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MAGAZINE

Giving Back



"And so, my fellow Americans, ask not what your country can do for you; ask what you can do for your country.

My fellow citizens of the world, ask not what America will do for you, but what together we can do for the freedom of man."

*President John F. Kennedy
Inaugural Address, January 20, 1961*



The Peace Corps, established 1961

photos courtesy of the Peace Corps



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 our members, our communities, and our legal system.

Membership Benefits

Involvement in a variety of legal entities: Lawyer Referral Service (LRS), Public Service Law Corporation (PSLC), 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.

On the Cover

The Peace Corps traces its roots and mission to 1960, when then Senator John F. Kennedy challenged students at the University of Michigan to serve their country in the cause of peace by living and working in developing countries. From that inspiration grew an agency of the federal government devoted to world peace and friendship.

Since that time, 210,000+ Peace Corps Volunteers have served in 139 host countries to work on issues ranging from AIDS education to information technology and environmental preservation.

Today's Peace Corps is more vital than ever, working in emerging and essential areas such as information technology and business development, and contributing to the President's Emergency Plan for AIDS Relief. Peace Corps Volunteers continue to help countless individuals who want to build a better life for themselves, their children, and their communities.

Clockwise from upper left:

Peace Corps Volunteers and their counterparts plant seeds in a method that maximizes plant density and in turn produces thriving, healthy plants that are far more resistant to insects and diseases than those grown in conventional gardens in Tanzania.

A boys classroom in the outdoor field with a blackboard in South Africa.

A Volunteer leading a discussion at a local meeting in Jordan.

A nutritional Volunteer speaks to locals in Togo (in 1962).

A Volunteer working with a local sifting through the lily pad pond in Madagascar.

CALENDAR

NOVEMBER

- 12 Landlord/Tenant Law Section**
Speaker: Jacqueline Carey-Wilson
Topic: "How the Local Bar Can Assist Attorneys in the Practice of Law, and Management of Their Law Offices"
Cask 'n Cleaver, Riverside, 6:00 p.m.
MCLE
- 13 CLE Trial Practice Skills Series**
Speaker: Mark Easter
Topic: "How to Present Expert Testimony"
RCBA Gabbert Gallery – Noon
MCLE
- Escrow & Title Sub-Section of the Real Property Law Section of the State Bar of California & the RCBA present**
"REO Sales: Isseues for Escrow & Title Underwriters"
Speakers: Roger Therein and David A. Shean
RCBA Gabbert Gallery
6:00 p.m. – Networking & Social
7:00 p.m. to 8:00 p.m. – Program
MCLE
- 14 APALIE, RCBA & SBCBA Event**
Speaker: Judge Lance Ito
Topic: "Spoken Language Interpreters"
Canyon Crest Country Club, 6:00-7:00 p.m.
RSVP by ticket purchase at
<https://spokenlanguageinterpreters.eventbrite>
- Barristers**
Speakers: Steve Harmon & Paul Zellerbach
Topic: "Ethics & Criminal Law"
Moderated by Judge Virginia Phillips
Riverside County DA's Office, 10th Floor
5:00 p.m.
1 hr Legal Ethics MCLE
- 15 General Membership Meeting**
Joint with the FBA/IE
Speakers: Dean Emeritus & Professor Charles Doskow, Professors Richard Gelm & Ed Haley
Topic: "The Voting Rights Act"
RCBA Gabbert Gallery – Noon
MCLE
- 19 Family Law Section**
Speaker: Lisa Morris
Topic: "Preparing Your Clients for CCRC (Mediation)"
Family Law Court, Dept. F-501, Noon
MCLE
- 20 Estate Planning, Probate & Elder Law Section Meeting**
Speaker: Brad Cashion, The Mentor Group, Inc.
Topic: "Current Valuation Issues: From the Normal to the Not So Normal"
RCBA Gabbert Gallery – Noon
MCLE

DECEMBER

- 5 New Admittee Swearing In Ceremony**
Riverside Superior Court, Dept. 1, 10:00 a.m.
- General Membership**
Joint Meeting with the SBCBA
Speaker: State Bar President Luis Rodriguez
Topic: "The State of the State Bar"
Mission Inn, Spanish Art Gallery – Noon
RSVP: (951)682-1015 or
rca@riversidecountybar.com



by Jacqueline Carey-Wilson

November 22, 2013, is the 50th anniversary of the assassination of President John F. Kennedy. I was born on January 4, 1964, just a short time after his death. My parents named me “Jacqueline,” after my father, John Carey, who was called Jack in his youth. However, I have also thought that the image and romance of Jacqueline Kennedy somehow influenced my parents’ choice of name. I grew up in the shadow of the Kennedys and I remember seeing countless times: the replay of the film footage taken that tragic day; the funeral, with John F. Kennedy, Jr., saluting; Marilyn Monroe singing “Happy Birthday, Mr. President”; the Cuban missile crisis; and John F. Kennedy’s inaugural address, when he declared, “[A]sk not what your country can do for you, but what you can do for your country.” President Kennedy’s leadership inspired many to give back in their own communities and in communities far from home by joining organizations like the Peace Corps. It is fitting that we remember President Kennedy and his legacy as we focus in this issue of the *Riverside Lawyer* on the ways attorneys give back to our community.

Time and time again, I am pleased to discover an attorney or judge donating time to one of the RCBA’s community projects or to another nonprofit organization in Riverside. When I have questioned their motivation for being involved, their responses vary. What does not change is the impact it has on their lives.

The Elves Program is one of the RCBA’s community projects that has had a powerful effect on a number of members. Every person I have spoken to who has been involved with the Elves speaks enthusiastically about the lives they have touched and the positive influence the experience has had on their own lives. In this issue, Brian Pearcy explains what the Elves Program is and how RCBA members can help meet its goal of delivering gifts, food, and holiday cheer to families in our community who are struggling.

Riverside Legal Aid, also known as the Public Service Law Corporation, is dedicated to bringing legal services to those in need. During the October general membership meeting, members who had donated over 50 hours of service to Riverside Legal Aid were recognized. They donated their time at the clinics operated by Riverside Legal Aid or represented a client pro bono to resolve the client’s legal dispute. In this issue, Diane Roth, the executive director of Riverside Legal Aid, recognizes members who have donated their time to the clinics and describes how other members can help.

Project Graduate is an RCBA program that was started in conjunction with the Superior Court of Riverside County. Project Graduate targets foster youth and helps them develop a plan for achieving their educational and career goals. In this issue, Kellie Husted, Luis Lopez, Ashley Sedaghat, and Robert Rancourt highlight some current participants in the program and describe how RCBA members can help foster youth in our community.

The RCBA reading program for elementary school children was started by Theresa Savage when she was president. In this program, the RCBA works with the Riverside Unified School District to select an elementary school in an economically disadvantaged area to which members can donate money to purchase books for the school library. Members can also volunteer to read to children at the school. This program has been inactive for several years, but the RCBA will revive the program this coming March, which is National Reading Month. We hope many will want to assist with this incredible program.

The high school mock trial program is another area where members can donate their time and talent. Across the county, high school mock trial teams, with the assistance of volunteer attorney coaches, prepare the same case for trial. The mock trial teams then compete against each other in rounds organized at various courthouses in the county from January to March. The April edition of the *Riverside Lawyer* is dedicated to mock trial. Year after year, attorneys and students write about their experiences with the program and how it has had a profound impact on their lives. I encourage everyone to donate their time to score at least one round this year. You will be amazed by the experience.

Another way that members can help is by donating money and supporting fundraisers for RCBA community projects, like the ones I just described. Last month, the RCBA hosted a fundraiser at Farrell's restaurant in Riverside. District Attorney Paul Zellerbach, Public Defender Steve Harmon, Riverside Mayor Rusty Baily, Riverside City Council member Paul Davis, Riverside City Council candidates Valerie Hill and Mike Soubirous, along with Neil Okazaki, Marie Myers, Scott Talkov, Daniel Nickfardjam, Gina Maple, Kelly Morgan, and Jean Serrano greeted, seated, and served meals during the event. The RCBA raised more than \$650 for our community projects. The RCBA thanks everyone who joined us for this special evening. I also want to thank board members Diana Renteria and Alexandra Fong for organizing this exceptional fundraiser. We hope to have more fun fundraisers like this in the future.

Asking members to help with one of the RCBA's community projects is, for the most part, preaching to the choir. Attorneys who read the magazine and who are interested in what is happening in the organization are the members who are already giving back in one form or another. Thank you for all your efforts with our community projects. Your work really does make a difference.

Making a difference mattered 50 years ago to President John F. Kennedy as he struggled to pass sweeping civil rights legislation. This legislation did not pass during his life, but support for the legislation was galvanized after his tragic death. The Civil Rights Act of 1964 was passed overwhelmingly by both chambers of Congress and signed by President Lyndon B. Johnson. One year later, the Voting Rights Act of 1965, which prohibits discrimination in voting, was enacted in a similar fashion. Is the Voting Rights Act still needed today? On November 15 at noon, at the RCBA's general membership meeting, a panel of scholars will discuss the Voting Rights Act and try to answer that question. The Federal Bar Association, Inland Empire Chapter, is co-sponsoring the event. I hope you will join us for this important discussion.

Jacqueline Carey-Wilson is a deputy county counsel with San Bernardino County, editor of the Riverside Lawyer, and past president of the Federal Bar Association, Inland Empire Chapter.



Julia Wilson, Jacqueline Carey-Wilson, Doug Wilson, and Grace Wilson



Janet Tranbarger and Judge Gary Tranbarger, David Werner and Ginger Werner



Councilman Paul Davis, Marie Myers, Alexandra Fong, and Mayor Rusty Bailey



Adrienne Bennett, Marcos A. Reynoso, Marcos Reynoso and Brian Percy



(from L-R) Diana Renteria, Megan Younger, Harlow Rivera, Judge Becky Dugan, Jean Younger, Temperance Rivera, Victor Rivera.



Public Defender Steve Harmon, Assistant Public Defender Chad Firetag with Will, Nate, Tori and Luke Firetag



Justice Bart Gaut, Merla Gaut, Ann DeWolfe and Bill DeWolfe

RCBA THANKS EVERYONE WHO PARTICIPATED IN THE SUCCESSFUL FUNDRAISER AT FARRELL'S!



Mayor Rusty Bailey



Will and Nate Firetag



Mayor Rusty Bailey and family



Daniel Nickfardjam and Scott Talkov



Councilman Paul Davis, Vit Liskutin and Jane Liskutin



Judge Woody Rich and Diana Renteria

photos by Jacqueline Carey-Wilson

BARRISTERS PRESIDENT'S MESSAGE

by Kelly A. Moran



Throughout my career, I have learned that the greatest level of success is accomplished when people work together for a common goal. From jumping in to lend a helping hand to others in your office, to working with opposing counsel in a professional and courteous manner, the end result is always easier to reach, and tends to be much more cost-effective, when everyone is willing to work together, versus against each other.

Another benefit to teamwork is that you draw from each person his or her individual strengths. This is truly the case with the Barristers board as well as the group as a whole. I am so very fortunate to have an amazing board with various interests, talents, and areas of expertise that they are willing and able to share with us all.

In planning for this year, each of the board members volunteered to organize and host a meeting that reflects an area of law that he or she is interested in, has experience in, or exhibits his or her individual strengths in some way. Past President Amanda Schneider did an amazing job of this with the October "Women in the Law" event, which brought together prominent women attorneys in the community who were able to share their experiences, stories, and words of wisdom with all Barristers in attendance.

Our November event, which will be held from 5:00 p.m. to 7:00 p.m. on November 14, 2013, is the brainchild of our Member-at-Large and former President Scott Talkov. Scott took the challenge of organizing this year's ethics event and ran with it, electing to focus the meeting on criminal ethics in an effort to introduce members to an area of the law that is not as widely practiced within the Barristers community. The event itself will be held in the District Attorney's Office, 10th Floor Training Room, and will feature a presentation by the ultimate criminal ethics team: District Attorney Paul Zellerbach and Public Defender Steven Harmon. We are incredibly fortunate to have these two prominent members of the legal community as our speakers for the ethics presentation this year. This is truly an event that should not be missed, and I look forward to welcoming many new faces from the District Attorney's Office, Public Defender's Office, and private criminal law offices.

In addition to the presentation by District Attorney Paul Zellerbach and Public Defender Steven Harmon, the November 14, 2013 Barristers event will also feature an introduction by the Honorable Virginia A. Phillips of the United States District Court for the Central District of California. We are honored to have Judge Phillips at our event and welcome the opportunity for all in attendance to learn more about the Joint

Federal Pro Se Clinic and how we can offer support and assistance to this organization. As always, additional information concerning this event and all future meetings can be found at the Barristers' website (riversidebarristers.org) and on our Facebook page ("Riverside County Barristers Association").

I look forward to seeing you all in November and always welcome the opportunity to work with you in order to make this organization the best that it can be.

Kelly Moran, the 2013-2014 President of Barristers, is an associate at Thompson & Colegate, where she practices in the areas of public agency representation, personal injury defense, and probate litigation.



PROJECT GRADUATE GIVES BACK

by Robert Rancourt

Did you know that *45 percent of foster youth in Riverside County do not complete high school*? Did you also know that once these children turn 18, they usually are “aged out” of the system with minimal resources and little preparation for the challenges of adulthood?

Designed to address and improve this situation, Project Graduate – now in its third year – is a joint effort of the Riverside County Superior Court, certain county agencies, and the bar association to assist at-risk foster youth in Riverside County to graduate from high school and become productive community members. Foster student candidates for the program usually are referred by a system stakeholder, such as the court or the child’s social worker, or even by word of mouth (for example, this year, one student enrolled because his older brother graduated from the program last year). The student decides whether he or she would like to participate in this voluntary program. If so, he or she is matched with a responsible adult (usually from the legal community) who is screened by the court and county and who agrees to commit to be the child’s “educational representative” and mentor – a significant volunteer commitment. The educational representative title is important, as it is a statutory designation limiting the rights of the child’s parents to participate in the child’s education and instead giving these rights to the volunteer Project Graduate representative.

The adult and student then work together toward completing a plan for graduation from high school, and they are assisted by the other participants (adults and children) in the program, including the juvenile court bench officer, who oversees the student’s progress. As students move forward, they are rewarded with incentives to keep them motivated, such as laptop computers, department store gift cards, or other education-related items, as resources permit.

So far, *three foster students have participated in and successfully graduated from the program!* Still, the need remains, and, each year, more children and more adult volunteers have signed up, especially as news of the program spreads.

Some of the program’s current participants are described below. However, this worthy program needs your help to continue its important mission. Please consider getting involved, whether by volunteering to participate in the program as an educational representative and

mentor or as a Steering Committee member or by making a cash donation to be used for the student participants.

Kellie Husted

Staff Accountant

Best Best & Krieger, LLP

Ms. Husted, a veteran of the program with one successful graduate already, has a new student who is a senior at Patriot High School in Jurupa Valley. Her foster child joined Project Graduate last March.

Coming into the program, Ms. Husted’s foster child had good attendance but was deficient in credits, and his grades were suffering. He also was quiet and shy and lacked confidence, often muttering one-word sentences.

Since then, he has worked hard to bring up his grades from Cs and Ds to As and Bs, and he has managed to achieve even better attendance. The boost in his confidence is obvious as he speaks in full sentences and shares his dreams. When he graduates, for instance, he wants to join the Marines. Ms. Husted has no doubt that he will succeed with that dream.

Luis E. Lopez and Ashley Sedaghat

Attorneys

Law Office of Luis E. Lopez

Luis Lopez and Ashley Sedaghat have teamed up – once again – as the educational representatives and mentors for a foster child who is new to the program this school year. He is a senior at Corona High School and is almost 17 years old. He is the younger brother of one of the other Project Graduate youths who successfully graduated from high school this past school year. His older brother is obviously now a great role model for their new student.

Mr. Lopez and Ms. Sedaghat hope to continue the success of the program. They met their new foster child informally at the end-of-the-year celebration party for his brother (and the program’s other successful graduate) and are looking forward to spending more time getting to know him and helping him through his final year in high school.

Now that they have the appropriate court order in place allowing them to step in as his educational representatives, they plan to meet with their new foster child and also his academic counselor at school to devise a plan for the upcoming year. Mr. Lopez and Ms. Sedaghat report being hopeful for many good things to come for their new

student and look forward to providing a further update as the school year progresses.

Robert L. Rancourt, Jr.

Deputy Public Defender

Law Offices of the Public Defender

County of Riverside

I am fortunate to have had one prior graduate in the program already, and the student for whom I am delighted currently to serve as an educational representative and mentor is a 17-year-old senior attending a public high school. He has been a foster child and dependent of the juvenile court for many years. He has met his biological father, but the father has not been involved in his life. In fact, for most of his life, his natural father was incarcerated and not even known to the child. Although the child knows his biological mother, she, too, has been incarcerated and not involved in the child's life for most of his life.

Consequently, although this child has known and sometimes stayed with relatives or family friends, he mostly grew up in foster care, placements, and group homes. Challenged by this upbringing, the child found school difficult, sometimes got into trouble at school, and eventually appeared in juvenile delinquency court, shortly after which he heard about and volunteered to participate in Project Graduate, as a result of which I was introduced to him a few months ago.

I have come to know this young man as having great potential, a thought which has been echoed to me by administrators, counselors, and teachers at the child's school and also by his guardian, caretakers, and social worker. No doubt "it takes a village to raise a child," and everyone has tried to lead and direct the child to stay in school and see his true potential.

It is a challenge. When he is applying himself, the sky is the limit. For example, last year, the student had a B grade-point average and was a formidable player on the school's basketball court, seemingly advancing easily to his senior year. However, in prior years, he had failed several courses and chosen not to be involved in school sports. Thus, the child remains behind in the number of credits necessary to graduate from high school.

This year, the program is seeing the child's "ebbs and flows." At the beginning of the year, the student was highly motivated, registered for the maximum class schedule, and signed

up to play basketball. However, as the year has progressed, he has not always given 100% of what he is capable of. He has chosen to violate the law and school rules sometimes and, as a result, has gotten himself suspended from school on a few occasions.

Still, knowledge that it will not always be "smooth sailing" is the reality. So, too, for any parent, guardian, or responsible adult trying to guide or mentor a child. Regardless, Project Graduate remains available to this teenager, and the program is fortunate that so many in the Riverside legal community continue to give back.

Bob Rancourt has been a Deputy Public Defender with the Law Offices of the Public Defender, County of Riverside, for the last 11 years. He serves as a member of the Mock Trial and Project Graduate Steering Committees of the Riverside County Bar Association, and has been volunteering in one form or another since becoming a lawyer in 1997.



RIVERSIDE LEGAL AID
(Public Service Law Corporation)
NOW HIRING

Part-Time Bankruptcy Attorney

PSLC is now accepting résumés for a part-time staff attorney position to advise pro se litigants in its self-help clinic in Riverside, 8-10 hours/week.

Qualified candidates must be admitted to

Central District Bankruptcy Court,

have a minimum of 2 years experience

in Chapters 7 and 13 Bankruptcy Law

and familiarity with adversary proceedings.

Salary: \$2,000/month

Please email résumé and writing sample to
publaw@sbcglobal.net

JUNIOR LEAGUE OF RIVERSIDE – CELEBRATING 85 YEARS OF SERVICE!

by Stefanie G. Field

Since its founding in 1928 as the Junior Aid, the Junior League of Riverside (“JLR”) has dedicated itself to improving our community. JLR is an organization of women committed to promoting voluntarism, developing the potential of women, and improving communities through the effective action and leadership of trained volunteers. The JLR is a member of the Association of Junior Leagues International (AJLI), which was founded in 1901. As aptly stated by the AJLI, its mandate is:

“to develop exceptionally qualified civic leaders who collaborate with community partners to identify a community’s most urgent needs and address them with meaningful and relevant programs and initiatives that not only improve lives, but also change the way people think.”

Few organizations can boast such longevity and such meaningful impacts on their communities. AJLI consists of 155,000 women in 293 Leagues in four countries. The JLR currently boasts over 200 members! Many of Riverside’s female leaders have been active members of the JLR: Maureen Kane, Lori Pendergraft, Laura Merickel, Collette Lee, and Cindy Roth (to name just a few).

Just as our members have become civic leaders, many of the JLR’s projects have become institutions in our community. JLR projects have included Community Connect (formerly the Volunteer Center), Visiting Nurses, the Carolyn E. Wylie Center for Children, Youth and Families (formerly Youth Service Center), and Court-Appointed Special Advocates (CASA). Teen pregnancy has also been an issue addressed in several JLR programs. In sum, the JLR has a history of focusing on children and families, the foundation of our society.

Most recently, the focus of the JLR has been improving children’s physical and mental well-being by tackling childhood obesity. JLR’s current project, fitRiverside, is a program that provides free fitness activities for local children and families and sponsors children’s participation in the Mission Inn’s 5K Run in November. The JLR also educates children and their families about nutrition, because physical activity is only part of the solution.

Because the need for positive community change goes beyond the borders of Riverside, the JLR participates in the Junior Leagues of California State Public Affairs Committee (SPAC). SPAC is a nonpartisan education

and advocacy organization charged with promoting volunteerism and legislation favorable to the community projects of the 16 Junior Leagues that SPAC represents. The advocacy efforts of SPAC are targeted to legislation within four focus areas, which reflect the focus areas of SPAC’s member Junior Leagues: health, education, violence prevention, and family support. For example, SPAC sponsored the legislation that designated the month of May as Perinatal Depression Awareness Month. Currently, it is tracking several bills supporting programs that stop human trafficking, advocate for human trafficking victims, and educate the community about human trafficking.

These activities – community projects, education, and advocacy – demonstrate the JLR’s rich tradition of volunteerism and giving to the community, a tradition that continues today. To become involved in Junior League of Riverside or to help support its mission, please contact (951) 683-0622. You can also help support JLR by attending its 58th Annual Charity Ball fundraiser, the Sapphire Ball, which will be held on Saturday, December 7, 2013, from 5 p.m. to midnight, at the historic and recently renovated Riverside Auditorium and Events Center. The night will include cocktails, dinner, auction, and dancing. For tickets, please call (951) 683-0622.

Stefanie G. Field, a member of the Bar Publications Committee, is a Senior Counsel with the law firm of Gresham, Savage, Nolan & Tilden.



ATTENTION RCBA MEMBERS

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

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



LEARNING ENGAGEMENT: UNIVERSITY OF LA VERNE COLLEGE OF LAW STUDENTS GAIN VALUABLE EXPERIENCE FROM PRO BONO, COMMUNITY SERVICE

by Charles Bentley

Across the United States, there is a growing interest in community engagement. From highly recognized national organizations to small grassroots operations, Americans are showing a willingness to offer their time and talents to provide help where it is needed.

At the University of La Verne College of Law in Ontario, student involvement in pro bono and public service programs is a fundamental part of what has come to be known as the La Verne Law Experience. "Community and civic engagement," one of the institution's four core values, is incorporated into the environment at the law school.

"Pro bono and public service have been and continue to be a part of the experience our students receive here at La Verne Law," said August Farnsworth, Assistant Dean of Student Affairs & Career Services and the person who oversees the pro bono and public service programs at La Verne Law.

In the American Bar Association's Model Rules of Ethical Conduct, Rule 6.1 states that lawyers should aspire to render – without fee – at least 50 hours of pro bono publico legal services per year. In 2012, the New York State Court of Appeals adopted a rule requiring applicants for admission to the New York State bar after January 1, 2015 to have performed 50 hours of pro bono services, a criterion other state bars are reviewing.

Through her office, Farnsworth provides students with lists of pro bono and public service opportunities.

Some of the pro bono work is done at the same place as a student's externship, during which students receive one credit hour for every 52 hours of service. The externships can take place during the academic year or over the summer months, with scheduling, assignments, and hours verification

established from the beginning. Every hour worked beyond the agreed-upon credit hours counts toward pro bono hours.

"Say a student is doing an externship for two credits. Anything beyond the 104 hours can count toward pro bono," explained Farnsworth.

Students who complete 50 or more hours of pro bono work during their time at La Verne Law, not counting hours done for credit, are honored at graduation. They are recognized in the program as having earned a Pro Bono Award, and as part of their regalia, they wear a cord signifying their achievement.

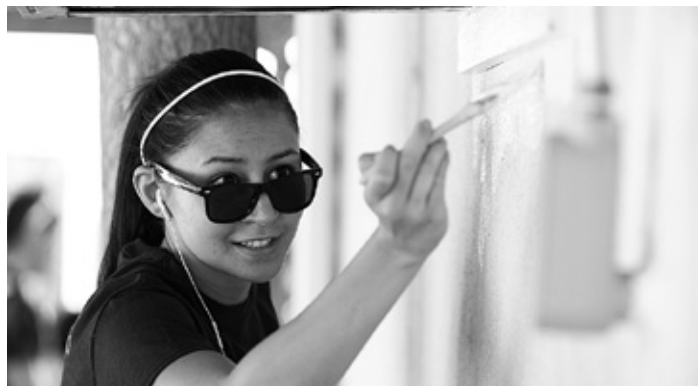
Whereas pro bono hours involve work that is law-related, for La Verne Law's purposes, public service hours represent time served doing non-law-related work and cannot be for the benefit of the student, the law school, or the university.

"It's something students do on their own, and it is not retroactive; the hours accumulated must have been done while attending La Verne Law," said Farnsworth.

La Verne Law strives to instill in students a pro bono ethic early by including a community service project during the law school's orientation program. Before attending their first class, first-year students (1Ls) visit local nonprofit organizations to supply much-needed assistance.

On August 17, La Verne Law 1Ls spent time at Queen of Hearts Ranch in Jurupa Valley and at the West End Animal Shelter in Ontario. They spent hours painting, cleaning, and landscaping.

"All the help they did, cleaning and keeping our property built up, it's important," said Robin Kilcoyne, founder and executive director of Queen of Hearts Therapeutic Riding Center, Inc. "When they come here and do this, it frees us to spend a lot more time with our clients."



The day achieved two key goals that La Verne Law Dean Gilbert Holmes views as essential outcomes for the law school and its students. “The first is La Verne being in the community. We are partners here and we try to manifest that partnership as much as we can,” said Holmes. “The second thing is these are brand new students and they can bond together on things outside the classroom. I believe it enriches their experience at the law school.”

Student groups at La Verne Law also make pro bono and community service work an essential part of their pursuits. Food, toy, and clothing drives during the holiday seasons are common. Others have done volunteer work for organizations such as Habitat for Humanity.

Farnsworth called this fall’s first-year student community service day a big success. The event also involved participation by La Verne Law faculty, staff, and administrators. It attracted interest from many organizations seeking help, leading Farnsworth to tentatively plan a La Verne Law Service Day in Spring 2014, open to all law students and campus community members.

As an added bonus, the law school’s pro bono and public service efforts prove beneficial to recruiting the next class of students. “We actually seek students who either have a passion for community service or who we hope will develop that passion,” said H. Randall Rubin, Associate Dean for Academic Affairs and Professor of Law. “We want our students to think beyond the traditional pro bono aspect of legal services. We want them thinking of giving back in other ways, particularly here in the Inland Empire.”

Ultimately, the service time and accomplishments fulfill important roles in La Verne Law students’ personal and professional aspirations. “For the state bars that have or are considering requiring pro bono hours as a prerequisite for admission, I think the primary reasoning is to encourage the students to have more practical legal experience when they graduate and [to] giv[e] back,” said Farnsworth. “For us, it’s about getting them to see it [and] to get them in the habit now. When they graduate, it is ingrained within them that this is part of the responsibility of being an engaged member of the community.”

Charles Bentley is Chief Editorial Director for the University of La Verne and manages Public Relations for La Verne Law.

photos courtesy La Verne Law



SPEAK UP TO REMAIN SILENT: DECODING *SALINAS v. TEXAS*

by Kelli Killion

The Fifth Amendment and *Miranda* rights have become a source of public debate with the recent arrest and questioning of the Boston bombing suspect, Dzhokhar Tsarnaev. The police questioned the suspect while he was in custody at the hospital and before reading him his *Miranda* rights. Those with a legal education reading the news and watching the television commentary on the situation may have wondered whether this was a permissible form of questioning and whether the suspect's silence could be used against him at trial. Under the Supreme Court's ruling in 2010 in *Berghuis v. Thompkins*,¹ a suspect in custody being interrogated after being read his *Miranda* rights must expressly invoke his Fifth Amendment privilege against self-incrimination, and failure to respond for the first two hours and forty-five minutes of a three-hour interrogation is insufficient. However, the Supreme Court's most recent ruling on *Miranda* rights breaks new ground, in that the court had not previously ruled on the admissibility of a defendant's statements made during a voluntary interview with the police before arrest and before receiving *Miranda* warnings.

I. Facts and Procedural History of *Salinas v. Texas*²

Following the murder of two brothers in their home in Houston, Mr. Salinas consented to an interview with the police that lasted approximately one hour. Mr. Salinas had attended a party the victims hosted the night before they were killed and thereafter complied with the police by handing over his shotgun for ballistics testing and submitting to questioning. Mr. Salinas' interview was noncustodial and he was not *Mirandized*. Upon being asked if his shotgun "would match the shells recovered at the scene of the murder," Mr. Salinas declined to answer and instead, "looked down at the floor, shuffled his feet, bit his bottom lip, clenched his hands in his lap, and began to tighten up." The officers resumed questioning after a few moments of silence and eventually arrested Mr. Salinas for the murders of the two men.

Mr. Salinas did not testify at trial. The prosecutor, in closing argument, commented on Mr. Salinas' silence during the noncustodial interview by stating, "an innocent person would have said, 'What are you talking about? I didn't do that. I wasn't there.'" The prosecutor continued by explaining that Mr. Salinas "didn't respond that way. Rather, he wouldn't answer the question." In light of corroborating evidence, including a ballistics match of Mr. Salinas' gun to the shell casing found, the jury convicted Mr. Salinas, who

received a 20-year sentence. The Texas Court of Appeals ruled on direct appeal that the prosecutor's use of Mr. Salinas' silence was not a violation of the Fifth Amendment, in that a pre-*Miranda* statement was not compelled within the meaning of the Fifth Amendment. The Texas Court of Criminal Appeals affirmed on the same grounds. The Supreme Court took up the issue of whether the prosecution's use of a defendant's noncustodial silence against the defendant at trial is a violation of the defendant's Fifth Amendment right against self-incrimination.

II. Plurality v. Minority

The plurality opinion, authored by Justice Alito, who was joined by Chief Justice Roberts and Justice Kennedy, confirmed that a defendant must expressly invoke his Fifth Amendment right in pre-*Miranda* and noncustodial interviews. Justice Alito wrote, "it has long been settled that the privilege 'generally is not self-executing' and that a witness who desires its protection 'must claim it.'" The plurality recognized only two exceptions to the requirement of an express invocation of the Fifth Amendment. The first exception is that a defendant does not need to take the stand and assert the privilege at his or her own trial, because the defendant has an absolute right not to testify. The second exception is that a defendant who is subjected to the inherently compelling pressures of an unwarned custodial interrogation need not invoke the privilege. The plurality concluded that because neither of these two exceptions applied, and because Mr. Salinas' interview with the police was voluntary, the law required the defendant to expressly invoke his Fifth Amendment right to prevent the prosecution from using his silence against him at trial.

Justice Thomas filed a concurring opinion, which Justice Scalia joined. The concurring opinion stated that Mr. Salinas' claim would fail even if he invoked the privilege, because the prosecutor's comments regarding his noncustodial silence did not compel him to give self-incriminating testimony within the bounds of the Fifth Amendment. The opinion claimed that a defendant is not compelled to be a witness against himself simply because the jury has been told that it may draw an adverse inference from the defendant's silence. The self-incrimination clause of the Fifth Amendment does not prevent jurors from drawing logical inferences from a defendant's choice not to respond.

Justice Breyer wrote a dissenting opinion, which Justice Ginsburg, Justice Sotomayor and Justice Kagan joined. The dissent argued that express invocation is required only when the circumstances do not give rise to the inference

1 *Berghuis v. Thompkins*, 560 U.S. 370 (2010).

2 *Salinas v. Texas*, ___ U.S. ___ [133 S.Ct. 2174] (2013).

that the defendant intended by silence to invoke his or her Fifth Amendment right and the questioner had a special need to know whether the defendant sought to rely on the protections of the Fifth Amendment. The dissent added that no ritualistic formula is required in order to invoke the privilege, but that the circumstances should be such that: (1) one could fairly infer that the individual being questioned is invoking the privilege; (2) if that is unclear, it is particularly important for the questioner to know whether the individual is invoking the privilege; and (3) even if it is important for the questioner to know, there is good reason for excusing the individual from explicitly referring to the Fifth Amendment. In this case, Mr. Salinas did not have counsel at the time and was unlikely to explicitly invoke his Fifth Amendment right, and the circumstances of the interview were such that the court could infer that Mr. Salinas was exercising his privilege.

III. The Unclear Path Ahead

The plurality's ruling leaves many issues open for debate and features some implications for our criminal justice system, including the following:

1. The dissent points out one main unsolved question by the plurality: What exactly does a defendant have to say in order to invoke the privilege? The dissent states, "How can an individual who is not a lawyer know that these particular words [Fifth Amendment] are legally magic?"

2. The dissent also asserts that there are many reasons why a defendant would opt to exercise the Fifth Amendment right to remain silent other than to prevent self-incrimination. The prosecution, however, can now use the defendant's silence against the defendant.

3. The ruling requires laypersons to have enough legal knowledge to invoke the Fifth Amendment. As noted constitutional law professor Erwin Chemerinsky stated in an article about the case, "Constitutional protections should not be just for those who have legal training and know what they need to say to the police to invoke their rights."³

4. The ruling unintentionally benefits lawyers, as it reinforces the most basic rule of criminal law, which is that a potential target of a law enforcement investigation should never speak to an investigator without counsel. Chemerinsky explains that, "The bottom line is that criminal defense lawyers should advise their clients to be explicit that they are invoking their right to remain silent whenever they wish to refuse to answer police questions."⁴

Kelli Killion is a Juris Doctor Candidate at the University of San Diego School of Law Expected May, 2015. She served as a 2013 Judicial Extern to Judge Angel Bermudez.



³ abajournal.com/news/article/chemerinsky_silence_is_not_golden_supreme_court_says.

⁴ *Ibid.*

BEAUTIFUL COMPENSATION

by Diane C. Roth

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Riverside Legal Aid (the Public Service Law Corporation of the Riverside County Bar Association) invites volunteer lawyers to join in our expanding efforts to provide real equal access to justice for Riverside County's residents.

As Ralph Waldo Emerson said, "It is one of the most beautiful compensations of this life that no man can sincerely try to help another without helping himself."

Our volunteers enjoy personal benefits well beyond those listed above. Read what they say:

Dwight Kealy: "Volunteering with PLSC in the past months has given me the opportunity to save a World War II veteran and his family from eviction, help a mother get custody of her children, and help others start a new life after a difficult marriage. Volunteering at PLSC also gives you the opportunity to surround yourself with people who want to help other people. As a new attorney, I am grateful for the opportunity to work with experienced volunteer attorneys, like Manfred Schroer, who are willing both to help me learn the practice of law and to give me examples of using the law to help others." (Dwight made his first court appearance in a PSLC case.)

Chris Morosoff: Mr. Morosoff volunteers because "it's the right thing to do" and says he enjoys his pro bono work even more than the complex wage-and-hour class-action litigation he does for a living.

Chris Marin: Mr. Marin likes working with experienced attorneys and paralegals and enjoys the interesting issues that arise in PSLC cases.

Warren Snider: Mr. Snider finds his volunteer work "very rewarding," and it gives him experience in areas he would not otherwise encounter. For example, the husband of a PSLC client who had become her conservator filed a petition for divorce and then served himself on her behalf. Eventually, he took her default, obtaining a judgment including a waiver of spousal support. Stepping forward for the wife, Mr. Snider successfully unraveled the scheme and got the judgment set aside.

In another case, one of our volunteers came to the aid of a woman whose daughter had been murdered and who needed to obtain guardianship orders to provide care for her orphaned infant grandchild. In yet another, a volunteer



*PSLC volunteers who received State Bar Wiley Manuel Awards for donating at least 50 hours of pro bono service during the year. Back row, L-R – Dwight Kealy, Donald McKay, Forest Wright (PSLC Board President) and Jeff Smith
Middle Row, L-R – William Diehl, Edward Hu, Warren Snider, Manfred Schroer
Front Row, L-R – Katie Greene, Christopher Marin, Eric Tweten (not pictured) K. Steven Blake*



Manfred Schroer (center), recipient of the Ward W. Albert Award for Service, with Forest Wright and Diane Roth.

obtained an emergency restraining order to help a man protect his two children from an alcoholic and drug-addicted abusive mother whose arrests, commitments, and abusive conduct held them in constant terror.

"Access to justice" has real meaning to our clients – it may mean not losing their child or their home. Generally, our clients need help with something that to lawyers is basic, but to them presents an insurmountable obstacle. It takes very little commitment to do a lot of good. We'd love to have you just one evening a month or on a couple of cases a year.

Check out our website, riversidelegalaid.org. You can sign up online, email us at droth@riversidelegalaid.org, or drop by any of our locations.

The need for legal services is increasing as resources are dwindling. Your donations are also needed and welcomed. Public Service Law Corporation (d/b/a Riverside Legal Aid) is a nonprofit section 501(c)(3) corporation with IRS tax I.D. number 95-3739865.

Diane Catran Roth is the Program Director for Riverside Legal Aid and former RCBA president.

photos by Jacqueline Carey-Wilson



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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.

THE RCBA ELVES PROGRAM – SEASON XII

by Brian C. Percy

Since Christmas 2002, the RCBA Elves Program has assisted local families in need to have a Christmas they could only dream of. Once again, the RCBA Elves Program will be providing the opportunity for you, your family, your staff, and your colleagues to share your time, talents, and interests to help out such local families in need. This will also be your 12th opportunity to demonstrate to the community that we (the local legal professionals) care about and give back to the community that supports us. As before, we have four Elf categories for you to give back in. Now, the only question is, which Elf category or categories do you want to fill this season?

Shopping Elves: Monday, December 9 at 6 p.m. is our shopping day and time for 2013. All RCBA Shopping Elves will meet at the Big Kmart at 375 East Alessandro Blvd. in Riverside's Orangecrest Shopping Center. As a Shopping Elf, you will receive a Christmas "wish list" from your adopted families. Your job is simple – shop and fill your basket with as many gifts as possible within the dollar amount given to you at the start of the evening. This is a real opportunity to test or show off your value-shopping skills. Many of our Shopping Elves have made this a family affair, using younger members to assist in selecting the "cool" gifts for the kids while learning about the value of charity and the joy of giving to the less fortunate. Some schools have recognized this event as a way for your student to earn public service credits. Whatever the motivation, a good time is had by all.

Wrapping Elves: After the Shopping Elves finish their job, the Wrapping Elves will meet in the RCBA boardroom on December 11 and 12 starting at 4:30 p.m. to wrap all the gifts purchased on the 9th. Wrapping Elves must ensure that all the gifts are tagged and assembled by family for easy pickup and distribution by the Delivery Elves. Experience has shown that even those with the "bah humbug" blues will get into the holiday spirit by becoming a member of the wrapping team. Excellent wrapping and organizational skills are welcomed, *but not required*.

Delivery Elves: If you need a way to kick-start the warm holiday glow inside and out or just want to feel like Santa on Christmas Eve, this is it! Depending on the total number of families adopted, teams of two to four Delivery Elves are needed to personally deliver the wrapped gifts to each of our families. The deliveries will be made between

the 16th and the 24th of December. We have designed this part of the program to accommodate your personal schedules.

Over the years, many members have expressed that delivering gifts to the families was by far one of the most rewarding experiences. When signing up, please tell us if you will be willing to drive and what type of vehicle you have. This will allow us to match the number and size of gifts to the storage area available in your vehicle.

Money Elves: The Money Elves provide the means necessary for the other elves to shop, wrap, and deliver to the families we adopt by sending in donations. You can really help us by sending in your donation early; that allows us to determine our budget for the families we help. The majority of funds need to be donated by no later than December 9 to allow for the gift purchases from Kmart. Donations received by December 20 will fund the purchase of gift cards from Stater Brothers so the families can buy food for a nice holiday dinner. Clearly, the more money raised, the greater the number of families we can assist. Please note, even if you are a procrastinator, we will accept money after December 20. Money received this late will be applied to any last minute "add-on" families or will be saved to get us ahead on donations for next year.

Please make your checks payable to the RCBA and write "The Elves Program" in the memo section of the check. The RCBA's Tax ID number is 952561338. We thank you for your holiday generosity in advance.

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

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

Brian Percy, President of the RCBA in 2002, is the Chair of the Giving-Back Elves Program.



SAN GORGONIO GIRL SCOUTS NOW RECRUITING ADULT VOLUNTEERS

by *Jamie E. Wrage*

Girl Scouting in the Inland Empire is recruiting adult volunteers in San Bernardino and Riverside Counties. We want every girl to have the opportunity to be a Girl Scout and every qualified adult to be involved with the Girl Scout movement. Whether you have a few hours a month or several hours a week to help girls thrive, we can find a volunteer pathway that meets your needs.

Since 1912, Girl Scouts have been positively impacting communities locally and around the world. Through exciting age-appropriate activities (kindergarten through 12th grade), Girl Scouting provides girls with unique opportunities that cultivate leadership skills. It also challenges them to take new journeys leading to self-discovery. In the Inland Empire, the Girl Scout movement offers all girls the same opportunity to build courage, confidence, and character.

Girl Scouts of San Gorgonio has been growing its girl membership by leaps and bounds and currently ranks in the top three for membership growth out of 112 councils in the country. Scores of girls in the Inland Empire who want to be in Girl Scout troops have been unable to join because of a lack of

volunteers to serve as troop leaders. These girls register as Girl Scouts and participate in events, travel, and camp, but they remain on waiting lists to join a troop. Girl Scout volunteers are mentors and role models to girls. They are the people who make a difference in the lives of girls, by helping them develop leadership qualities, strong values, social conscience, and a positive conviction about their own potential and self-worth.

"It is so hard for me to have to tell girls who really want to be in Girl Scout troops that they cannot join right now because we do not have enough volunteer leaders," said Mayra Brown, Director of Membership for Girl Scouts of San Gorgonio. "I would love to say yes to every girl, because Girl Scouts is truly making a difference in the Inland Empire."

For more information on how you can be involved in Girl Scouts in the Inland Empire, please contact our office at (800) 400-GIRL or 1751 Plum Lane, Redlands, CA.

Jamie E. Wrage, a member of the Bar Publications Committee, is a partner at Gresham Savage Nolan & Tilden.



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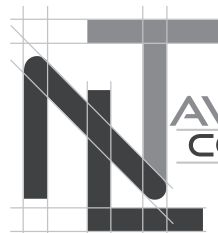
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by *Connie Younger*

Path of Life, a nonprofit organization, operates four facilities in the Riverside area:

- (1) Community emergency shelter (129 beds, for men and women, 30-60 days);
- (2) Family shelter (50 beds, for families, 60-90 days);
- (3) Transitional housing program (142 beds, for families, 12-24 months); and
- (4) Recovery homes (60 beds, for men and women, 12-24 months).

Path of Life's mission statement is "to help people become productive in life by addressing barriers of dysfunction through the process of rescuing, restoring and rebuilding lives."

Qualifying residents are offered a safe environment where basic needs are met and essential services are delivered. A case plan is designed to address the needs of each individual, such as employment readiness, job assistance, housing options, life skills, budgeting, nutrition, and family life. Children at the shelter are provided with homework assistance, a "life music" program, counseling services through the "Kids of Promise" program, and basic medical care, to name just a few services especially for them.

Although the government shutdown did not affect Path of Life's funding directly or immediately, over the past three years, funding has been cut back and contractual obligors are slower to pay. HUD funding, in particular, has diminished due to a delivery service model shift based on a "Housing First" concept, which focuses on keeping qualifying homeless families in their homes with direct supportive services. Although obviously a preferable model in spirit, the support and funding it needs simply are not yet in place.

Shelters, in contrast to in-home support, provide the constant observation, care, and counseling so important to identifying and correcting obstacles to moving forward and to providing the emotional support to do so. Furthermore, while funding used to be provided for a 30-60 day homeless shelter residency program, the "Housing First" concept permits only a two-week to 30-day window for families in crisis. For job-seeking support alone, the required documentation, such as copies of driver's licenses, social security cards, etc., requires, more often than not, at least a month to retrieve from various agencies.

In short, your volunteer time and your money donations are more important than ever before. If you would like to be a part of this wonderful organization, it offers over 70 areas of opportunity for volunteers, and yes, attorneys are needed, too. Donations, such as furniture (especially beds) and appliances, are always needed for those transitioning into new homes and new lives. Money donations, of course, are welcome as well, and financial sponsorships of specific programs help ensure the delivery of essential services.

The Guest Chef program is one of the most popular volunteer opportunities. Since three meals a day are offered to residents, donations of food and the labor to prepare and serve it are always needed, and you can do this either one time only or on a regular basis. The residents will inspire you while you serve.

If you would like more information about Path of Life and volunteer opportunities there, please visit their website at thepathoflife.com. Who knows when someone we know may need this service? I have been surprised to know a few myself.

Connie Younger, a member of the Bar Publications Committee, is a sole practitioner in Riverside.



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23RD ANNUAL RED MASS

by Jacqueline Carey-Wilson and Michelle Lauron

More than 100 members of the legal community and their families gathered at the 23rd Annual Red Mass, which was held on October 1, 2013. In 2011, 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, David D. Werner 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. Jacqueline Carey-Wilson processed into the church with a vase of 13 red roses, in memory of members of the Inland Empire legal community who 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 passed away in previous years. The Mass was dedicated to those serving in the U.S. armed forces, especially in Iraq, Afghanistan, and other places where they are in harm's way.

The chief celebrant was the Most Reverend Gerald R. Barnes, the Bishop of the Catholic Diocese of San Bernardino. Rabbi Hillel Cohn, Rabbi Emeritus of Congregation Emanu El in San Bernardino, read a passage from Deuteronomy (16:18-22) in Hebrew and then in English. Franklin Adams, First Counselor, Yucaipa California Stake Presidency, Church of Jesus Christ of Latter-Day Saints, read a passage from Ephesians (5:8-14). Deacon Luis Sanchez read a passage from the Gospel of Matthew (5:13-16). Reverend Monsignor Peter O'Reilly from Our Lady of the Assumption Catholic Church in Claremont gave the homily. Mitchell Norton and Jacqueline Carey-Wilson offered the Prayers of the Faithful, which included honoring members of

the Inland Empire legal community and the Steering Committee who had passed away. At the end of the Mass, Bishop Barnes gave a blessing to those in attendance.

In his homily, Monsignor O'Reilly shared stories about his ministry to boys in camps for juvenile offenders in Los Angeles County. He told of one youth who was leaving the camp but had no home to go to because his mother was in jail. Monsignor O'Reilly informed the assembled that most of the boys in the camps come from broken homes with little or no parental support. He advised that laws geared only to punish will increase a young person's instability. Not having control over their impulses causes many problems for youth. Monsignor O'Reilly believes that a stable home and a good education can help young people gain control. He suggested three points to consider.

The first is that law, as St. Thomas Aquinas taught, is "an ordinance of reason." Laws that do not take into account the real-life situation of people but seek only to punish fail the test of reason. According to Monsignor O'Reilly, "Law and how it is applied must always have among its goals the restoration of the person, not merely his or her punishment."

The second is that the law must treat all equally because we are all equal in the sight of God. Monsignor O'Reilly instructed, "The law should throw a light into all of the dark corners of reality . . . however heinous the crimes of a person, the light of justice must always shine brightly for them, as for everyone, with no exceptions."

Monsignor O'Reilly lastly advised that "besides being reasonable and available to all equally, people like you who work each day in the administration of laws and the application of justice will be richly rewarded for your good work."

At the reception immediately following the Mass, Michelle Lauron presented Dennis Christy 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

Monsignor Peter O'Reilly, Rabbi Hillel Cohn, and Bishop Gerald Barnes



Rabbi Cohn, Jacqueline Carey-Wilson, Dennis Christy, and Bishop Gerald Barnes





Dennis Christy and Michelle Lauron

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”

Dennis Christy has always been defined by faith and family. Mr. Christy’s deep faith in Christ and his humility have inspired many whom he has known both personally and professionally to be honest, forthright, hardworking, and humble. His love and devotion toward his wonderful wife of over 39 years, Kathy, serve as a powerful example to all, and especially to his three beloved sons, Scott, Paul, and Sean. He is the kindhearted father-in-law to Mary (Scott’s wife) and Tracy (Paul’s wife). Of greatest satisfaction, pride, and joy to Dennis is being the very proud grandfather to Scott and Mary’s two sons, Jake and Shane. Mr. Christy’s discipline in his professional life and the courtroom extends to his personal life. He is a dedicated husband and father and an avid runner and athlete.

Michelle Lauron, Dennis Christy, Sean Christy, Kathy Christy, and Michael Fermin



Dennis Christy was born in Long Beach to Daniel and Virginia Christy and grew up there. He has two sisters, Ann Marie and Cynthia, and a cherished extended family. He was raised in the Catholic Church with his parents’ guidance. He attended Saint Cornelius’s Elementary School and Saint Anthony High School.

Mr. Christy received his Bachelor of Arts from California State University, Long Beach and his Juris Doctor from Santa Clara University School of Law. He has been a member of the State Bar for 37 years. He was President of the San Bernardino County Bar Association in 1994-1995. He actively supported the Constitutional Rights Foundation Mock Trial program for high school students. Mr. and Mrs. Christy were parishioners at Our Lady of the Desert Parish in Apple Valley for over 34 years, where they served as Youth Group leaders and he served as a volunteer in the group that ministered to individuals becoming Catholic. They are now parishioners at St. Peter and St. Paul Catholic Church in Alta Loma.

On beginning as prosecutor with the San Bernardino County District Attorney’s Office in 1976, Mr. Christy was assigned to the newly opened Victorville office. He quickly rose through the ranks and was known for his tremendous trial preparation, his acute sense of fairness, and his resolute ethical standards. He tried dozens and dozens of criminal trials. Mr. Christy was at all times held in high regard and was entrusted with the office’s most serious and legally complex criminal prosecutions.

In 1982, Mr. Christy was promoted to Supervising Deputy District Attorney in charge of the Barstow office. In 1986, he became the Chief Deputy District Attorney in charge of the Desert Division, which encompassed the Victorville, Barstow, Big Bear, Morongo, and Needles offices. Mr. Christy was appointed to the District Attorney’s Executive Management staff in 2007 as the Assistant District Attorney responsible for Criminal Operations and advisor to the District Attorney, Michael A. Ramos. In these positions, Mr. Christy was well respected and admired by his colleagues within the District Attorney’s Office and other county agencies for his wise and thoughtful decisions. He retired from the District Attorney’s Office in September 2012.

Mitchell Norton, Dennis Christy, and Judge Cynthia Ludvigsen





Bill Lemann and Franklin Adams

What is most telling about Mr. Christy's legal career is that his staff had great admiration and respect for him. Mr. Christy was an esteemed mentor, friend, and father figure to many. There was no case too small for him to give his undivided attention. Few would ever meet a man who cared more about his staff's personal well-being than Mr. Christy. He continues to live his faith in every aspect of his life. Accordingly, the Red Mass Steering Committee was honored to present Dennis Christy with the Saint Thomas More Award for his extraordinary service and devotion to church, community, and justice.

The Red Mass Committee is accepting nominations for the 2014 Saint Thomas More Award. The award will be given at the reception following next year's Red Mass, which will be held in October 2014. If you have any questions or would like to be involved in the planning of 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 deputy county counsel for the County of San Bernardino, President of the Riverside County Bar Association, and co-chair of the Red Mass Steering Committee.

Michelle Lauron is a deputy district attorney for the County of San Bernardino.

photos by Jacqueline Carey-Wilson



Roses placed on the alter for those in the legal community who have passed away.



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VOLUNTEERS NEEDED TO WORK WITH STUDENTS AND COURT SYSTEM

The Court Tour program needs your help. Volunteers are needed to continue serving Riverside County youth, instructing them in the workings of the legal system. The Riverside County Law Alliance (RCLA), formerly known as the Lawyer's Wives of Riverside County, is seeking to increase its membership. The RCLA is an organization that promotes law-related activities in the community through education and philanthropic endeavors. Friendships among the families of lawyers are fostered by a variety of social events. This organization maintains supportive relationships with the Riverside County Bar Association. The group has existed since 1955, when its first President was Mrs. Winona Sullivan. We have been working with the schools, offering court tours, for around 44 years. The Court Tour program works with sixth-grade classes in Riverside County. This is one of the few programs the children may attend without any cost to them or to the schools.

1. We have an orientation in which we visit sixth-grade classrooms and give a slideshow that explains the court system, courtroom terminology, and the legal system.
2. We host a mock trial in the Riverside County Bar building, in which students portray different positions in the court, such as the judge, a prosecutor, a defense attorney, a clerk, and the jury, among other positions. They learn how a trial works and how a jury deliberates.
3. A Court Tour Guide takes the students to an actual trial being held in superior court, allowing them to gain firsthand knowledge of the legal process.

4. Finally, the judges often take time to answer the students' questions about the court proceedings and the judicial process.

This program is one of the last of its kind in the area. Members typically spend two to three hours a month working with the program. There are many different opportunities to be involved, such as with the mock trial or by taking students to the courtrooms.

The RCLA also offers a social component. We host a few social events, such as luncheons and a dinner. Some of the members enjoy a book club, and others meet and play bridge. There have been many other events over the past 58 years, and we look forward to meeting new people and offering new activities.

The Court Tour program is a very rewarding experience, both for the students and the RCLA members. The judges are wonderful at encouraging the children to become part of the legal community, either by serving on juries or by seeking careers in law.

If you have a few hours a month to spare, please contact Cindy Heiting, Membership Liaison to the Bar, at (951) 780-8449, Deya Bakke, Court Tour Chair, at (951) 781-8422, or Odessa Johnson, President, at (909) 792-9718. We encourage you to visit one of our mock trials and see how remarkable it is to be involved in a positive learning experience for sixth-graders. Membership dues are \$30 annually.



The Escrow and Title Sub-Section of the Real Property Law Section of the State Bar of California and Riverside County Bar Association present

“REO Sales: Issues for Escrow and Title Underwriters”

Guest Speakers: Roger Therein, Esq. and David A. Shean

Wednesday, November 13, 2013

6:00 p.m. – Networking and Social (Refreshments Provided)

7:00 p.m. to 8:00 p.m. – Program

Riverside County Bar Association Building
4129 Main Street, John Gabbert Gallery (3rd Floor), Riverside

Co-Sponsored by:

**California Land Title Association • Citizens Business Bank
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Cost: Free

RSVP by November 6 to RCBA Office: (951) 682-1015 -or- rcba@riversidecountybar.com

1 hour of MCLE credit will be provided by the State Bar of California

OPPOSING COUNSEL: JOSEPH T. ORTIZ

by Jamie E. Wrage

Employment and labor law attorney Joseph T. (“Joe”) Ortiz runs a thriving law practice at Best Best & Krieger, while simultaneously devoting hundreds of hours to community service every year. Despite spending so much time working and giving back, Joe takes it all in stride, ready to crack a joke or talk about his love of the Riverside area.

In 2012, while Joe was the President of the Downtown Business Council for the Riverside Chamber of Commerce, the organization was named “Council of the Year.” Now, serving as Past-President, on the Executive Board, and as the Vice President of Divisions, he devotes even more hours to improving Riverside’s business district. Meanwhile, since 2011, Joe has served as a Commissioner on the Riverside Community Police Review Commission, which investigates charges of officer misconduct and any deaths involving police activity.

With his passion for the community, Joe is a driving force in the Greater Riverside Dollars for Scholars, where he has been and continues to act as the President of the Board of Directors. He is very proud of the organization, which raises scholarship money for Riverside-area graduating seniors, and of his part in its good works. The organization has a strong history, having granted over \$2 million in scholarships to local students since its inception.

As if that were not enough, Joe serves on the Board of and volunteers regularly for the RCBA’s Public Service Law Corporation, which he fondly refers to as “Riverside Legal Aid.” He also devotes volunteer legal aid hours, monthly when possible, to the Inland Empire Latino Lawyers Association’s legal clinic at the Bobby Bonds Community Center. He is Vice Chairperson for the local district of Professionals in Human Resources Association and on the Board of the Greater Riverside Employers Advisory Council. And somehow, at UCR Extension, he finds the time to teach a labor and employment class and serve on the Advisory Council.

Joe’s family moved from Guatemala to the United States when he was six months old. From the time he was old enough to understand, his father encouraged him and his three siblings to give back to the community. Joe continues to live by that code, finding rewards in his com-



Joseph T. Ortiz and family

munity service and work while raising his new family in Riverside.

After growing up in Orange County, Joe graduated in 1997 with a B.A. in Philosophy. He worked for United Parcel Service through college and as a manager for a year afterward, before heading to the University of Minnesota Law School. After graduating *cum laude* in 2001, Joe clerked for two judges of the Minnesota Court of Appeals before returning to California in 2003 to take an associate position with the firm of Gresham Savage

Nolan & Tilden.

At Gresham Savage, Joe got his first experience with labor and employment law. He then spent two years with the boutique employment firm of Epstein Becker & Green in Los Angeles before returning to Riverside to get married to his fiancée, Julia Holmes, a Riverside native, and to take a position with Best Best & Krieger in 2008. Joe made partner at BB&K this year and divides his work time between employment and labor litigation, administrative hearings, labor negotiations, and advisory and compliance work for private clients and public entities.

Just as his father taught him, Joe believes that doing good for the community ultimately means doing good for his family. After their marriage, Joe and Julia immediately started a family (Joe explains they had no time to waste because he is “no spring chicken”). His wife is expecting their third child as this article goes to print. The new baby will be their first girl, as they already have a busy house with four-year-old Aiden and one-year-old Jacob, both music lovers like their father and his family. Joe still loves to camp (“much to my wife’s chagrin”), whether it be at the beach or in the mountains, and to spend family time in the outdoors. And while he used to spend his hard-won free time rock-climbing and snowboarding, he now takes the kids for a run in the jogging stroller when he wants to relax.

Jamie E. Wrage, a member of the Bar Publications Committee, is a partner at Gresham Savage Nolan & Tilden.





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Where: Canyon Crest Country Club
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Cost: Members of APALIE/RCBA/SBCBA \$45
Non-members \$65

RSVP by purchase of tickets at
<https://spokenlanguageinterpreters.eventbrite.com> no
later than November 7, 2013.* Space is limited.

(Indicate your meal selection as chicken or vegetarian.)

An application requesting MCLE credit for this activity is pending for approval by the State Bar of California. If it is approved, APALIE will issue credit retroactively. One hour of **Elimination of Bias** in the Legal Profession will be credited.

*May be subject to Eventbrite fees.

MEMBERSHIP

The following persons have applied for membership in the Riverside County Bar Association. If there are no objections, they will become members effective November 30, 2013.

Michael A. Carlin – Law Office of Michael Carlin, Los Angeles

Angel Carrasco, Jr. – Carrasco Law APC, Riverside

Bonnie Cafferky Carter – Sole Practitioner, Riverside

Young (Angela) Jean Park – Berman Berman et al, Riverside

Tori L. Praul – Sole Practitioner, Redlands

Landon M. Scott (A) – California State Probate Referee, Riverside

Aletha J. Smith (S) – Law Student, Corona

(A) = Designates Affiliate Members



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

Conference Rooms Available

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

Inland Southern California Law Firm Seeking Attorneys

Transactional Attorney with 3+ years business and real estate transactions experience. Business Litigation Attorney with 5+ years general business and labor/employment experience. Please email resume to Philippa Jump (phil.jump@varnerbrandt.com) or fax to (951) 823-8967.



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IELLA Seeks Executive Director/Staff Attorney

IELLA Legal Aid Clinic is a 501(c)(3) organization established in 1978 to provide free legal advice and document preparation services to low-income pro per litigants in Riverside and San Bernardino Counties.

IELLA seeks Executive Director/Staff Attorney to join our legal team. This position is responsible for the overall operation and administration of the organization, including personnel, pro bono attorney panel, legal programs, financial management, fundraising and grant management. This is an exempt full-time position that reports directly to the organization's Board of Directors.

Submit letter, explaining in detail your qualifications and relevant work/volunteer experience, resume, and three references to TGomez@iellaaid.org subject line "Executive Director Position." Comp. \$52-\$58K/Benefits

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