

RIVERSIDE LAWYER

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MAGAZINE

2013 MOCK TRIAL WINNERS



POLY HIGH SCHOOL

1ST PLACE



The official publication of the Riverside County Bar Association

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RIVERSIDE LAWYER

MAGAZINE

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Back row L-R

Steven Wahlin (coach), Jared Kanouse, Griffin Ferre, Michael Williams, Isaiah Murtaugh, Garrett MacArthur, Derrick MacArthur, Chase Ballard, Clara Dawson, Kendall Morris, Brendan Brown, Kendall Ferre

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.

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

APRIL

- 1 Cesar Chavez Holiday**
Courts & RCBA Closed
- 9 Landlord/Tenant Law Section**
6:00 p.m. – Cask ‘n Cleaver – Riverside
Topic: “Policies & Procedures in Moreno Valley Court”
Speaker: The Honorable Gordon Burkhart, Ret.
- Federal Bar Association/Inland Empire Chapter**
2013 Federal Civil Practice Seminar
Noon-1:30 p.m.
George E. Brown, Jr. Federal Building and Courthouse, Courtroom 3
Featuring: Judge Virginia Phillips and Judge Jesus Bernal
Moderated by Kendall MacVey
Reservations: 951-328-4440
- 12 General Membership Meeting**
Topic: “Riverside’s Foster Youth: Facts, Law, Solutions”
Speakers: Brian Unitt, Robert Rancourt, the Honorable Jacqueline Jackson, Aaron Carpio, Kellie Husted, Ashley Sedaghat, Chio Saepanh & Youth Partners
RCBA Gabbert Gallery – Noon
- 16 Family Law Section Meeting**
Family Law Court, Dept. F501
Noon
- 17 Estate Planning, Probate & Elder Law Section Meeting**
RCBA Gabbert Gallery – Noon
Topic: Social Security Issues
Speaker: Teresa Campbell
- 18 Asian Pacific American Lawyers of the Inland Empire (APALIE)**
First Installation Dinner, 6:00 p.m.
Cocktails, 6:30 p.m. Dinner
Mandarin Garden Restaurant,
1445 University, Riverside
Information Contact: Sophia Choi -
sophiachoi1024@gmail.com
- 25 Solo/Small Firm Section Meeting**
RCBA Gabbert Gallery – Noon
Topic: Civil Enforcement Remedies
Through the Sheriff’s Dept.

MAY

- 15 FBA-IE Chapter**
Thirteenth Annual Constitutional Law Forum
Speaker: Erwin Chemerinsky
Noon – 1:30 p.m.
Mission Inn
RSVP: Julie Cicero 951-328-4440





President's Message

by Christopher B. Harmon

This past weekend, I had the opportunity to participate in the Riverside County Mock Trial program's final-round competition between Poly and King High Schools as one of the scoring attorneys. The final round was held in Department 1 of the Historic Courthouse, which to this day takes my breath away every time I walk into it. This courtroom is still the most beautiful courtroom I have ever seen and makes me think of Judge Miceli whenever I admire its incredible detail and craftsmanship. How fitting for these kids who have worked so hard to have the privilege of arguing in such an illustrious and storied courtroom. In addition getting to see to this majestic setting, they got to argue their cases in front of a sitting United States District Court Judge, the Honorable Virginia Phillips. It seemed to me that all of this was the equivalent of a 12-year-old boy attending a baseball fantasy camp at Yankee Stadium and being pitched to by Roger Clemons. This is the sort of experience that can change a young person's life path and maybe inspire them to pursue a career goal they would not have otherwise sought. I was proud to see so many members of our legal community out on a Saturday there to help these kids.

Once the competition began, I found that I had to keep reminding myself that these were actually high school students, not law students or even young lawyers. Their grasp of legal concepts, legal argument, and difficult trial skills such as cross-examination were superb. I have no doubt I will be seeing some of these kids in the coming years practicing as lawyers in our community. By

the end of the competition, both schools had performed so well that I would not have been surprised by either team winning, they were both that good.

The Mock Trial program in Riverside County is truly special and provides an invaluable experience to the kids who go through it. In fact, many past Mock Trial students have gone on to law school and returned to practice law right here in Riverside. Our county's program is a testament to the kids and their teachers, but also to our very own legal community and the countless judges, lawyers, and other volunteers who give so generously of themselves. Next year, please consider volunteering in some way and I promise you that you will not regret being a part of this life-changing program.

Chris Harmon is a partner in the Riverside firm of Harmon & Harmon, where he practices exclusively in the area of criminal trial defense, representing both private and indigent clients.





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BARRISTERS PRESIDENT'S MESSAGE

by Amanda E. Schneider



Greetings! On behalf of the Barristers, I'd like to congratulate Riverside Poly High School for its victory in the 30th annual Riverside County Mock Trial competition! Congratulations, as well, to Riverside King, Temecula Great Oak, and Temecula Valley High Schools for their top finishes. And thank you to the coaches and judges and all those who donated their time to make the Mock Trial Competition such a success.

I'm happy to announce the Barristers are back in action, hosting a social on March 20 at Packinghouse Brewery. This month, Barristers are hosting a labor and employment panel sponsored by Fernandez Lauby and Estey Bomberger on April 17 from 5:30 to 7:30 p.m. This promises to be an interesting and informative event. Stay tuned for location information, and we hope you will be able to join us.

It's hard to believe, with the dawning of spring, that summer elections are just around the corner. I'd like to encourage all new and young attorneys to seek a position on the Barristers Board for the 2013-2014 year. RCBA members who are under 37 years of age or have been in practice for seven years or less are eligible. Those interested must also have attended two or more Barristers meetings over the course of the last year. More information will be forthcoming, but feel free to contact me with any questions.

Finally, as this is the April's Fool Day edition and I'm a land use attorney, I'd like to close with a few interesting laws found in the municipal codes of cities throughout this great state. Hope you enjoy!

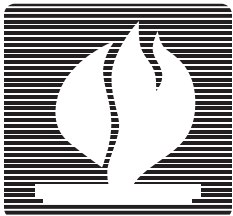
- No person shall sleep in any automobile parked on any sidewalk, street, alley, or other public place. (Cathedral City Municipal Code, § 11.04.030)
- No employee shall accept for himself or herself drinks of alcoholic beverages from any customer at the place where he or she is employed. (El Monte Municipal Code, § 9.04.030)
- Within the limits of any park, no person shall hunt, pursue, annoy, throw stones or missiles at, or molest or disturb in any way any animal, bird or reptile. (Fresno Municipal Code, § 5-502)
- A person must be 18 years old to buy food or drink in a wax container. (Glendale Municipal Code, § 8.40.020)
- Public restrooms must be supplied with toilet paper. (Hermosa Beach Municipal Code, § 8.48.010)
- It is unlawful to charge admission to any party conducted in a residential zone. (Los Angeles County Code, § 13.41.020)

- No person shall possess within the city any elephant, bear, hippopotamus, rhinoceros, lion, tiger, leopard, panther, ocelot, lynx, cougar, wolf, alligator, fox, raccoon, coyote, monkey, ape, chimpanzee, bird of prey, poisonous reptile, or other dangerous or carnivorous wild animal without first receiving a permit from the city to do so. (Norco Municipal Code, § 8.05.020)
- One may not raffle off dogs or cats in any public place as a prize or gift. (Shasta Lake Municipal Code, § 6.12.020)
- Before a person can conduct a liquidation, bankruptcy, or closing out sale, he or she must first obtain a permit to conduct the sale from the city manager. (Thousand Oaks Municipal Code, § 5-4.01)
- No person shall wear a mask or disguise on a public street without a permit from the sheriff. (Walnut Municipal Code, § 17-32)

Amanda Schneider is the 2012-2013 President of Barristers, as well as an associate attorney at Gresham Savage Nolan & Tilden, where she practices in the areas of land use and mining and natural resources.



THANK YOU TO MOCK TRIAL SCORING ATTORNEYS



**RIVERSIDE COUNTY
OFFICE OF EDUCATION**

KENNETH M. YOUNG
Riverside County Superintendent of Schools

On behalf of the Riverside County Office of Education and the Riverside County Bar Association, thank you to the following individuals who participated in the Mock Trial competition as attorney scorers:

Frank Adams, Ruth W. Adams, John Aki, Stacy Albelais, David Allen, Thomas D. Allert, Robert Andersen, Steve Anderson, Kathleen Berglund, Jeff Blackie, Virginia Blumenthal, Jeff Boyd, Michael Boyd, Barbara Brand, Richard Briones-Coleman, Deanna Brown, Mike Brusselback, Kristen Buie, Brittany Bulhuis, Lawrence R. Bynum, Reina Canale, Kelli Catlett, David M. Chapman, Jolina Chavez, Sara Chebahtah, Binu V. Cloud, Samuel D. Comras, Carlos Corona, Joshua DeGonia, Robert Deller, Don Dench, Allison DeTal, E. Wallace Dingman, Scott Ditfurth, Erika Drake, Maureen DuMouchel, Mark Easter, Sheronda Edwards, Bernice Espinoza, Rejeanne Eyre, Vince Fabrizio, Jason Fair, Abe Feuerstein, Stefanie Field, Jerry Fineman, Joe Forth, Nathan Fransen, Nicole Fyan, Valerie Garcia, Michael Geller, Rahman Gerren, Mark D. Gershenson, Howard Golds, Dante S. Gomez, Amy Guldner, Melissa Hale, Emily Hanks, Tera Harden, Neil Harrison, Patrick Harvill, Lauren Hawkins, Donna R. Hecht, Ralph K. Hekman, Kamaria Henry, Harry Histen, Cynthia Hocking, Sharon A. Hodges, Roy Hoffman, William Holt, Blaine Hopp, Jody Isenberg, Elizabeth James, Edward Jensen, Chris A. Johnson, Joseph

Karol, Zakia Kator, Dwight Kealy, Eric Keen, Jay Kiel, Matthew J. Kraus, Martin Lax, Edgar Lombera, Cynthia Loo, Andrew Maiorano, Paresh Makan, Jesse

Male, Larry Maloney, John R. Marcus, Scott Mason, Mike Mayman, Michelle McCoy Wolfe, Meg McDonald, Mark H. McGuire, Molly McMullen, Steve Merrill, John Michels, Rosalind Miller, Justin Miyai, Melissa Moore, Kelly A. Moran, Marie Moreno Myers, Patricia Munroe, Francisco Navarro, Andrew G. Owens Jr., Michelle Paradise, Kyle A. Patrick, Lloyd Pilchen, Matthew Poelstra, Mike Quesnel, Alberto Recadle, Jeremy Roark, Ian Rodriguez, Maura Rogers, Greg Rollins, Mike Romney, Diane Roth, Christina Rule, Judith Runyon, Stu Sachs, Dawn Saenz-Taylor, August Sage, Dennis H. Sapire, Benjamin Schiff, Charity Schiller, Erica Schwartz, Pat Short, Michael Silverman, Diane Singleton-Smith, April Smith, Debra Smith, Alison Soltysiak, Lois J. Stewart, Jason Stone, Matthew Strickroth, William H. Strohmeyer, Cheryl Thompson, Demi Tolbert, Ross Trindle, Jeff Van Wagenen, Matthew Vincent, Pam Walls, Jess Walsh, Laura Watts, David D. Werner, Heather R. Whitehead, Jessica Wilhelm, Amy Wingfield, Jennifer Yi, Daniel H. Yu, Cynthia Zberg Lebov, and Mark Zubiante.



Final round scorers:

- The Honorable Mark Cope, Presiding Judge, Riverside County Superior Court
- The Honorable Gloria Trask, Riverside County Superior Court
- Christopher Harmon, President, Riverside County Bar Association
- Paul Zellerbach, Riverside County District Attorney
- Brian Boles, Riverside County Interim Public Defender



MOCK TRIAL: DEPUTY DISTRICT ATTORNEYS AND THE MAKING OF A WINNING TEAM

by Sophia Choi & Sylvia Choi

2013 marked the 30th annual Riverside County Mock Trial competition, with 26 Riverside County high school teams competing. The event is sponsored by the Riverside County Office of Education, the Riverside County Bar Association, and the Riverside Superior Court, and the Riverside County Bar Association has been active in recruiting attorney coaches for the students. Riverside County deputy district attorneys, well-acknowledged by the community for their massive trial experience, have actively taken on the duties of attorney coaches. When asked what different skills and opportunities deputy district attorneys can offer to these students, five deputy district attorney coaches offered insight: Christopher Cook, David Kao, Peter Kim, Nicholas Kliebert, and Elan Zektser.

Christopher Cook has been coaching for six years: three years at La Sierra High School, one year at Arlington High School, and two years at Jurupa Valley High School. Elan Zektser has been coaching for five years: three years at La Sierra High School and two years at Jurupa Valley High School. For this year's competition, Elan and Christopher recruited Peter Kim, David Kao, and Nicholas Kliebert to join their attorney coach group for Jurupa Valley High School, as they knew that they work well with young students and that they are good attorneys. From September 2012 to February 2013, Jurupa Valley High School students received intensive instruction and guidance from this group of deputy district attorneys, who were investing their time strictly on a volunteer basis.

As a scoring attorney, I did not stop to really think about how much time and dedication goes into preparing for Mock Trial, not only by the students but by the attorney coaches. This group coached twice a week after work. During competition, they increased the frequency to three times a week. To accommodate the students, they drove to the school, despite the time and distance, as these coaches do not reside in Riverside. Each attorney coach was extremely dedicated to these students. For example, although the coaches set up a schedule of alternating coaching days, Peter Kim went to every coaching session. Peter Kim and David Kao demonstrated their level of dedication to the students by driving from Orange County and Los Angeles County, respectively, on February 12, 2013, a holiday (Lincoln's birthday). They



Elan Zektser and Nicholas Kliebert

drove the distance to Riverside on their day off so that they could thoroughly prepare the students for the upcoming competition the next day. Elan Zektser would go to the school to coach even when he was committed to difficult trials. He would go to work, drive 25 minutes to Jurupa Valley High School, and then drive back to work at 8 p.m. and work until 10:30 p.m., with an hour commute home afterwards. Each attorney coach has distinct skills, which helped to determine which part of the Mock Trial each attorney would focus on in his coaching; Elan helped with opening statements and closing arguments, Chris focused on pretrial motions, Peter focused on opening statements and cross-examination, David helped the students with both direct and cross-examinations, and Nicholas Kliebert offered much knowledge and skill regarding objections. As each coach had different teaching approaches and different styles, there were occasional disagreements among them. However, none were ones that could not be worked out.

Being deputy district attorneys, they were able to offer insight along with trial skills. The students received trial training from some of the most experienced trial attorneys. They taught the students to think on their feet, they taught them the law, they offered advice on how to respond logically, and they enabled them to adjust to whatever comes, whether anticipated or unanticipated. Most importantly, they offered the students confidence and helped them to feel comfortable with public speaking. They taught them skills that were useful in the students' lives as a whole, not merely helpful for the competition.



Elan Zektser, Peter Kim, David Kao and Christopher Cook

The skills the students learned and the confidence they gained are applicable in all areas of their lives. The coaches' sincere dedication to the overall well-being of the students was evident. The Jurupa Valley High School team was started only three years ago. Prior to that, the school had no Mock Trial team. Although many of the schools in other areas had so many students interested in the competition as to actually have try-outs, these deputy district attorneys deliberately chose Jurupa Valley High School because they wanted to help less privileged students. These students were not as interested in getting involved in an extracurricular Mock Trial competition, so the attorney coaches went to every class to recruit students and to persuade the students to get involved. The school then turned the Mock Trial competition into an actual school club. Coming from less privileged families, many of these students were unable to afford suits and ties; however, these deputy district attorneys gave the students ties, suits, and other accommodations, such as providing them with food and throwing them pizza parties. To these deputy district attorneys, it was rewarding just to know that they were able to bring something positive to the students' lives.

Christopher Cook stated, "It's reassuring about the future. As you spend time in court with some of the worst people all day long, it's a breath of fresh air to meet future adults of Riverside County who are genuinely good people." Peter Kim added, "The best part was watching their progression from the first day to the final point of competition and their actual performance. Such constant improvement motivated us to work with them right before the competition again and again and to help them to show unending improvements." David Kao then noted, "It's definitely rewarding to see them enjoy, learn, and accomplish. Most importantly, it was nice to see them having a good time with it." Nicholas Kliebert commented, "I had a great time. It was a ton of fun working with the kids, and I was thoroughly

impressed with not only the level of dedication they put into it, but also how skilled they became through the course of the year." Elan Zektser smilingly said, "It's good to have the kids practicing and learning academic things instead of getting in trouble on the streets."

The deputy district attorney coach group focused on what the students really needed and what was really important. Sometimes the word "competition" can make students feel pressure to win. However, there is so much to learn and gain from the competition besides winning it. Students are stressed with life and school already, so these attorney coaches did not want to add to their stress. They wanted to make this a rewarding and fun experience. By putting an emphasis not on winning, but on fun and building of skills, they achieved just this. When deputy district attorneys announce their presence in court, they state that they are there to represent "the People." Their fight for justice did not stop at the door of the courthouse. Truly representing the people, they devoted their time and skills to the less privileged students, intentionally seeking out the students who needed their help the most. Truly seeking justice, Christopher, David, Peter, Nicholas, and Elan sought to give every student a good chance to succeed. Their action defines what it really means to be a public servant, and Jurupa Valley High School is very fortunate to have them as coaches.

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

Sylvia Choi is a deputy district attorney for the County of Riverside.



Peter Kim, Elan Zektser, David Kao and Christopher Cook

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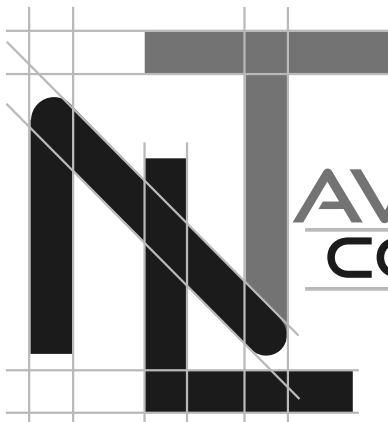
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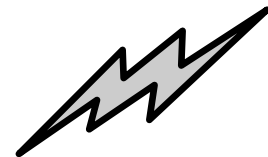
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Defense Bar Scrambling as Hostess Halts Production of Twinkie Defense

SAN FRANCISCO, CA – Criminal defense attorneys from across the state convened this weekend at the State Bar's headquarters in San Francisco to brainstorm about alternative defense strategies now that Hostess, the popular maker of sugary snack cakes, shuttered its operations in November 2012. Consumers scrambled wildly after the shutdown was announced to grab what were seen to be the last of the popular cream-filled, food-like, yellow sponge cake Twinkies.

Now that the nation's supply of Twinkies has run out, the defense attorneys can no longer employ the "Twinkie defense," referring to diminished capacity to premeditate murder, as used successfully in 1979 by attorneys for Dan White as he faced charges stemming from his assassinations of San Francisco Mayor George Moscone and Supervisor Harvey Milk. It was brought up again recently by Supreme Court Justice Antonin Scalia, talking about the right to counsel of choice in *United States v. Gonzalez-Lopez*. Justice Scalia said during oral argument in the case, "I don't want a competent lawyer. I want a lawyer who's going to get me off. I want a lawyer who will invent the Twinkie defense. . . . I would not consider the Twinkie defense an invention of a competent lawyer. But I want a lawyer who's going to win for me."

During the attorneys' meeting, many of the attendees were bemoaning not just the loss of the Twinkie defense, but the general shift in the nation's dietary trends towards foods that were healthier and less likely to make a person want to kill their former co-workers. One attorney said, "This situation has me so depressed I just want to sit at home watching *The Price is Right* and stuffing my face with Twinkies and Ding-Dongs Oh, God!"

Another attorney, trying to lift the spirits of the room, said, "At least we're not in New York City. There a person can't find one trans-fat or Big Gulp of Coca-Cola to make them want to just put a bullet through the head of a gay person just getting on their nerves. Now, now, I'm sure there are plenty of Hot Pockets and

Cheez Whiz to put a borderline felon into a junk-food-induced murdering stupor. With any luck, he or she may even target someone as morally reprehensible as a gay person was in the late '70s. Maybe an investment bank CEO or a reality television star."

However, the meeting was abruptly ended when it was announced that George Lucas would be editing out Chewbacca in a new remastering of his classic *Star Wars* trilogy, thus bringing an end to the popular Chewbacca defense. The news caused such an uproar that attorneys starting rioting throughout the city in what is now known as the Ring-Ding Riots.

— Otto Thigpen

BETTEROFF LAW FIRM WELCOMES NEW JUNIOR PARTNER

Betteroff Law Firm is pleased to announce the addition of new partner Dewey Drake III.

Mr. Drake specializes in Playground Disputes and Parent-Teacher Mediation.

Betteroff looks forward to a long and mutually successful partnership.



Stay-at-Home Mom Last Holdout on Sequestered Jury

by Erasmus B. Draggen

BURBANK, CA – The ongoing murder and drug trafficking trial against A-list celebrity actor Tom Hanks will be going on for at least another week, as Juror Number Seven, stay-at-home mom Stacey Newton, has informed the judge that she needs more time to deliberate before coming to a conclusion on the ultimate question of Mr. Hanks' guilt or innocence.

The length of the trial has already started to wear on the other jurors, who have been sequestered at a modest but comfortable Howard Johnson's near the courthouse due to the glut of publicity surrounding the trial. Jurors have started to complain to the judge handling the case, indicating that they need to get back to their jobs and family obligations. But Ms. Newton, who is a housewife taking care of six boys aged 3 to 15, wants to make absolutely sure that she carefully analyzes every piece of evidence. Despite having to return every evening to a clean hotel room with fresh towels and free HBO instead of her normal life of wiping runny noses and breaking up fights between her boys, Ms. Newton has indicated that she is dedicated to ensuring that the outcome is just for all parties involved.

Questioned by the judge about the length of the process, Ms. Newton replied, "Your Honor, I still need to carefully weigh evidence presented by both sides. First, even though the prosecutor said the defendant was carrying enough heroin to kill a horse, I'm still trying to determine if the defendant was sincere when he said he was actually on his way to euthanize his horse. Second, I'm still not sure if the dinner with Robert Blake adequately explains how Mr. Hanks would have had access to the gun involved in this crime. And third, I desperately want to see if Tyrion Lannister can restore his former glory on season three of *Game of Thrones*."

Attempts to interview Ms. Newton outside the courthouse have been frequently delayed, as the juror insists that she get back to the hotel before the sauna closes.

Meanwhile, prosecutors have still not been able to proceed to trial against Mr. Hanks' alleged accomplice, Meryl Streep. Asked for comment, a spokesman from the District Attorney's office said that the trial team is having a hard time finding a jury for her trial, as she has no peers.

Letters to the Editor

Dear Editor:

In light of the "retirement" of Judge Woody Rich and the continuing backlog of civil litigation, I have heard that our esteemed judiciary has now hired television personality Judge Judy to take over the mandatory settlement calendar. Recent reports indicate that she will be paid a \$1,000,000 annual salary plus a commission for every case settled. I am frankly appalled by this development when considering the staggering budget crunch facing our court system. While she may be effective in resolving those simple-minded disputes on her "reality" TV show, I doubt whether she will be able to justify her financial compensation when it comes to resolving complicated (and "real") litigated matters in our court system. I suspect that her compensation could instead be used to pay for at least 10 full-time mediators who would be much more effective. This move in hiring Judge Judy smacks of an attempt by our judiciary to bring a "Dancing with the Stars" image to the Riverside court.

Joe Wapner

Dear Editor:

We were initially elated to learn that the Riverside Poly High School Mock Trial team had won yet another county championship. Thus, imagine our surprise when we learned that the team was subsequently disqualified for using illegal team members. We understand that the school "recruited" several ringers from a couple of the local law schools. The ringers were apparently chosen based upon their younger looks (peach fuzz?) so that they blended in with the legitimate high schoolers. What next – adding Clarence Darrow IV to the team? We would never have stooped so low in our day.

Dick Nickson & Jon Deen

Dear Editor:

As a long-time member of the Riverside County Bar Association, I was mortified to learn that the RCBA is merging with the San Bernardino County Bar Association starting in 2014. I mean really – those hicks in San Bernardino do not know a habeas from a corpus. Why, they haven't even been able to keep us from "stealing" their courts over the past few years. I presume that the merger is intended to be a cost-saving effort by both organizations. However, there must be a way for the RCBA to be able to save itself from this terrible debacle. Doesn't someone out there have some legitimate funding ideas to prevent this crummy consolidation from taking place? I, for one, will refuse to cross the county line into that cow pasture whenever the monthly bar meetings are held in San Berdoo!

J. W. North

Harbro Previews Summer 2013 Line of Judicial Robes

by Preeta Porter

MILAN, ITALY – Courtroom fashionistas were abuzz at this year's Summer Preview Fashion Week when Harbro, the top house for producing exquisite judicial robes, gave the audience a preview of what promise to be the hottest trends amongst bench officers. Camera lights were blinding inside the WestLaw/Court Call Exhibition Tent as model after model came down the runway in some of the most daring designs seen in decades.

In short, skin is in for both the ladies and the men. This year's women's line has necklines coming down and hemlines coming up. But even as the material in the robes this year seems to be shrinking, that has not stopped designer Stella McLagerfeld from displaying an almost whimsical command of design, featuring variations on fullness and drape along with asymmetric lines.

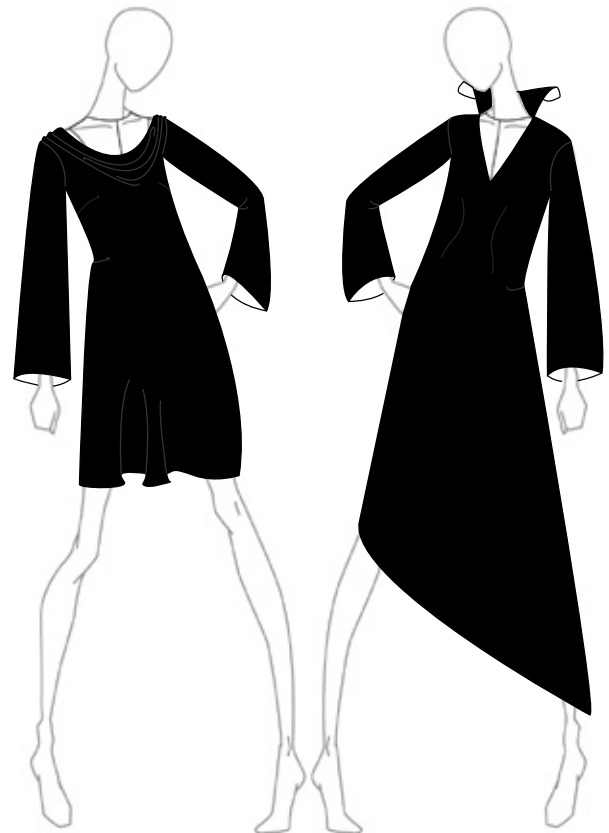
For the men, slimming lines are what's in for the season. Gone are the drab, boxy robes, and in their place are robes with patterns and cuts tailored to show off the active judge's chiseled physique. Although the men's designs tend to be more conservative, the biggest gasps from the audience this year came when the male model in the "Gladiator" style came down the runway in a design featuring cutout panels and a sleeveless bodice designed for the judge or commissioner who is prone to spending as much time on the weight room bench as on the courtroom bench.

Judging by the excitement of the buyers and editors in the audience today, I would advise any bench officer to run – don't walk – to your nearest judicial department store and pick up these must-have styles before they are all gone.

For the men: "The Gladiator" and "The Raceway"



For the Women: "The Flapper" and "The Contessa"



MOCK TRIAL – CHANGING LIVES, ENRICHING OUR COMMUNITY

by the Honorable Raquel Marquez & Stefanie G. Field

Although, at its heart, Mock Trial is a competition that simulates a criminal trial, with high school students presenting a case as the defense and prosecution, in reality it is so much more. It is a competition that touches lives. This year, more than 500 students from 26 Riverside County high schools competed. Since 1983, over 11,000 Riverside County students have participated in Mock Trial.

The competition itself is intense. Students receive a packet containing witness statements, evidence rules and legal precedent in September. They form teams, assign roles and begin practicing for the first round of competition in February. If they are fortunate, in addition to a teacher coach, they also have attorney or judge coaches who help them discover the strengths and weaknesses in the case, formulate their strategy, and teach them how to present evidence and objections. They begin preparing immediately and do not stop until the competition begins. A successful team is thoroughly prepared, extremely familiar with the Mock Trial materials, and capable of quickly thinking on their feet. Together with his or her team, each student learns the value of hard work and dedication.

Although acting skills and memorization come into play, the true importance of Mock Trial participation is the impact it has on the students. It provides an opportunity to teach students how to think critically, how to formulate arguments, and how to express themselves verbally. A successful team needs to be able to present the case from both the defense and the prosecution perspective, a feat that can be accomplished only by neutrally evaluating and cataloging the evidence

and then persuasively presenting that evidence, while defusing the evidence of the opposing team. As the students perform these tasks, their sense of pride and accomplishment soars, as does their confidence. These are skills and abilities that will serve them well in the future. The end result is life-changing.

Not only do the students learn these skills, they also have their horizons opened. The students who participate come from diverse backgrounds. For some, the idea of college and a professional career is a given. But for others, this will be the first time they ever consider such a possibility. Their new-found familiarity with the justice system can even spark an interest in a particular career path (e.g., forensic sciences, police work, or the law). This awareness of the possibilities can be enhanced by attorney and judge mentors. Mentoring ultimately is more than just teaching a student how to present the evidence or argue a legal point. Mentors become role models from whom the students can seek information to help them make key decisions about their future, such as whether to go to college or where to go.

Although hard data may not be available, there can be no question that helping these students succeed and achieve ultimately helps them become productive members of society. The impact of Mock Trial can be seen in the success of some of our own community members. We have several prominent judges and highly respected attorneys who are graduates of Mock Trial: Judge Jackson Lucky, Judge Raquel Marquez, Carlos Monagas, and Chad Firetag, to name just a few. These and other graduates of the program have become vital and active participants in our society.

Any attorney can help mentor these students and help impact their lives. It requires no special knowledge or education about Mock Trial. Rather, it takes a willingness to commit. If you have any interest, please do not hesitate to contact Tracey Rivas of the Riverside County Office of Education at (951) 826-6570 or TRivas@rcoe.us. There are always schools that need an attorney coach.

The Honorable Raquel Marquez is a judge of the Riverside County Superior Court. Stefanie G. Field, a member of the Bar Publications Committee, is a Senior Counsel with the law firm of Gresham Savage Nolan & Tilden.

Ms. MATTHEWS'S SEEDS

by Robert Rancourt

Ms. Matthews was more concerned with her influence than her appearance. After all, she was an elementary school teacher in a small New England town, not a fashion model. The boys and girls she taught didn't notice her well-worn jeans, barber's haircut, and granola-esque style, anyway.

But she noticed the little things about her students. She suspected there was something more to it, for example, when one of her little boys was constantly interrupting the class with inappropriate or silly outbursts. When he vandalized other students' work, she knew he was acting out for some reason.

So she went further than duty called. She didn't just accept the answers the child's parents gave. She inquired, prodded, and tried to figure out how she could get to this eight-year-old boy.

Like most of the parents whose children she taught, the boy's parents were lower working-class. She discovered that each weekend, they brought the boy to the local swap meet to help the family work their stand selling ceramics and knitted items that the child's mother handcrafted. She learned that many weekends at the swap meet, they put him to work at another vendor's table. She wasn't surprised to hear that the child's older brother was a frequent guest of Juvenile Hall. She knew that the lack of interest and direction from the minor's parents was more a product of their socioeconomic circumstances than any deliberate neglect.

Perhaps she wouldn't have gone any further, but in this particular child, she saw something. He did well on standardized tests, and his academic aptitude was apparent. His attendance was regular and he seemed genuinely interested in the subjects. He was social and could be a positive addition to the class when he wasn't acting out. His behavioral issues had to be the product of something else.

So while she hoped the child's parents would see it as nothing more than a coincidence, it was actually her plan to run into the family one weekend at the swap meet. She strolled into the large building housing the swap meet, looked around, recognized the family, and put her plan into action.

"What a coincidence, how are you?," she lied with a smile. She went through the small-talk motions, explaining that the swap meet was on her way to one of her favorite sites the small state offered, a nearby wildlife preserve,

as she was taking her leisurely Sunday outing. Despite its national stature and famous namesake, her student's parents hadn't heard of it. She tried subtly to plant the seeds of her plan: "It would be a great learning experience for him."

It was no small task, but she was persistent, which had proven successful for her in the past, and her persistence paid off. She took off-hours custody of the child and saw it as her chance to reach him.

The boy, of course, was thrilled. He littered the air with questions as he ran through the parking lot. "You go to swap meets?" "Who is Rachel Carson?" "What's a refuge?"

She, too, was thrilled. Her plan was working.

Her modest Volkswagen Rabbit hatchback was a luxury ride for him. He was curious about her music. She tried to explain the Manhattan Transfer, but terms like rhythm and blues, jazz, and swing clearly were above his head. No matter, she was making progress. She asked veiled questions, screened his answers, and wondered if she could get to the bottom of this child's issues.

Her meager public school salary didn't cover this. But she just wanted to do right by this child.

So they spent the day together. The child took full advantage of the attention with which he was being showered unaccustomed. She didn't mind. She just wanted to see if there was something else there.

To her great chagrin, however, she never got the answer she so desperately sought. She remained convinced there was something there. Yet no matter her valiant, uncompensated efforts, it just wasn't forthcoming. Beneath her mask of good teacher and charitable neighbor, she was frustrated.

She certainly didn't write it off as a waste of time, however. At least the child got a day off work, and she exposed him to some culture, nature, and – dare she think it – hope.

She bought her charge lunch and dropped him back off at the swap meet. The boy's parents smiled and thanked her, but their demeanor revealed failure to see the value of the day's field trip.

As the academic year went on, the third-grader's antics disappointingly continued. Each time something happened, she renewed her inquiries. The great breakthrough she relentlessly pursued, however, never came. Still, she refused to believe that her efforts were for naught.

And, in the end, she was right. She just never got the satisfaction of knowing so.

You see, Ms. Matthews was my third-grade teacher, and this is a true story. While she didn't see immediate results, her extra efforts made all the difference in the years to come.

Billable hours, needy clients, and important cases may dominate our typical workday. And thankfully so. But don't underestimate your ability to go above and beyond the everyday call of duty and be a positive influence in

someone's life, never knowing when and where that extra effort may pay off.

Ms. Matthews planted a seed of opportunity and hope that took a great while to grow to fruition. You can, too.

Bob Rancourt is a Supervising Deputy Public Defender for the Law Offices of the Public Defender, County of Riverside. He volunteers for the Mock Trial program and Project Graduate of the Riverside County Bar Association, trying to "plant seeds" as he has been inspired to do by his third-grade teacher, Ms. Matthews.



KING'S RESURRECTION

by Lauren Fisher Strickroth

"I can't . . . I have mock trial." It is not just an excuse. It is the King High School Mock Trial team's motto. Friends take a backseat to the rules of evidence. Homework comes second to weekday practices. From September through March, mock trial takes over.

I started coaching mock trial when I moved to Riverside in 2010. Each year, I tell my co-coach, Deputy District Attorney Amy Zeta, that this is officially my last year coaching. But she has learned to ignore my empty threats. Although the commitment is significant, the rewards are greater.

In between all the intensity, there is no shortage of fun. In fact, I am convinced that King Mock Trial has all the makings of a hit reality show. To get through a mock trial season, it takes a lot of team outings, a lot of pizza, cupcakes, and donuts. There is drama; there are rivalries and relationships. And somewhere in between it all, the students learn to believe in themselves and to put together both sides of a case.

Over the course of six months, our students transform from 16-year-old King High School students to lawyers and witnesses who would thrive in any courtroom. They learn to problem-solve, to think critically, and to stay focused under intense pressure. They not only compete with other students, but also with adult judges who are continually questioning, challenging, and testing them. In the process, lasting friendships are formed and students create a network of contacts that will span a lifetime.

When February rolls around, the drama, rivalries, and emotion intensify. "Competition season" is what we work for and wait for. It is time for Amy Zeta and me to sit (nervously) and observe the trial. There is nothing we can do but watch.

You would never guess these are the same kids who six weeks ago objected on the grounds that the defense attorney was "attacking the credibility of my witness."



It is not just the students who change. The team becomes part of my extended family. I gush when I talk about their abilities and accomplishments. They have taught me how to be a teacher, a motivator, and a coach. Each year, as I explain the nuances of hearsay and character evidence, I understand them better myself. I have formed my own network of mock trial colleagues, who will always talk "shop" and offer sound advice.

But this year was a new and different experience for the King coaches and students. Just in time for Easter, the 2013 King High School Mock Trial team has a resurrection story:

For the first time in 11 years, King entered the Riverside County Mock Trial playoffs (the "Elite Eight") as an undefeated team. King was 4-0 and feeling good when we set our sights on doing what King does best . . . trial preparation! From this point on, it was single elimination. King would have to be perfect to stay in the hunt for the championship.

At the Elite Eight, King's defense team brought their very best. The lawyers, witnesses, and bailiff were confident and poised. It was the best round that King had put on, and it made the coaches immensely proud. However, when the teams gathered in the courtroom lobby to hear the results, things did not go our way. King learned they





had been eliminated by a worthy opposing team from Murrieta Valley High School.

At the end of the night, the students, parents, and coaches said tearful good-byes. We were all proud of the job we had done. My Facebook page was filled with heartfelt farewells to the 2013 mock trial season.

Around 4:00 p.m. the next day, the news hit: There was a mistake! King had actually won the round and was headed to the Final Four on Saturday. It was not an early April Fool's joke. King had just been resurrected from the mock trial dead.

The coaches scrambled to find the students and reassemble the team. King was ready to seize the opportunity it had lost just 24 hours ago.

In a county full of some of the best mock trial programs in the state, the competition to make it into the Final Four is fierce. Only the hardest-working get this opportunity.

From dead to resurrected, King went on to win on Saturday morning and land a spot in the final round. This year was a true testament to the success that hard work, dedication, and heart can bring. The team's accomplishments are spectacular. Move over, lawyer friends. These ten students are coming to a courthouse near you in about seven years. I would be scared – they've got skills!

Lauren Fisher Strickroth is an associate at Best Best & Krieger LLP. She specializes in business litigation, public entity litigation, probate, and large-scale litigation cases



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2013 Mock Trial Competition

by John Wahlin

The 2013 Riverside County Mock Trial Competition culminated with a championship round in which Poly High School prevailed over Martin Luther King High School. Using the fictitious case provided by the Constitutional Rights Foundation, United States District Judge Virginia Phillips presided over a trial in which King's prosecution sought a hit and run conviction of a high school student who allegedly drove the car that hit a bicyclist. The first order of business was a motion by the defense to exclude certain statements by the defendant on the theory that her Miranda rights were violated. Both sides fielded intense questioning by Judge Phillips, who denied the motion, finding that the statements were not made while in custody.

In the trial, Poly's defense did not deny that the defendant's car was involved in the accident. They argued, however, that it was her friend, not the defendant, who was driving the car. With both sides presenting strong closing arguments, Judge Phillips found that there was reasonable doubt as to the defendant's guilt and entered a not guilty verdict.

Under the direction of the Riverside County Office of Education and the RCBA Steering Committee, this year's competition involved 26 teams from public and private schools throughout the county. Under the same format as in previous years, after the completion of four rounds, eight teams – the "Elite Eight" – advanced to a single-elimination tournament. In the first round of the Elite Eight, Poly prevailed over Santiago High School and King defeated Murrieta Valley High School; it was Temecula Valley High School over Hemet High School and Great Oak High School over Palm Desert High School. In closely contested semifinal rounds, Poly defeated Great Oak and King prevailed over Temecula Valley.

The distinguished championship scorers were Presiding Judge Mark Cope, Judge Gloria Trask, District Attorney Paul Zellerbach, Interim Public Defender Brian Boles, and RCBA President Chris Harmon. In the six rounds preceding the final round, the local bar community

and judiciary provided the volunteer support essential to the success of the competition. Some 143 volunteers served as scoring attorneys, and 25 superior court judges and commissioners presided over 55 mock trials.

The greatest time commitment to the Mock Trial program came from the attorney and teacher coaches who coached the 26 teams, practicing two, three, or more days each week from September to March. Their efforts are appreciated, but there are always teams that are unable to arrange coaching support. Interested attorneys should contact the RCBA for further information.

John Wahlin, Chair of the RCBA Mock Trial Steering Committee, is with the firm of Best Best & Krieger, LLP.



OPPOSING COUNSEL: LAUREN FISHER STRICKROTH

by Sophia Choi

People who know Lauren Fisher Strickroth would all agree that two adjectives immediately come to mind: vibrant and dedicated. After one lunch with her, I already feel that we have been friends for a long time.

Lauren has always been a Southern Californian. She was born in Long Beach, lived in Tustin for a major part of her life, and now lives in Riverside. As the only child of a teacher mother and a social worker father, Lauren received plenty of attention. However, she always wanted siblings. In fact, to this day, she jokingly asks her parents if she can have a sibling.

Lauren received her Bachelor of Arts degree in economics from Claremont McKenna College. Once out of college, she worked in consulting. However, she wanted to further her education and receive a graduate degree. Thinking of her options, she realized how much she enjoyed writing and arguing. She also sought a career that would be challenging. This was what motivated Lauren to pursue a career as an attorney. She wanted to do something that would constantly challenge her, and she believed that being an attorney would offer this. She also believed that being an attorney would offer her a wide range of opportunities and open many doors. She then went to Chapman University School of Law. She fatefully met her husband, Matthew Strickroth, in the law school library. Both Lauren and Matthew were in track two at Chapman University School of Law. Lauren was the symposium editor of the Chapman Law Review and graduated cum laude. She received the CALI "Excellence for the Future" Awards for legal research and writing, property, and federal taxation. After being admitted to the California State Bar in December 2007, she joined Gordon & Reese, LLP, in Orange County as a litigation associate. Her husband Matthew started his career as a deputy district attorney for Riverside County. As it became difficult for them to drive in opposite directions, Lauren looked for a career at Best Best & Krieger (BB&K) in Riverside. In 2010, Lauren was hired at BB&K, and she moved to Riverside in August 2010. She practices in the areas of business litigation and large-scale public entity litigation.

Lauren's hobbies include running, kayaking (she and her husband own a kayak), traveling, wine tasting, and sailing. In fact, last year, she and her husband went sailing



Lauren Fisher Strickroth

in the British Virgin Islands. She is also an Angels fan and has season tickets. Lauren is of Greek heritage and loves to eat and cook Greek food.

Another one of her plethora of hobbies is coaching students for the Mock Trial competition in Riverside County. Mock Trial in Riverside County is an annual competition for Riverside County high schools. Lauren became an attorney coach when she was hired at BB&K in 2010, and she has coached every year since then. She expressed her high expectations for the students she coaches at Martin Luther King High School. Many motivated students partici-

participate in tryouts; Lauren looks for confident, articulate, and charismatic students.

Each year, she coaches from September to February. In September, she starts with about two to three practices per week, and she increases the frequency in January and February, coaching every day, including Saturdays. The duration is usually for a minimum of three hours a day. On Presidents' Day, she even coached for five hours. For students who are unable to make the practices, Lauren is available by FaceTime and Skype so that they may still practice virtually. In fact, Lauren noted that last year, one student who had chicken pox practiced with the group through Skype. Because of her commitment and dedication to the Mock Trial program, and hence her unavailability at home, Lauren's husband refers to himself as a "Mock Trial widower."

Lauren commented that it is unbelievable to watch the growth and improvement in the Mock Trial students. Lauren holds two philosophies as she coaches. First, perfect practice makes perfect. Second, although the school's team may not necessarily be the best, it will be the most prepared. Having given such time and devotion to the students, Lauren said that she actually derived incidental benefits and that she became better with her own trials.

Two huge characteristics of Lauren Fisher Strickroth are vibrancy and dedication. A lover of challenge as an attorney, an energetic and lively friend and wife, and a committed and dedicated Mock Trial coach: this is Lauren Fisher Strickroth.

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



MEMBERSHIP

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

Noah Benton (S) – Law Student, Jacksonville (FL)

Kelli Catlett – Office of the District Attorney, Riverside

Julie M. Clark – Clark & Lord, Hemet

Laurie A. Coker – Law Office of Michelle Penna, Murrieta

Kevin Cortright – Law Offices of Kevin Cortright, Murrieta

William D'Amico (S) – Law Student, Rancho Cucamonga

Ronald R. Easton – Sole Practitioner, Palm Desert

Judith Fouladi – Office of the District Attorney, Indio

Xinia Guerra (S) – Law Student, San Diego

Marisol A. Haro – Law Office of Marisol Haro, Riverside

Christina M. Holstege – Shelter from the Storm Legal Aid Clinic, Palm Desert

Jina Kim – Law Offices of Lawrence Taylor, Long Beach

Graham Kirkman – Law Office of Graham Kirkman, Orange

Audrey Oran (S) – Law Student, San Diego

Mario A. Rico – Inland Empire Latino Lawyers Association, Riverside

Helen Sagastume – Sole Practitioner, Grand Terrace

Judith A. Schurr – Sole Practitioner, Indian Wells

Samah Shouka – Office of the District Attorney, Riverside

Andrea K. Shoup – Law Office of Andrea K. Shoup, Temecula

Marsha Teasley – Law Office of Mia Yamamoto, Palm Springs



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Office Space – RCBA Building

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