Past Presidents: (front row) Harry Histen, Diane Roth,
Justice John Gabbert, Jane Carney, Harlan Kistler; (middle row)
Steve Harmon, Mary Ellen Daniels, Judge Craig Riemer, Judge
David Bristow, Dan Hantman; (back row) Jim Heiting, Michael
Clepper, Brian Percy, Geoffrey Hopper*
Photograph by Michael J. Elderman



*Joe Gonzales, Kathy Robitaille, Tracy Gonzales.
Joe accepted the first E. Aurora Hughes Award which was
presented posthumously to Aurora Hughes*
Photograph by Michael J. Elderman



Barristers Board being sworn in by Jim Manning
Photograph by Michael J. Elderman



RCBA Board being sworn in by Justice Tom Hollenhorst
Photograph by Michael J. Elderman

GOLD IN THE SCALES OF JUSTICE

by Mike Feuer and Jon Streeter

Why do we need a Campaign for Justice? The answer is lining the hallways of every courthouse in the state: they are filled to bursting with the victims of our economic downturn. People seek justice to help them avoid foreclosures and illegal evictions, to stop cycles of domestic violence, to protect family members threatened by exploitation, and to bring at-risk kids into loving homes through adoption or guardianship. The courts are drowning in a deluge of people who have nowhere else to turn and no guidance in navigating the civil justice system. These people deserve the law's protection as much as anyone; all too often, access to justice is for them a matter of life or death. We have pledged "justice for all," but too many unfortunate litigants struggle to resolve legal problems on their own, without counsel. For them, access to justice can be a virtual impossibility.

A decade ago, 90 percent of the women and children in California seeking protective orders to prevent domestic violence did not have an attorney. Between 70 percent and 80 percent of divorce proceedings involved at least one party not represented by counsel, up from an estimate of 1 percent in 1971.¹ Though these data have not been formally updated since 2001, all the evidence indicates that things are only getting worse for those who can't afford an attorney. The story is equally true for many other kinds of legal actions: evictions, wage claims, termination of benefits or insurance, consumer suits, credit fraud, and petitions for naturalization. The Judicial Council of California's Task Force on Self-Represented Litigants has recognized that the tide of self-represented litigants is actually diminishing the court system's ability to do its work – to say nothing of the harm suffered by the millions of people forced to find their own way through the legal system. Budget cuts that are decimating local court-run self-help centers only exacerbate a problem that has already risen to crisis proportions.

California's legal service providers exist to help those without resources who must work with the civil justice system – nearly a hundred nonprofit programs are dedicated to resolving the legal problems of millions of people in the throes of personal and family crises. However, these providers have never been funded sufficiently to meet the

public need – and the gap is getting deeper and wider all the time. The most recent data indicate that only about 28 percent of the 6 million Californians who needed civil legal assistance got professional help, while 72 percent fell into a "justice gap" without any assistance at all. New census results show that the situation is deteriorating rapidly, with the poverty rate higher than it's been in more than 20 years and the number of people in need at a 50-year peak. Some legal services providers are reporting a four-fold increase in requests for their services. At the same time, many of these overworked organizations face staffing cutbacks due to funding reductions.

Organizations that serve indigent Californians with legal problems have had a partner in the State Bar since 1984, when the bar's Interest on Lawyers' Trust Accounts (IOLTA) program began distributing funding to them. These funds come from aggregating small amounts of interest earned on small or short-term deposits held by attorneys for their clients. As recently as 2008, \$22 million was generated in this way to support legal assistance organizations. IOLTA grants are distributed according to a statutory formula that ensures that resources reach every California county, based on the relative sizes of their indigent populations. From community education to full representation, and from the briefest advice to litigation affecting thousands of people throughout the state, IOLTA grants help these organizations provide meaningful access to justice for those who cannot afford a lawyer.

Late in 2008, interest rates – including those on attorney trust accounts – nose-dived. In 2010, IOLTA revenue was only \$6.8 million – a 70 percent drop over three years. In 2011, it's questionable whether receipts will top the \$6 million mark – and interest rate increases are not anticipated anytime soon. As a result, legal assistance grants have been dramatically reduced. The state legislature has recognized that IOLTA funding cannot, by itself and in the present economic climate, close the justice gap. This reality led to the enactment of a law – the Justice Gap Statute (Bus. & Prof. Code, § 6033) – to create a statewide mechanism for attorneys to contribute funds to legal aid programs quickly and without any administrative overhead.

Donations to the Justice Gap Fund are an easy and effective way to address our legal services crisis, but they're hardly the only way. Direct gifts to local organizations that provide legal assistance and contributions of time as a

¹ Statewide Action Plan for Serving Self-Represented Litigants (Judicial Council of California, 2001), available at courts.ca.gov/documents/selfreplitsrept.pdf.

volunteer at a legal clinic are also desperately needed and deeply appreciated. The wide variety of the legal needs of poor Californians is nearly matched by the variety of ways we can meet the challenge of serving them. It's more than just a matter of professional ethics – it's plainly and simply the right thing to do.

This is why the State Bar and the service organizations it supports have joined in a Campaign for Justice – an ambitious and multifaceted three-year plan to bring new funding to the cause of legal assistance efforts. Educating policy makers, enhancing revenue through bank interest rate adjustments, and good old-fashioned fund-raising through the Justice Gap Fund are blended into a single coordinated campaign to address one of California's most serious and intractable problems.

California is still the Golden State, but no longer because of the ore that's being hauled out of our mountains. Now, it is because of us – the people of California, who have set the gold standard for achievement, quality of life, and social justice. That's a big reason why so many people continue to seek a new life here, and why so many who start here are so committed to persevering even through difficult times. We are proud of our state, and rightfully so. But that pride is not enough to sustain us. We must support our schools and our communities and protect the resources we all rely on and cherish. And underlying all of

this, we must take affirmative steps to ensure that our laws and rules and courts equally serve us all. Legal assistance programs that help voiceless Californians are a critical part of our overall system of jurisprudence, and a strong jurisprudential system is the foundation for a prosperous California now and in the future.

Contributions to the Justice Gap Fund are easy to make – you can include them with your annual bar dues payment or make a donation through the Campaign for Justice website at CAforJustice.org. Any gift will help, and contributions are all tax-deductible. All of your donation is distributed directly to the organizations that provide the legal services. It couldn't be easier or more important – especially now. Your gift to the Justice Gap Fund will help millions of people who are truly in need and will help keep California golden for us all.

Mike Feuer is the majority policy leader of the California State Assembly and Chair of the Assembly Judiciary Committee. He represents the 42nd Assembly District, which includes a portion of the city of Los Angeles as well as the cities of West Hollywood and Beverly Hills.

Jon Streeter is the 2011-2012 president of the State Bar of California and a past president of the Bar Association of San Francisco. He is a partner at Kecker & Van Nest LLP.



WILFRID C. LEMANN IS HONORED WITH THE SAINT THOMAS MORE AWARD AT THE 21ST ANNUAL RED MASS

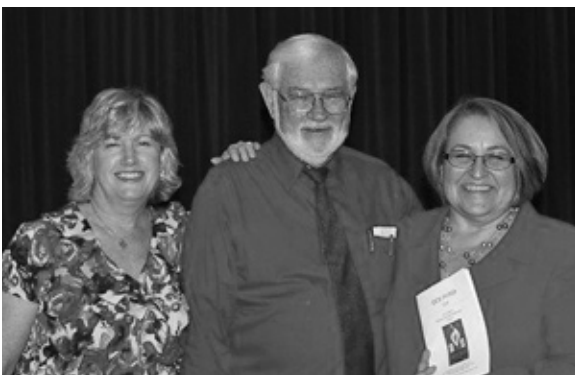
by Jacqueline Carey-Wilson, Barbara Keough, and Teresa Zendejas



Bishop Gerald Barnes giving blessing to Bill Lemann



*Katrina and Ryan Sheehan,
with their children Thomas and Mira*



*Patricia Cineros, Deacon Mike Jelley,
and Mary Jo Carlos*



Jacqueline Carey-Wilson and Glenda Jackson

More than 100 members of the legal community and their families gathered at the 21st Annual Red Mass, which was held on October 11, 2011. This year, the mass was moved from May to October to coincide with the opening of the annual term of the United States Supreme Court. The Red Mass is celebrated to invoke God's blessing and guidance in the administration of justice. The mass was held at Our Lady of the Rosary Cathedral in San Bernardino. Judges, lawyers, and public officials of several faiths participated.

In the opening procession, Mitchell Norton carried a banner depicting the Holy Spirit, the Scales of Justice, and the Ten Commandments, symbolizing the impartiality of justice and how all must work toward the fair and equal administration of the law, without corruption, avarice, prejudice, or favor. George Theios processed into the church with a vase of 30 red roses in memory of those members of the Inland Empire legal community who had passed away in the last year and three additional red roses for Linda Maynes, Helen Rodriguez, and Louise Biddle, members of the Red Mass Steering Committee who had passed away in previous years. The mass was dedicated to those who serve us in the armed forces, especially in Iraq, Afghanistan, and other places where they are in harm's way.

The chief celebrant was the Most Reverend Gerald Barnes, the Bishop of the Diocese of San Bernardino. The homilist was Deacon Michael Jelley. Stephen Larson read a passage from the Old Testament, Jacqueline Carey-Wilson read a passage from the New Testament, and Patricia Cisneros and Mary Jo Carlos offered the Prayers of the Faithful, which included remembrances of individuals in the Inland Empire legal community who had passed away during the last year. Barbara Keough led the music and Lisa Padilla was the cantor for the mass.

During the homily, Deacon Jelley stressed that we are called to love and quoted from St. Paul's message to the Colossians, "[P]ut on heartfelt compassion, humility, gentleness and patience. And over all these put on love, the bond of perfection." Deacon Jelley went on to tell us he understands that it is not always easy to love: "However, one of the greatest values in the system of laws in this country is a built-in concern for every person, loveable and unlovable alike; even when we can see no redeeming value in a person, they are still entitled to the protection of the law; to adequate representation; to be considered innocent until and unless proven otherwise. This, too, is a manifestation of love and compassion." Deacon Jelley asked those assembled to allow wisdom to be their guide and to recognize the gifts that God places within each person. "God trusts you and really does want you to pursue your passion; to follow your heart, not simply your head. We are to serve others without expecting anything in return, and we are to learn to really love those we serve." He ended by reciting Saint Thomas More's prayer, "Lord, grant me the grace to work for the things I pray for."

At the conclusion of the mass, Judge John Pacheco presented Wilfrid C. (Bill) Lemann with the Saint Thomas More Award. The Saint Thomas More Award is given to an attorney or a judge whose conduct in his or her profession is an extension of his or her faith, who has filled the lives of the faithful with hope by being a legal advocate for those in need, who has shown kindness and generosity of spirit, and who is overall an exemplary human being. When speaking about Saint Thomas More, Pope John Paul II stated that “this English statesman placed his own public activity at the service of the person, especially if that person was weak or poor; he dealt with social controversies with a superb sense of fairness; he was vigorously committed to favoring and defending the family”

Bill Lemann was born in Donaldsonville, Louisiana in 1951 and was raised in San Bernardino. During his younger years, he attended Holy Rosary Academy and Aquinas High School. After receiving his B.A. from Santa Clara University in 1973, he earned his J.D. from Loyola University in New Orleans, Louisiana in 1977, passing the California bar exam soon thereafter. In 1978, he joined in partnership with his lifelong law partner, Robert V. Fullerton. Bill’s legal practice involves business law, nonprofit corporations, estate planning, and probate. Shortly after the Diocese of San Bernardino was formed in 1978, Bill was appointed as the diocesan general counsel, and he continues to serve in that capacity.

Bill has a passion for education. In the 1980s, he participated in the Rotary Club program with youth in the community and was described as a “cool mentor” by then-high school student Philip M. Savage, IV. His passion is manifested in his commitment to developing, supporting, and furthering Catholic education in this region. He was instrumental in developing and funding the new seminary in Grand Terrace, Blessed Junípero Serra House of Formation, which currently serves 47 seminarians. This is the largest number of seminarians the diocese has had in formation since it was established in November 1978.

Bill’s unique love and respect for the elderly go beyond merely serving their legal needs. Many of his clients regard

him as a friend. He always has time to listen and give encouragement. Access to justice is also very important to Bill, and he assisted with the funding to relocate the Legal Aid Society of San Bernardino to its current expanded location on Fifth Street. Additionally, Bill played a major role in developing Our Lady Queen of Peace Catholic Cemetery in Colton.

Bill has been recognized numerous times for his humble service to his local, legal, and religious communities. In 2002, he received the First Annual Bishop’s Award, *Amar Es Entregarse*, which was presented by the Most Reverend Gerald R. Barnes, Bishop of the Diocese of San Bernardino. In 2008, he was honored with the *Pro Ecclesia et Pontifice* Cross, a papal honor given for meritorious service to the Universal Church by the Holy Father, Pope Benedict XVI. He received two naming honors in 2009, from St. Bernardine Medical Center Emergency Admission Center and from Aquinas High School, which created the Bill Lemann Baseball Complex. Bill has been married to Janice for the past ten years, and both are members of Our Lady of the Rosary Cathedral in San Bernardino.

Bill’s lifelong service to church and community exemplifies the ideals embodied by Saint Thomas More. He lives his faith daily, is kind and generous of heart, and works tirelessly for those in need.

The Red Mass Committee is planning for next year’s Red Mass, which will be held in October. If you would like more information or would like to be involved in planning next year’s Red Mass, please call Jacqueline Carey-Wilson at (909) 387-4334 or Mitchell Norton at (909) 387-5444.

Jacqueline Carey-Wilson is a deputy county counsel with San Bernardino County and co-chair of the Red Mass Steering Committee; Barbara Keough is an associate with Lewis Brisbois Bisgaard & Smith LLP and a member of the Red Mass Steering Committee; and Teresa Zendejas is a paralegal with Fullerton Lemann Schaefer and Dominick, LLP.



Steve Bremser and Barbara Keough



Bill Lemann and Judge John Pacheco



David Werner and James Heiting

VARNER & BRANDT REPEATS AS LEAGUE CHAMP

by Bruce E. Todd

Although it took three years to accomplish, Varner & Brandt's softball team repeated this past season as back-to-back league champions in the Riverside County Bar Association softball league.

Through no fault of its own, the 2009 league champion was unable to repeat in 2010 because, for the first time in league history, the RCBA did not have a softball season last year. Organizational issues prevented the league from existing in 2010. No matter to V & B, however, as it used the one-year hiatus to sharpen its skills. It became only the third team in league history to win back-to-back championships.

V & B, which finished the season at 10-1-1, won the title by beating Gresham Savage (8-2-2) in the championship game. Thompson & Colegate and the District Attorneys tied for third place with records of 7-4.

Mike Burns, who served as manager of the V & B team, acknowledged that he was somewhat surprised that V & B was able to hold off Gresham Savage in the finale.

"We lost only one game and tied one game during the regular season, and both times were to Gresham's office," said Burns. "The first time we played them, they tied us in the bottom of the final inning. The second time we played them, they slaughtered us."

Burns noted that the championship game was a see-saw struggle. "We were up 8-7 and they tied us," he said. "Later, we were leading 16-15, and we scored three more runs in the top of the last inning to take a 19-15 lead. We



(l-r) Scott Stewart, Dirk Silva, Scott Hart of Thompson & Colegate team.

then were able to get them to make three outs in the bottom of the inning, and we won 19-15."

Burns complimented several of his players, particularly Sean Varner, Doug Higham, Derek Early and Craig Olson, for their fine play throughout the season. "Those guys really excelled this year," he said.

Old-timers may recall that some members of what now constitutes V & B left Gresham Savage many years ago to form a new law firm. Burns downplayed the notion, however, that the championship game was a grudge match between the two law firms.

"I'd be surprised if there was any lingering rivalry between the two firms, since the split was so long ago," he said. In fact, he believes that Sean Varner may have been the only attorney who played on this year's V & B team who used to be a member of the old firm.

Burns himself has been with V & B as an attorney for less than a year. When asked why he inherited the job of team manager, he responded that "he was appointed by everyone else to be the manager since he was the 'rookie' in the firm." He said that Nathan Perea, who was the manager of team when it won the league title in 2009, is no longer with the firm.

There were several other outstanding performances by other players in the league. Most notable was Kris Hiraoka of the District Attorneys, who won the Triple Crown of batting: He led the league in home runs, runs batted in (RBI) and batting average. Joshua Degonia, also of the DAs, finished second in all three of these categories behind

(l-r) Joseph Fitzgerald, (Thompson & Colegate), umpire, Mark Jackson (Gresham & Savage).





Mark Jackson up to bat for Gresham Savage.

Hiraoka. The league pitching star was Kiel Fisher of Best Best & Krieger, who compiled a league-best .363 ERA.

The other teams that participated in the league during this past season included Best Best & Krieger (3-5-2), Public Defenders (3-7), Lobb & Cliff (1-8-1) and Bad News Barristers (1-9).

The following is a list of past league champions:

- 1993 — Best Best & Krieger
- 1994 — Reid & Hellyer
- 1995 — Best Best & Krieger
- 1996 — Best Best & Krieger
- 1997 — District Attorneys
- 1998 — Reid & Hellyer
- 1999 — Public Defenders
- 2000 — Inns of Court
- 2001 — Inns of Court
- 2002 — Inns of Court
- 2003 — District Attorneys
- 2004 — Lobb Cliff & Lester
- 2005 — District Attorneys
- 2006 — Best Best & Krieger
- 2007 — Gresham Savage Nolan & Tilden
- 2008 — Thompson & Colegate
- 2009 — Varner & Brandt
- 2010 — No season
- 2011 — Varner & Brandt

Individuals and/or teams who would be interested in competing in 2012 can contact the RCBA for further information.

As Burns emphasized, "It's a really good time!"

Bruce Todd, a member of the Bar Publications Committee, is with the firm of Osman & Associates in Redlands.



A TRIBUTE TO PATSY MARTIN 1926-2011

by Terry Bridges

After 20 years of excelling as a teacher, principal and trustee in the Riverside educational system, in 1988 Patsy Martin came out of retirement to serve with distinction as the Executive Director of the RCBA. She did so, in part, because as the daughter and wife of lawyers, she loved the law and the legal profession. She served with perfection three separate boards of directors and over 900 RCBA members.

Each day of Patsy's service to us was marked with dignity, grace, enthusiasm, unbelievable positivism, and unending smiles and laughter. Each of us who had the privilege of working with Patsy was touched by her in so many ways.

Because of her enduring and unique character traits, during her tenure of service, Patsy addressed and resolved a multitude of challenges to our association, committees and programs. Patsy endowed the RCBA with a legacy of excellence.

For those of us who knew Patsy, our first and most enduring memory of her is the sound of her happy voice and the impish glint in her eyes. We always felt better after being in her presence.

But Patsy left another and perhaps more special legacy. She was able to discuss issues, often political, about which she had passionate conviction, with the rare gift of listening to, thinking about and respectfully considering opposite views. In those conversations, there was never simply "an agreement to disagree." Instead, there was an agreement to continue considering, thinking and talking about the issue. I remember that so often after such discussions, Patsy would call and open the conversation with "You know, I've been thinking about our discussion and . . .," and the happy debate would continue, sometimes for years, never with a negative remark, always with her smile and laughter.

Patsy leaves our community, our profession, and those who were blessed to know her better because of who she was and who she will always be in our memories.

Terry Bridges was president of the RCBA in 1987-88. He is currently Of Counsel to Roth Carney and specializes in mediation and litigation consulting.



OPPOSING COUNSEL: JON B. STREETER

by *L. Alexandra Fong*

A State Bar President with Deep Roots in Riverside

Jon Streeter was born and raised in Seattle, Washington, the second of four sons of an architect father (Melvin) and a homemaker mother (Kathleen). Melvin's architectural firm, Streeter & Associates, designed many notable structures in the Seattle area, including the African American Academy, the Northwest Regional Headquarters of the Federal Aviation Administration, and the Auburn City Hall.

Jon's elder brother, Doug, is an architect who was previously based in London. His younger brother, Kurt, is an award-winning and Pulitzer Prize-nominated reporter with the Los Angeles Times, while his youngest brother, Ken, is a freelance writer.

Periodically, Jon's family would travel to Riverside in the summertime to visit his father's parents, who migrated to the city from the South in the early 1900s. His father was born and raised in Riverside. His father's parents, Peggy and Edward Streeter, or Peg and Eddie, as they were known to friends, lived for many years at 4561 High Street, a few blocks from 14th Street in Downtown Riverside. Eddie owned a gas station on 14th Street and Peg owned a catering business called Peg's Catering Shop next door.

Peg Streeter was engaged in civic activities and was heavily involved in the local chapter of the National Association for the Advancement of Colored People (NAACP) for many years. After her death, Streeter Avenue (near Jurupa and Central Avenues) was dedicated in her honor.

Jon's father was a standout high school basketball player at Riverside Poly in the late 1940s, where the local press dubbed him "Marvelous Mel." Mel Streeter went on to star in basketball at the University of Oregon in the early 1950s, where he won All-American Honors. A bronze likeness of Mel is now part of the Riverside Sports Hall of Fame, alongside likenesses of such other local sports greats as Bobby Bonds, Reggie Miller, Jerry Tarkanian, Bob Boyd, Dan Gurney.

Jon's grandparents and father are buried in Olivewood Cemetery, which he occasionally visits, as do his various cousins who continue to call Riverside home.

Upon graduating from high school, Jon moved to California and attended Stanford University, graduating with a Bachelor of Arts degree in 1978. While at Stanford, he decided he wanted to become an attorney because of the intellectual challenges involved – being an attorney would allow him to best utilize his communication skills. He enjoys interacting with people and solving problems for them.

He attended Boalt Hall School of Law at the University of California, Berkeley. While in law school, he interned for United States District Judge Thelton Henderson (Northern District of California). Upon graduating and passing the bar exam in 1981, he went to work for Orrick Herrington &



Jon B. Streeter

Sutcliffe LLP. During a sabbatical from Orrick, he clerked for Judge Harry Edwards, former Chief of the U.S. Court of Appeal for the District of Columbia Circuit. While at Orrick, he specialized in complex commercial litigation.

After 17 years, Jon moved to Kecker & Van Nest LLP in order to focus on trial work. As a partner there, he continues to practice intellectual property law (including patent law) and to litigate complex business cases. He has handled cases all over the United States, in both federal and state courts.

Kecker & Van Nest specializes in litigation and handles some criminal defense matters, although typically these matters are considered white-collar crimes. Nationally high-profile cases are typical at the firm. Attorneys at the firm have represented Andy Fastow (Enron), Frank Quattrone (investment banker), and Lance Armstrong.

Jon was elected to the Board of Governors to represent District 4 (San Francisco and Marin Counties) in 2008. In his third year with the Board of Governors, he chose to run for the presidency of the State Bar and was elected. On September 17, 2011, Jon was sworn in as the State Bar's 87th president, succeeding William Hebert, at the State Bar's annual meeting. In this one-year post, he will oversee the 228,000-member bar and carry out its mission. His goals include to reduce the discipline backlog and to promote access to justice.

He considers his bar leadership activities to be a form of public service. Throughout his career, he has derived personal satisfaction through his public service and dedication to the interests of the general public. He believes it is a privilege to fulfill his public service obligation through leadership of the State Bar of California.

As State Bar President, he is responsible for presiding over meetings of the Board of Governors, which currently convenes at least six times per year. He also attends ceremonies and is available to act as an interface between the executive staff of the State Bar and the Board of Governors, all while maintaining his practice at Kecker & Van Nest.

In his free time, he enjoys playing tennis and golf. He also enjoys reading on a wide range of topics and has a large collection of nonfiction books on such diverse things as American, African-American, Civil War, Revolutionary War, and European history. He recently finished biographies of Napoleon Bonaparte and Bonaparte's chief foreign minister, Charles Maurice de Talleyrand.

He also enjoys spending time with his wife, Dorine Holsey Streeter, executive vice-president at James Campbell Co. (a commercial real estate firm), and his two daughters, Hillary and Lindsey, both of whom are college students.

Jon will be in the Inland Empire in December 2011 and looks forward to returning to the community that he knew so well in his childhood. On December 7, 2011, he will be the keynote speaker at the joint meeting of the Riverside County and San Bernardino County Bar Associations. The meeting will be held at the Mission Inn Music Room, 3649 Mission Inn Avenue, Riverside, California.

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



THE STATE BAR OF CALIFORNIA'S DISCIPLINARY UNIT: CHIEF PROSECUTOR AND HEAD OF THE OFFICE OF THE CHIEF TRIAL COUNSEL JAYNE KIM DECLARES A GOAL OF ZERO BACKLOGS AND ZERO TOLERANCE FOR ATTORNEY MISCONDUCT

by Sophia Choi

"Every person admitted and licensed to practice law in this State is and shall be a member of the State Bar except while holding office as a judge of a court of record." (Cal. Const., art. VI, § 9.) As members of the State Bar, consisting of 233,000 members as of August 2011, we must act both professionally and ethically. Failure to do so may result in unwanted and dreaded disciplinary action by the State Bar of California's disciplinary unit.

Until 1988, the State Bar's disciplinary system was primarily operated with the assistance of volunteers from local bar associations, who acted as referees and made recommendations to the State Bar's Board of Governors. (*In re Attorney Discipline System* (1998) 19 Cal.4th 582, 611.) The board would then make recommendations to the California Supreme Court regarding the discipline of attorneys. (Bus. & Prof. Code, § 6078.) In 1988, the Legislature directed the Board of Governors to establish a State Bar Court that would assume the disciplinary functions. (*O'Brien v. Jones* (2000) 23 Cal.4th 40, 44, citing Bus. & Prof. Code, § 6086.5.) Created originally by the Legislature, the State Bar is a constitutional entity, placed within the judicial article of the California State Constitution, and thus expressly acknowledged as an integral part of the judicial function. (*In re Rose* (2000) 22 Cal.4th 430, 438.) However, the State Bar Court itself is not a judicial court established by article VI of the California Constitution. (*Ibid.*) It is a public corporation created as an administrative arm of the California Supreme Court in disciplinary matters. In this role, the State Bar provides assistance in exercising the California Supreme Court's inherent judicial power and is constitutionally authorized to conduct the preliminary investigation and determination of complaints and to make recommendations regarding the appropriate discipline. (*Id.* at pp. 438, 442, 446.) The State Bar of California can recommend disciplinary action, such as suspension or disbarment, for violations of certain sections of the State Bar Act that warrant discipline, for violations of the Rules of Professional Conduct, or for criminal convictions.

The State Bar's prosecution office is called the Office of the Chief Trial Counsel (OCTC), which investigates complaints and allegations of professional misconduct and pros-



Jayne Kim

ecutes attorney disciplinary proceedings in the State Bar Court.

The chief prosecutor and head of OCTC is the Chief Trial Counsel, and Jayne Kim took the State Bar's top prosecutorial job on September 14, 2011 as Interim Chief Trial Counsel. Kim grew up in Wisconsin and went to the University of Wisconsin for her undergraduate studies, receiving a degree in journalism. She then graduated from the University of Minnesota Law School. Kim began her career as a public defender in the County of Los Angeles. Prior to her current position, Kim had previously worked at OCTC for about seven to eight years as a trial

attorney, as a supervising trial attorney, and then as a managing attorney as assistant chief trial counsel. She subsequently left OCTC and became an assistant U.S. Attorney for about three years. Executive Director Joe Dunn asked Kim to return to the Office of the Chief Trial Counsel to help because of her internal knowledge of the office and because of her experience as a managing attorney. Kim's primary duty is to manage and oversee the Office of the Chief Trial Counsel, investigating and prosecuting allegations of ethical violations and professional misconduct. Kim is headquartered in the Los Angeles office, managing both the Los Angeles and San Francisco offices.

Upon assuming her new duties, Kim was very cognizant of the significant number of backlogs. Kim indicated that her goal is to eliminate the backlogs. She has retained James Fox, retired San Mateo District Attorney, as a consultant to identify training issues and to make organizational and structural suggestions. Kim indicated that Fox shares similar philosophies and ideas about managing the office, and their respective experiences should help them address the issues before the Office of the Chief Trial Counsel effectively. Kim's plan of action is divided into two stages: immediate and secondary. Her immediate plan is to reduce the backlogs and ultimately to eliminate them by the end of the year. Kim stated in her interview that there is already a significant reduction in backlogs and that the office is moving very efficiently. Her secondary plan is to transition to something more stable so that problems with backlogs do not repeat themselves.

So what cases are before the State Bar time and time again? Kim indicated that there are repeated cases of failure to perform for clients, misappropriation of client funds, and failure to return unearned fees. During her previous position with the State Bar, Kim handled the well-known Trevor Law Group case, which involved three Beverly Hills attorneys who filed suit against hundreds of businesses in California, charging consumer law violations. The three principals of the firm ultimately resigned from the State Bar.

The process of attorney discipline by the State Bar begins with the lodging of a complaint through the Intake section. If the complaint states facts sufficient to constitute a potential violation of the Rules of Professional Conduct or the State Bar Act, it is forwarded to Enforcement for investigation. If, upon gathering of the evidence, there are viable charges such that the State Bar can meet its burden of proof by “clear and convincing” evidence, discipline charges may be filed in the State Bar Court, or the case may be settled. If discipline charges are filed, a stipulation of charges may be filed in the State Bar Court. Alternatively, if there is no stipulation, the matter may be taken to trial. A trial in a discipline matter is heard by five judges sitting in the State Bar Court Hearing Department, which renders a decision recommending whether the attorney should be disciplined. The Hearing Department’s disciplinary decision can be reviewed by the State Bar Court Review Department, which independently reviews the record. After the State Bar Court’s decision becomes final, the recommendation and the record are transmitted to the California Supreme Court. (See *In re Rose V.*, *supra*, 22 Cal.4th at p. 439.) The Supreme Court determines whether or not to impose the discipline that the State Bar Court recommends.

The duties and responsibilities of the Office of the Chief Trial Counsel are many throughout the disciplinary process. As the process is complex, the numbers of backlogs were substantial. Upon coming in to the office in September, Kim’s hard work has already brought about a substantial reduction in backlogs. Although she has not had much free time recently, due to long hours at work, Kim enjoys reading and rollerblading at the beach. Her favorite food is Korean food, and she also likes sushi and Spanish tapas. Kim is married to a sergeant with the Santa Monica Police Department and has one adult son. The efficiency of the Office of the Chief Trial Counsel is very highly attributable to the long hours of work put in by Interim Chief Trial Counsel Jayne Kim, who has been diligently working toward the goal of zero backlogs and zero tolerance for attorney misconduct, and who has been having to forego a substantial amount of time for her hobbies in doing so.

Sophia Choi, a member of the Bar Publications Committee, is a deputy county counsel for the County of Riverside.



BENCH TO BAR

Presiding Judge Sherrill Ellsworth Institutes “PJ Settlement Days” to Resolve Civil Cases on the Day of Trial

The Riverside County Superior Court is pleased to announce a new monthly “PJ Settlement Day” program, in which Presiding Judge Sherrill Ellsworth will help settle civil cases at the Historic Courthouse immediately before trial. The program begins on January 27, 2012 and is expected to help reduce the court’s civil case backlog and increase access to justice for civil litigants countywide.

During a typical Friday morning trial calendar, litigants in over 20 civil cases tell Supervising Civil Judge Mac Fisher that they are ready to start trial. However, there is rarely an open courtroom for each case, due to the continuing shortage of judicial officers in Riverside County. The court needs 150 judges, but only has 76 judicial officers, leaving a deficit of 74 judges, according to the Judicial Council. Adding to this ongoing strain, the court is preparing for a \$10.6 million decrease in state funding for fiscal year 2011-2012.

Therefore, during every Friday morning trial calendar, Judge Fisher encourages each civil litigant to find “a glimmer of hope” for settlement, with the help of a mediator in the court’s “last chance” day-of-trial mediation program. This highly successful program was started by Judge Gloria Trask, with the assistance of local attorney-mediators, Judge Woody Rich (ret.) and Justice Barton Gaut (ret.), in June 2008, and is now managed by the Riverside County Bar Association’s Dispute Resolution Service, directed by Chris Jensen, and supplemented by the Chapman University School of Law Mediation Clinic, directed by David Dowling.

But some complex civil cases need the special attention that only a presiding judge can provide, so Judge Ellsworth has decided to carve out time to help settle complicated civil cases that would otherwise require many days in a courtroom before a judge or jury.

Judge Ellsworth’s “PJ Settlement Days” will help litigants in these cases avoid the time, expense and stress of lengthy trials while achieving more satisfying resolutions to their disputes, saving Riverside County courtrooms for cases that truly need a judge or jury to determine the outcome.



JUDICIAL PROFILE: JUDGE RICK ERWOOD

by *Eli Underwood*

Although the Honorable Richard “Rick” Erwood brings a wealth of experience and knowledge about the criminal justice system to the bench, he remains interested in the law and its challenges. “Every week, there is some unique situation that comes up When you have spent your whole legal career doing criminal cases, and being a judge doing criminal cases, I never could have expected that.”

Judge Erwood was born in Indianapolis, Indiana and moved to Seattle, Washington when his father took a position with Boeing. After graduating from Central Washington University and finishing his service in the Army Reserve, Erwood decided to go to law school. “My uncle was one of the reasons that I decided to become a lawyer. I was pretty impressed with him. He was a thoughtful person . . . sort of what a lawyer should [be] like.”

After graduating from the University of California, Hastings College of the Law, Judge Erwood sat for the California bar exam thinking that he would eventually return to Washington. After passing, however, he decided that one bar exam was enough. Erwood received an offer from the Riverside County District Attorney’s office and moved to Palm Springs. At that time, the Palm Springs office had only two lawyers, two secretaries, and an investigator, and it was a nice assignment because, he says, “I was away from all of the supervisors . . . [and] I got to do a lot of trial work.” “My first year as an attorney,” he adds, “I tried approximately 50 cases.”

He thought that the true test of a good attorney was trying cases, and he liked being an attorney. He also liked the collegial environment of the desert at that time. “The nice thing about it was that you got to know everybody and trust everybody, because you knew that you were going to see them in court on a regular basis, and so it worked out that everybody trusted each other If somebody said that they were going to do something, then everyone worked in a spirit

of cooperation, and you could take people at their word.” “Integrity is the most important thing that you have.”

After being a deputy district attorney for seven years, he worked as a criminal defense attorney for three years before returning to the district attorney’s office. “I missed the camaraderie of the district attorney’s office,” he explains. After returning to the district attorney’s office, Erwood took a supervisory role and really enjoyed it. “I got a lot of satisfaction out of seeing a lawyer at the start of the career go on to become an excellent attorney.”

Although Judge Erwood enjoyed the district attorney’s office, he decided to apply for a judicial position after members of the bar approached him about applying. As a judge, Erwood brings his experience and knowledge as a trial attorney to the bench. “Being a judge is more difficult than being an advocate . . . you’re making the call on what happens to people, and that affects you.”



Judge Rick Erwood

Eli Underwood, a member of the Publications Committee, is an associate with Redwine & Sherrill in Riverside.



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THE JOINT FEDERAL PRO SE CLINIC IS OPEN AND VERY BUSY

by Katherine Hardy

On Thursday, November 3, 2011, it happened. The Joint Federal Pro Se Clinic opened in Riverside, California and began assisting pro se litigants. Many people at both courts, along with the Public Service Law Corporation (PSLC), worked hard to make this happen, and it couldn't have happened soon enough.

The staff of the PSLC administers the clinic. Our mission is to offer on-site assistance to pro se litigants in civil actions in U.S. District Court and the U.S. Bankruptcy Court. We also offer Chapter 7 bankruptcy workshops to guide those who are likely candidates for filing. We do not assist directly with Chapter 13 bankruptcy filings, but will facilitate referrals to legal counsel.

So far, we are seeing an impressive variety of cases and needs. On the U.S. District Court side, we have seen social security appeals, a class action involving the FDIC, removed cases that need to be remanded back to state court, and other cases. The district court litigants are primarily seeking help on understanding the nature of their cases, pleadings they should file, and procedures they must follow.

As everyone might expect, there are numerous bankruptcy cases. We assist people with deciding if they should file and identifying the appropriate chapter. We review Chapter 7 bankruptcy petitions prior to filing. We assist current bankruptcy litigants with correcting their filings, and we help them comply with required procedures so their cases can be resolved rather than prematurely dismissed.

The Pro Se Clinic is open on Tuesday and Thursday from 10 a.m. to 2 p.m. Every single clinic day has been filled with people, who arrive as early as 9:15 a.m. and wait patiently for assistance. It is a full house every day from opening to close. Most people are both courteous and grateful for assistance.

The clinic currently is served by Jennifer Loflin, Director of the PSLC, Katherine Hardy, staff attorney, and Michelle Lara, paralegal. We are reaching out to our legal community in Riverside and San Bernardino Counties and asking you to consider volunteering your time. Any Tuesday or Thursday you can assist would be greatly appreciated. The need cannot be overstated. Please stop by the clinic or contact us at publaw@sbcglobal.net, and we will

gladly put you in the schedule. The work is both challenging and rewarding. Chances are you will enjoy it.

Also, please join us at our Grand Opening on December 1, 2011, at 4 p.m. The event will be held at the Joint Federal Pro Se Clinic, located at Courtroom 1 of the United States District Court, in the George E. Brown Federal Building, 3420 Twelfth Street, Riverside, CA 92501. Many members of the court and the broader legal community will attend. We hope to see you there!

Katherine Hardy is the staff attorney for the Public Service Law Corporation's Pro Se Clinic.



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THE VALUE OF PRO BONO SERVICES

by Gabriel Anderson

For many of us newer attorneys, after the bar exam is over and we've had our celebrations, the next focus is on the job, the car, the marriage and the house. It's true that money is one of our driving goals. But it's also important to remember why we entered this profession in the first place: for the client. Remember, it's not your life that is affected as much as it is the client's life. The clients have to live with the results. Of course, many will argue that we need money to survive, especially in today's current state. So how can we give back to indigent clients who cannot afford legal representation without sacrificing our own needs? Better yet, what advantage can a new attorney gain from this?

This is where the Inland Empire Latino Lawyers Association steps in. I am happy to say that I have been a volunteer attorney with IELLA for a year, and it has helped me to gain experience, work on problems, find solutions, and more importantly, help those indigent clients without sacrificing anything except three hours of my time.

The IELLA Legal Aid Project believes that all individuals deserve meaningful access to the legal system. Every day, IELLA organizes volunteer attorneys to provide legal assistance to low-income people so that they are empowered to advocate for their rights.

In the Inland Empire, the vast majority of people cannot afford an attorney, even in life-changing cases. The IELLA Legal Aid Project assists any low-income resident of our community faced with a family law, eviction, or limited civil case.

After passing the bar, I looked for a quick way to gain experience and work with clients. I found IELLA and emailed them, asking if there were any opportunities available. To my surprise, they contacted me quickly. They gauged my responsibilities to my experience level. Because I was newer, they had me observe some client consultations, and they graciously provided me with a training manual, which detailed each type of service they provided by category and provided the law behind them. I'll never forget the first time the Volunteer Coordinator asked me if I was ready to have my own clients. I was nervous, anxious, and scared and felt the butterflies in my stomach. However, the Coordinator told me she was there to help and to answer any questions I might have. Suddenly, those feelings of doubt became confidence. It's reassuring to know that someone I could ask for help was only a step away. After the first client, I began to say to myself, "I can do this." As the weeks went by, I began to

see different types of cases, but the staff was always there to answer my questions and to help me gain the experience so many of us look for. The IELLA staff treated me as one of their own, showing me that I was part of a team and that they valued my help.

Throughout the year, I've encountered every type of case imaginable under the IELLA \$20,000 asset limit. I've dealt with various types of clients, from the sad minimum-wage mother who was hit with a civil collections suit for failure to pay the credit card that she was issued, to the unemployed father who paid up to four months of rent money to his former landlord who then sold the property days later to a new landlord who sought the same rent money. I've seen the beautiful young woman who comes to me with bruises to the crying newlywed who wants a divorce. I've seen the tears, the anger, the frustration, the disappointment in these people's lives. It's difficult already to have a low income, no assets, and no hope; then they have to deal with legal problems that they simply can't afford. But I've also seen hope, satisfaction, joy, and appreciation in their lives, as well. These clients know the value of an attorney and are more than grateful for whatever help you can give.

Now that I've been there more than a year, my experience in family law, landlord-tenant and limited civil cases has increased. Even if some cases are complicated, the staff is still as helpful and friendly as ever. I've made many friends at IELLA, with the staff as well as with other volunteer attorneys. Although some of the people I began with have moved on to other endeavors, I can't help but thank everyone who has been with me from the beginning. In the end, being thanked and appreciated, both by the staff of IELLA, and, more importantly, by the clients themselves, is what it's all about. And what did it cost me? Three hours. So this holiday season, think about the spirit of giving. Three hours of your time is an opportunity to help someone else's life this holiday season. And if you don't know how to help, don't worry, the IELLA staff is only a step away.

If you are interested in volunteering, please contact the IELLA volunteer coordinator at probono@iellaaid.org or visit their website, iellaaid.org.

Gabriel Anderson is an attorney with the San Bernardino County Public Defender's Civil Commitment Unit and Juvenile Delinquency Division.



THE MT. SAN JACINTO/ HEMET BAR ASSOCIATION

by Jude Thaddeus A. Powers

I have been asked to write a short history of the Mt. San Jacinto/Hemet Bar Association (MSJHBA). There is some question as to when the association came into existence, as I was only the first "Activity Coordinator," not the president.

In 1976, when Dick Swan was my senior partner in the firm of Cox, Swan, Carpenter & Powers, he felt that the San Jacinto Valley should have a bar association. Dick contacted all the attorneys in the valley (I think there were 12 attorneys at the time), and four or five of us met at the Acapulco restaurant in Hemet to discuss the possibility of an association.

Dick was running for President of the Riverside County Bar Association back then, and I suspect that he didn't want a junior partner being the president of a bar association before he was, so I was given the title of Activity Coordinator. My job as Activity Coordinator was to make sure we had a speaker for the monthly meeting.

Dick was elected President of the Riverside County Bar Association in 1977. That was quite an accomplishment, as Dick was not a resident of the City of Riverside nor did he have an office there. After that, I was again elected to the highest office of our bar association, and then I was allowed to be called "President."

Since this was the first year for the Association, we needed a gavel, and since I was the president, I decided to make one rather than buy one. I made the head of the gavel out of oak, to represent the strength of the law, and the handle out of olive wood to represent the conciliatory nature of the law. I am not sure what has happened to that gavel over the years. I do know that it is not used any longer.

The written history of our bar association started in 1998, when attorney Kevin Speir became President. Speir kept good records, which was not one of my strong suits.

Since Speir's presidency ended, I think that every young attorney who came to Hemet or San Jacinto has been president. Several of us have also been president more than once. In my opinion, the best president to date is the current president, Mark Ellis. He has scheduled some of the best speakers for our meetings that I think we have ever had.

MSJHBA meetings are held on the second Tuesday of each month, normally at the El Jalapeño restaurant, 199 North State Street in Hemet. The MSJHBA hosts a variety of MCLE programs, including a probate update and bench officer presentations. Notice of meetings and the MCLE events is sent by email. To be added to the email list, please send a request to mcellislaw@hotmail.com. The current MSJHBA officers are Mark Ellis (President) and Binu Varughese (Treasurer).

Jude Powers is with the firm of Powers & Hanich in Hemet.



THE LEO A. DEEGAN INN OF COURT

by Robyn A. Lewis

The Leo A. Deegan Inn of Court is a professional organization comprised of attorneys and judicial officers and organized under the American Inns of Court. The organization focuses on improving the skills and professionalism of the bench and the bar. Each month, the Leo A. Deegan Inn holds a dinner meeting, during which a team of members presents a program that focuses on matters of ethics, skills and professionalism. Membership is by invitation only. Applications for membership are considered each summer to allow for invitations to new members for the upcoming year.

The inn was named for the Honorable Leo A. Deegan, a legend of the Riverside legal community. Judge Deegan first began practicing in Riverside in 1946 as a member of the district attorney's office. After also serving in the county counsel's office, he became the city attorney for the City of Riverside in 1958. He was appointed to the bench by Governor Edmund Brown in 1959. He served on the superior court until his retirement in 1975. In the late 1980s, he served for 14 months on the Court of Appeal, Third Appellate District, in Sacramento.

Each year, the Leo A. Deegan Inn of Court recognizes both an attorney and a judicial officer for their outstanding contributions to the legal community, as well as for their professional accomplishments. The Terry A. Bridges Award honors an outstanding attorney, while the Elwood Rich Award honors an outstanding jurist. Additionally, the inn's membership votes on its favorite presentation, and an award is given to that team.

This year, the inn is focusing on exploring topics that are relevant to a practitioner in the current time, such as the impact of the economy. The inn is headed by President Jeb Brown, with the Honorable David Bristow, the Honorable Jack Lucky, Robyn Lewis, Chad Firetag, John Michels, Jeremy Hanson and Connie Younger serving as Executive Board members.

Former Leo A. Deegan Judicial Master Angel Bermudez is in the process of establishing a chapter of the Inns of Court in the southwest region of the county. Judge Bermudez is hoping to have the chapter up and running in September 2012.

For more information on the Leo A. Deegan Inn of Court, please contact Sherri Gomez, Executive Director, at sherri.gomez@gmail.com, or Robyn Lewis, at rlewislaw@yahoo.com. Contact Robyn Lewis for more information regarding the new Southwest Inn.

Robyn A. Lewis is with J. Lewis & Associates, APLC. She is President of the RCBA and Vice President of the Leo A. Deegan Inn of Court, as well as a member of the Publications Committee.



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Job Opening – Seeking Attorney

Haight Brown & Bonesteel has immediate opening for a 1-3 year premises liability attorney in its Riverside office. Excellent writing skills, legal research, drafting of pleadings a must. Excellent communication skills in English and Spanish, and ability to work in a team environment required. Submit resume and cover letter to recruiting@hbblaw.com.

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What makes this business enjoyable and challenging is meeting people with unique translating needs. "Coming together is a beginning, staying together is progress." (Henry Ford). Looking forward to helping you translate your written documents. H. Cecilia Stella (951) 347-9824. 3400 Central Ave, Ste 245, Riverside, CA 92506.

Office Suite – RCBA Building

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

Conference Rooms Available

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



MEMBERSHIP

The following persons have applied for membership in the Riverside County Bar Association. If there are no objections, they will become members effective December 30, 2011.

Joanna Furmanska (S) – Law Student, Los Angeles

Kimberlie A. Hall – Sole Practitioner, Riverside

Rachel T. Martin (S) – Law Student, Los Angeles

Daniel A. Martorella – Sole Practitioner, Palm Desert

Michael Portigal – Osman & Associates, Redlands

Michael A. Razo – Sabbah & Mackoul, Riverside

Jacqueline M. Real-Salas – Calleton Merritt DeFrancisco & Real-Salas LLP, Pasadena

Minh Ta-Dinh – Anderson & Kriger, Riverside

Catherine E. Wise – Varner & Brandt LLP, Riverside

Michelle McCoy Wolfe – Varner & Brandt LLP, Riverside



VOLUNTEERS NEEDED

**Family Law and
Criminal Law Attorneys
are needed to volunteer their services
as arbitrators on the
RCBA Fee Arbitration Program.**

**If you are a member of the RCBA and
can help, or for more info,
please contact Lisa
at (951) 682-1015
or fearb@riversidecountybar.com.**

Riverside
County

LAWYER

Riverside County Bar Association

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