

RIVERSIDE LAWYER

September 2013 • Volume 63 Number 8

MAGAZINE



In This Issue:

Moonlighting

The Art of Living After the Law Practice

The iPad Lawyer:

The Insanely Practical Virtual Law Office

What a Long, Strange Trip This Has Been

Is There Alternative Life Inside and Outside of Big Law?

Different Career Paths for Lawyers

A Non-Traditional Tax Lawyer's Career:

Ships, Bicycles, and Politics – Speech Writer, City
Official, State Capitol Advisor, Senior Federal Executive

Key Elements of a Successful Cybercommuting Policy

My Journey to Freelance Practice

54 Years as a Lawyer...and Then Some

Constant Change in the Business of Law

Larry White: Lawyer and Teacher

Lawyer No More



The official publication of the Riverside County Bar Association

Publications Committee

Sophia Choi	Charlene Nelson
Melissa Cushman	Jean-Simon Serrano
Abram Feuerstein	Donna Thierbach
Stefanie Field	Bruce Todd
Alexandra Fong	Jamie Wrage
Amy Guldner	Lisa Yang
Robyn Lewis	Connie Younger
Christopher Marin	

Editor Jacqueline Carey-Wilson
 Design and Production PIP Printing Riverside
 Cover Design PIP Printing Riverside

Officers of the Bar Association

President Jacqueline Carey-Wilson (909) 387-4334 jcareywilson@cc.sbcounty.gov	President-Elect Chad W. Firetag (951) 955-6000 cwfiretag@co.riveride.ca.us
Vice President Kira L. Klatchko (760) 568-2611 kira.klatchko@bbklaw.com	Chief Financial Officer Jean-Simon Serrano (951) 682-6400 jserrano@heitingandirwin.com
Secretary L. Alexandra Fong (951) 955-6300 LaFong@co.riverside.ca.us	Past President Christopher B. Harmon (951) 787-6800 chrisbharmon@me.com

Directors-at-Large

Jack B. Clarke, Jr. (951) 686-1450 jack.clarke@bbklaw.com	Neil D. Okazaki (951) 826-5988 nokazaki@riversideca.gov
Diana Renteria diana@drloffice.com	Jeffrey A. Van Wagenen, Jr. (951) 955-5517 jvanwagenen@rivcoda.org

Executive Director

Charlene Nelson
(951) 682-1015
charlene@riversidecountybar.com

Officers of the Barristers Association

President Kelly A. Moran (951) 682-5550 kmoran@tclaw.net	Treasurer Sara Morgan
Vice President Reina Canale	Members-at-Large Christopher Buechler Scott H. Talkov
Secretary Arlene M. Cordoba	Past President Amanda E. Schneider

Riverside County Bar Association
 4129 Main Street, Suite 100
 Riverside, California 92501

Telephone 951-682-1015	Facsimile 951-682-0106
Internet www.riversidecountybar.com	E-mail rcba@riversidecountybar.com

RIVERSIDE LAWYER

MAGAZINE

C O N T E N T S

Columns:

- 3 **President's Message** by *Jacqueline Carey-Wilson*
 6 **Barristers President's Message** by *Kelly A. Moran*

COVER STORIES:

- 7.....**Moonlighting**
by *Michael Hestrin*
- 8 **The Art of Living After the Law Practice**
by *Julie R. Evans*
- 10 ... **The iPad Lawyer: The Insanely Practical Virtual Law Office**
by *Scott J. Grossberg*
- 13**What a Long, Strange Trip This Has Been**
by *Bret N. Christensen*
- 14 **Is There Alternative Life Inside and Outside of Big Law?**
by *Alisa Levitt*
- 16.....**Different Career Paths for Lawyers**
by *Barrie J. Roberts*
- 18**A Non-Traditional Tax Lawyer's Career: Ships, Bicycles, and Politics – Speech Writer, City Official, State Capitol Advisor, Senior Federal Executive**
by *Orlando Gotay*
- 20..... **Key Elements of a Successful Cybercommuting Policy**
by *Lisa Lawson*
- 22..... **My Journey to Freelance Practice**
by *Sara Mostafa*
- 24..... **54 Years as a Lawyer...and Then Some**
by *Charles J. Hunt, Jr.*
- 26..... **Constant Change in the Business of Law**
by *Doug Levinson*
- 30..... **Larry White: Lawyer and Teacher**
by *Bruce E. Todd*
- 31..... **Lawyer No More**
by *Brenda Hinesley*

Features:

- 27 **The 2013 Conference of Delegates**
by *Michael L. Bazzo*
- 28 **Opposing Counsel: Jacqueline Carey-Wilson**
by *Sophia Choi*
- 29 **23rd Annual Red Mass**

Departments:

- Calendar 2 Membership 32
 Classified Ads 32

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

SEPTEMBER

- 10 Landlord/Tenant Section Meeting**
6:00 P.M.
Cask 'n Cleaver, Riverside
Speaker: Judge Kyle Brodie, San Bernardino Superior Court
Topic: UD Calendars & Matters
MCLE
- 11 CLE Trial Practice Skills Series**
RCBA Gabbert Gallery – Noon
Speaker: Kirk Lauby
Topic: “Preparing Your Client for Testifying at Trial”
MCLE
- 12 Barristers**
5:30 P.M.
Cafe Sevilla, Riverside
Speakers: David Cantrell, Eugene Kim & Charity Schiller
Topic: “Succeeding & Surviving on the Partnership Track”
(No MCLE)
- 18 Estate Planning, Probate & Elder Law Section Meeting**
RCBA Gabbert Gallery – Noon
Speaker: Dennis Sandoval
Topic: “Nuts and Bolts of VA Enhanced Pension, also Known as Aid and Attendance”
MCLE
- 19 RCBA Annual Installation of Officers Dinner**
Mission Inn, Music Room
Social Hour – 5:30 p.m., Glenwood Tavern
Dinner – 6:30 p.m., Music Room
- 26 Solo/Small Firm Section Meeting**
RCBA Gabbert Gallery – Noon
Speaker: William Todd, Deputy Trial Counsel, State Bar of California
Topic: Client Trust Accounting
MCLE

OCTOBER

- 1 Red Mass**
6:00 p.m.
Our Lady of the Rosary Cathedral
2525 North Arrowhead
San Bernardino





President's Message

by Jacqueline Carey-Wilson

On September 1, 2013, I became the 94th president of the Riverside County Bar Association (RCBA). I am truly honored to be president of this incredible organization. I was first introduced to the RCBA in the spring of 1995, when I externed for Justice Art McKinster at the Court of Appeal. At that time, the Court of Appeal was in San Bernardino. Nevertheless, some of the research attorneys, including Craig Riemer, Jody Isenberg, and Lisa Visingardi, were very active in the RCBA, and they invited me to join them at meetings. I will always be grateful for the kindness they showed to me and for their leadership and encouragement. Later, Craig (now Judge Riemer) served as president of the RCBA and was very involved with every aspect of the bar. Jody continues to be active with the bar and has served for many years on the RCBA's Judicial Evaluation Committee. Lisa served as Barristers president, on the RCBA Board of Directors, and on the Publications Committee. I try to follow the example they set, especially of working in San Bernardino County and yet

being active with the RCBA. I have resided in Riverside for the past 25 years.

I became a member of the RCBA shortly after attending the Bridging the Gap program in what is now known as the Gabbert Gallery on the third floor of the RCBA building. The only person I can remember from that program is Daniel Hantman. Dan spoke about representing individuals seeking benefits from the Social Security Administration. Before law school, I had worked as a field representative for Congressman George E. Brown, Jr. in Colton, where I assisted individuals much like Dan's clients. Working in Congressman Brown's office is where I began to feel deeply compelled to obtain a law degree. In a congressional office, the staff assists many constituents who have run into roadblocks with the federal government. Some individuals you are able to help, but there are so many that you recommend seek guidance from an attorney. I knew that those were the people I wanted to represent. I approached Dan after he spoke and introduced myself. Dan took me under his wing and allowed me to work in his office to better understand Social Security disability law. After meeting Dan, I never walked into an RCBA general membership meeting without receiving a friendly greeting from him, as have so many other members.

In 1997, I joined the Publications Committee, which publishes the *Riverside Lawyer*. I wrote many profiles on attorneys and judges in the community. When you sit down to interview an individual for an article, you really get to know the person. In 2004, the Publications Committee spearheaded the establishment of the RCBA website. We thought it was exceptional at the time. By 2012, the website needed an upgrade, so the RCBA funded a reconstruction of the website. I strongly encourage you go to riversidecountybar.com and see the new RCBA website. On the website, you can sign up and pay for the many continuing legal education opportunities, check the calendar for upcoming programs, review the sections, and scan the photos from past bar events. As a membership benefit, the website also has a members-only forum. In the forum, you can communicate with members in the same practice area to problem-solve or just chat. The RCBA is continually improving the website, so I encourage you to check on the developments from time to time.

The RCBA is the bar association for all of Riverside County. We have members from all parts of the county and many out-of-county members. For members who are employed some distance from the RCBA building, it is not easy to attend the monthly general membership meeting.

To connect the members, from Indio to Los Angeles and from San Bernardino to Temecula, the RCBA Board plans to stream the monthly meeting on the website. In addition, the RCBA plans to offer continuing legal education credit to remote viewers of the monthly meetings. Our goal is to stream the October meeting. We will keep you posted on our progress.

I am also committed to continue the good work that was begun by immediate past presidents Robyn Lewis and Christopher Harmon to lobby for an increase in court funding for the Inland Empire. The state and federal courts in the Inland Empire are in crisis. The Riverside and San Bernardino Superior Courts are two of the most underfunded in the state. Both courts have the largest deficit of judicial positions, and each lacks the necessary staff to address current caseloads. Riverside County has 76 judicial positions, including judges and commissioners, but a recent workload assessment report by the state Judicial Council said it should have 150. San Bernardino has 86 judges and commissioners combined, and likewise needs 150. The two courts have the highest caseloads per judge for large-population counties in the state.

In the Inland Empire, we also have a hard-working and underfunded appellate court. The Court of Appeal, Fourth District, Division Two, which serves Riverside, San Bernardino, and Inyo Counties, is estimated to have 615,708 residents per appellate justice, the highest number in the state. The next highest district is Second District, Division Six, with 382,930 residents per justice.

The federal court is also severely underfunded in the Inland Empire. The George E. Brown, Jr., Federal Courthouse in Riverside is the home of the Eastern Division of the Central District of California. The Eastern Division, which serves approximately 4.2 million residents, has two judges. The State of Kentucky has a little over 4.3 million residents and has ten active district judges and seven senior judges. As a consequence of the lack of judicial resources, approximately 40 percent of the cases filed in the Eastern Division are transferred to Los Angeles. This means that litigants, along with witnesses, have to travel a distance to obtain their day in court.

The RCBA is working with the Desert Bar, the San Bernardino County Bar Association, the High Desert Bar Association, the Western San Bernardino County Bar Association, and the Federal Bar Association to lobby for an increase in funding for our state and federal courts in the Inland Empire. In the late 1980s, I cut out a political cartoon that reads, "If you are not angry, you are not paying attention." This cartoon was not attached to any cause or concern; it was just a general statement. We could be angry about the underfunding, but anger is not useful. Action is useful, and so the RCBA is committed to fight for a larger share of the state and federal budgets for the courts in the Inland Empire.

I want to take this opportunity to thank Chris Harmon as he completes his term as president. The RCBA has grown and improved under Chris's leadership. Due to his lobbying efforts with the Judicial Council, court funding for the five traditionally underfunded counties, including Riverside and San Bernardino, will see an increase over the next five years, and all new funding will be allocated by population, instead of under an antiquated formula from 1996. The relationship between the courts and the RCBA strengthened during Chris's term, a trend I plan to continue. The membership meetings ran smoothly and saw an increase in attendance, especially among the judiciary. I am grateful that Chris will continue on with the RCBA board as the immediate past president.

In closing, I want to acknowledge the outstanding contributions that Robyn Lewis has made to the RCBA. Robyn is remarkable. She was president of the RCBA Board in 2012 and is now leaving the board as the immediate past president. She became the president of the RCBA Board shortly after her triplets, Henry, Hayden, and Noah, turned one, so her precious free time was given to the RCBA. In the past, Robyn was president of the Barristers Board of Directors and president of the Board of Directors of the Leo A. Deegan Inn of Court, and she was instrumental in organizing the RCBA's annual Bridging the Gap program. In addition, Robyn has been in the forefront of lobbying the Judicial Council and the legislature to increase court funding for the Inland Empire. Many past presidents step off the board and are no longer involved. However, Robyn has committed to chairing a past presidents' advisory committee that was recently established by the RCBA Board. If her other endeavors with the RCBA are anything to go by, she will chair this new committee with enthusiasm, and I have no doubt it will be successful.

Please join me at the installation of the new 2013-2014 RCBA Board on September 19, when Judge Virginia Phillips will swear in the following: me as president; Chad Firetag as president-elect; Kira Klatchko as vice-president; Jean-Simon Serrano as chief financial officer; Alexandra Fong as secretary; Jack Clarke, Neil Okazaki, Diana Renteria, and Jeffrey Van Wagenen as directors at large; and Kelly Moran as Barristers president. In addition, the RCBA Board has selected Associate Justice Thomas E. Hollenhorst to receive the E. Aurora Hughes Award for his outstanding contributions to the RCBA. Presiding Justice Manuel A. Ramirez will be presenting the award. The evening promises to be memorable.

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



BARRISTERS PRESIDENT'S MESSAGE

by Kelly A. Moran



I joined the Riverside County Barristers Association the summer that I took the bar. I recall a friend, who was an active member, dragging me away from my job-hunting efforts and telling me, "Come out. Meet other young attorneys in town. You will have a great time." Looking back, I am forever grateful to him for that welcoming invitation.

Barristers has given many of its members, including myself, the opportunity not only to gain knowledge and experience in the law, but also to flourish as a young professional. Our organization offers a sense of camaraderie, bridging the gap between the newly admitted members and the more seasoned attorneys who are always there to offer support, a reference point, or a funny lesson or two that was experienced along the way. Meetings provide the forum in which a young attorney can obtain valuable advice from senior associates, partners, and even judges in an informal and relaxed setting.

It is my hope that this year's newly elected board will continue the good efforts of those boards that came before us. I would like to thank Amanda Schneider for her leadership and support over the past year. Barristers put on many successful events and actively participated in the community due in large part to Amanda's leadership, organization, and dedication. I am thrilled that she will be continuing as a member of the board in the capacity of Past President and look forward to her insight and assistance in the coming year.

This organization will be greatly benefited this year by a loyal and enthusiastic board. I would like to take the opportunity to congratulate the 2013-2014 Riverside County Barristers Association Board: Vice-President Reina Canale; Treasurer Sara Morgan; Secretary Arlene Cordoba; and Directors-at-Large Chris Buechler Marin and Scott Talkov. Our board is looking forward to an active and productive Barristers year, having already met to plan each future meeting and social event.

In an effort to simplify scheduling for all those interested in attending, Barristers events will now routinely be held from 5:30 p.m. to 7:30 p.m. on the second Thursday of every month. I am excited to announce that our first event for the 2013-2014 year will be held on Thursday, September 12, 2013, and will feature Charity Schiller of Best Best & Krieger and Eugene Kim of Gresham Savage Nolan & Tilden speaking on "Surviving and Succeeding on the Partnership Track." While the location is still being determined, please feel free to refer to our website or to contact me directly at any time for updates.

The board is looking forward to a year of exciting events focused on a range of topics, including women in the law, hot legal issues, and substance abuse. On November 14, 2013, our event will feature a rousing ethics workshop presented jointly by District Attorney Paul Zellerbach and Public Defender Steve Harmon. We also plan to feature a solo practitioner workshop on May 8, 2014, in an effort to assist those members who are interested in stepping out on their own.

Information concerning our meetings, events, sponsors, community involvement, and board is regularly updated at both the Barristers website (riversidebarristers.org) and Facebook page ("Riverside County Barristers Association"). Also, please feel free to contact me directly at kmoran@tclaw.net should you have any questions or concerns.

At the end of the day, Barristers is a compilation of the efforts of its members. I am privileged to serve as the president of such an outstanding organization and to be connected to such an amazing group of people. While I have gained valuable legal knowledge through my involvement in Barristers, the friendship, camaraderie, and support that I have acquired through my time with this organization will be things that I treasure forever.

So, as my friend did for me years ago, I would like to take the time to welcome all young attorneys and invite them to become involved in the Riverside County Barristers Association. It is my hope that you will all find your involvement in this organization to be as fulfilling and enriching as I have.

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.



by Michael Hestrin

I've been a prosecutor in Riverside County for the last 15 years. I spent the last nine years in the homicide unit prosecuting murder cases, and before that, I spent three years in the sexual assault and child abuse unit. Ten years ago, another prosecutor in my office suggested I apply for a teaching job at California Southern Law School in Riverside. California Southern (formerly known as Citrus Belt Law School) holds evening classes and is geared towards second-career law students who generally still work a full-time job during the day while they go to classes at night. I applied for the job teaching criminal procedure to new law students as a way to supplement my income and help pay off my educational debts. I got the job and soon discovered that "moonlighting" by working an evening teaching job was a tradition in the D.A.'s office. I was one in a long line of prosecutors who had taught classes at the law school. And it was a practice that was encouraged by then-District Attorney Grover Trask – as long as teaching "did not interfere with our cases or court duties."

I recently finished my tenth year as a law professor at California Southern, and I spent the last five years as the school's Constitutional Law Professor. When I first began teaching, stepping out of the courtroom and into the classroom for the first time brought an array of challenges and difficulties. I had much to learn about teaching the law or anything else. I worked on lesson plans and lectures on the weekends and in the summer months in between and around my busy trial schedule. I had to think of new and innovative ways to reach the students and encourage them to think about the law in a way that both inspired and challenged them. And the reality of teaching these days is that I also had to entertain and hold their interest for three hours in a world of instantly accessible information.

Most students come into law school with a well-developed set of opinions about the law and the issues of the day. I saw it as my job to challenge their most firmly held beliefs and get them to "think like a lawyer" about every issue we tackled. No matter what opinion they held, I tried to shake them from it using logic and methodical argument. I asked them questions that made them defend and advocate for their position. I also tried not to let my own opinions and beliefs get in the way of their training. A good Constitutional Law professor is the ultimate "devil's advocate." I also tried to expose my students to the history and politics behind the famous decisions, and I was able, at times, to offer them a new perspective on some of our most pressing issues. But in the end, I always prodded my stu-

dents to advocate for a position. Law school should produce tough-minded advocates, not merely knowledge of the law.

I was always on the lookout for news articles or opinion pieces about cases that would help me illuminate the issues in some novel way. And, of course, the Supreme Court handed down new cases every year that I had to study and pick apart long before I presented them to my new students in the fall. Year after year, I thought of ways to improve my classroom presentation. I had to avoid becoming stale, so the preparation never really ceased. Like a pitcher who focuses on each pitch to each batter and forgets about the scoreboard, I looked up in the ninth inning and liked what I saw: somehow, without intending to, I had become a law professor. And year after year, the skills I brought to bear in the classroom also made me better at presenting my cases in the courtroom. What began simply as a way to boost my income became a true second calling.

Teaching also allowed me access to future lawyers at a critical moment in their development. When I was a law student, I was fortunate to have some truly great professors who taught me the true meaning of the "practice of law." The practice of law – and especially prosecuting criminal cases – is ultimately about the ethical use of government power. And the ethical use of government power begins with the virtues of humility and self-restraint. The rule of law is the cornerstone of our civil society and cannot exist if the public loses faith and confidence that the law and the legal system are a source of justice. As a professor, I never minced words on this subject: the ethical use of power, the ethical practice of law was their responsibility. It was their burden to maintain and strengthen the ethical codes that we all live by. We are all counting on them. Teaching allowed me to pass along those lessons to a new crop of soon-to-be lawyers every year.

Now, ten years after I first set foot in the classroom, I run into my former students – now lawyers practicing in Riverside County – almost every day. I like to think I had a small part to play in their success. When I see them at bar association training sessions, striving to become better lawyers and better public servants to their community, I think how fortunate I was to have had the chance to lay a stone in the foundation of a young lawyer's career and to help continue a worthwhile tradition of prosecutors "moonlighting" in the classroom.

Michael Hestrin is a Senior Deputy District Attorney with Riverside County.



THE ART OF LIVING AFTER THE LAW PRACTICE

by Julie R. Evans

In kindergarten, I loved to paint. Truly, art class was always a highlight during the school day – and I wanted to be an artist. In seventh grade, a constitutional lawyer spoke to our class, and it was then that I could see myself as being an attorney. The brilliance and attraction of a career as an attorney had great appeal as one of the most remarkable and intriguing fields of study. I imagined analyzing cases and seeing different aspects to support or distinguish. Being an instrument of legal knowledge seemed so stimulating that it was not forgotten when my mother insisted, “Better take something practical!” as I entered college at 17, needing my parents’ signed consent to apply for college and student loans. So a professional career (ending up in a law office) it was, even though I had been striving for Fine Art. The point seemed to be already decided by my mother, even though she had always supported my artistic yearnings by obtaining instruction in oil painting for me every Sunday for the six years prior to this crucial moment.

After obtaining my ASB degree, I worked as a one-woman office manager/paralegal/receptionist for two (sometimes three) attorneys for about seven years, during which I continued my education at night. I graduated from the University of La Verne, College of Law in three and a half years, in 1992, passed the bar (thankfully on the first attempt), and set up a solo practice (mostly family law with some criminal defense work). As I transitioned into my new life, many changes were coming. I was romanced by and, six months after opening my law office, married to a wonderful man who was a police sergeant in charge of homicide. We had evenings and weekends together. Used to building up a head of steam to power the demands of my job and obtaining my law degree, now I could have my practice and my interest in painting (from home) and reconnect with my martial arts organization. (I am now a sixth-degree black belt, teaching at Loma Linda University Drayson Center.) Eight years into my practice, my husband retired from the police department with over 30 years of service. He took a part-time job doing security at San Bernardino International Airport, while I continued to work full-time in my own law office for another five years. What a lucky woman was I! Life was grand for both of us, and it just felt right to be back painting with some degree of frequency. However, it was just about to get even better!

Options opened up, very appealing options, at that. My husband said I could “retire young” and we could travel (we got a motor home). I could paint more and we could just enjoy our lives together. So, after 13 years in my own practice, I found myself at a crossroads. I sold my law building and



Julie R. Evans

entered the next phase of my life, the one after the law practice.

While I occasionally miss my law practice, I’ve kept my hand in the legal field by teaching criminal justice and business at a local college. One or two classes a week is about perfect, and I still have time to travel (maybe procuring an occasional sub to fill in for me, which I never felt comfortable doing as a lawyer). I paint on location and in my home studio, where my fervor for law translates to my painting. Art appeals to my analytical mind as much as law does, but in its own way and with its own subtleties. I now enjoy playing with the laws of

nature and subtle nuances of the laws of light and spotlighting. I find painting harmonious with the exciting, spellbinding search for perfection and order. Still loving the integrity of truth and reality, instead of practicing law, I now use oil paint and thousands of tiny brushstrokes, burning hours upon hours fueled with intense concentration on the subject at hand, to package my presentation to the world. Instead of presenting myself to the court of law, I now present myself (through my artwork) to the court of public opinion. Instead of using words for expression, I communicate in paint, hoping what I illuminate touches someone else’s soul in as convincing a way as many legal arguments I may have made.

I have my health, and retiring at an early age allows me to fulfill my heart’s need to paint and receive plaudits for it every time someone wants to live with my art so much that they buy it, which is a common occurrence. I enjoy doing commissions when someone comes to me with a need, because it tasks me with presenting everything they want noticed. I arrange it, highlighting the most crucial elements in a tasteful, eloquent manner (remember, a picture is worth a thousand words) to make an indelible impression. I enjoy it; just like every new legal case, each painting is unique and challenging in its own way.

One of the best moments of accomplishment I have felt was when one of my painting mentors wrote me:

Julie, you have become a recognized artist and you create some of the most impressive art to come out of the expansive area of the Inland Empire and it finds homes everywhere. The I.E. should be proud to have you as one of their own, joining the rank and file of noteworthy California artists.

I take great pleasure in remembering that I have artwork in homes, businesses, and government offices that span from here to Florida. I feel a deep sense of accomplishment and joy when someone tells me how much one of my paintings means to them, because my paintings also mean so much to me.



Cypress Pine Tree

Some painting highlights include a commission, now hanging at San Bernardino City Hall, of a distinguished councilwoman; a commission for the Federal Bar Association and the Riverside County Bar Association of a District Court Executive and Clerk of the Court for the Central District of California who was beginning a new position as Chief Executive Officer of the Riverside County Superior Court; and all 21 California missions for the revised covers of a series of booklets read by fourth graders, "The Missions: California's Heritage," by Mary Null Boule. It is really thrilling to think how far and wide my paintings have traveled. I also share vicariously in people's joy when memories are preserved through my artwork. University of Redlands paintings have been bought for graduation gifts; a painting of a park bench with surrounding flowers and greenery at Prospect Park where a man proposed to his wife went to them in celebration of their 50th wedding anniversary (what an honor); and many beautiful California landscapes I have captured on my canvas have been graciously received into many people's homes because the places mean so much to them.

I hope to continue to paint, live, and see life as I have come to know it, after my law practice, for the rest of my life. If you happen to see me out painting or at a show, please come over and say hello. Maybe one day, you, too, will have a life after the practice of law, perhaps even joining me in the art world.

To view the art work of Julie Evans please visit her website at JulieEvansArt.com.



**Public Service Law Corporation
of the
Riverside County Bar Association**

is now doing business as

RIVERSIDE LEGAL AID

**Please visit us on our website:
www.riversidelegalaid.org**

THE IPAD LAWYER: THE INSANELY PRACTICAL VIRTUAL LAW OFFICE

by Scott J. Grossberg

In today's world, your mobility as a business person and portability of work are not just necessary – they must be easy to accomplish and predictable in their outcomes. For that reason, the iPad is consistently and continuously serving me well! If you want to smoothly run, fortify, and grow your practice, then adopt the workflow secrets that I've already spent countless hours figuring out. Let's face it, your time is one of the most important assets you have. So, without further ado, here is the way to make traveling with an iPad a massive success for you.

Step 1. Get Real. First and foremost, decide that you want to move the iPad from being a toy to being a massive success tool!

Step 2. Get Clear. Choose how you want to work with your iPad while traveling so that it works the way you want to work – not the other way around!

Step 3. Get the Tools. Use my tried-and-tested recommendations for apps that will serve you best!

Step 4. Get an iPad Habit. You must make the iPad an integral part of your workflow – every day! Success is a habit, and the use of your iPad is no different. Don't wait until you travel outside the office to use your iPad for the first time.

There are only a few “can't do without” apps I insist on having for travel. Here are the ones that allow me to be effective and efficient anywhere in the world:

IPassword (Security/Passwords)

agilebits.com/onepassword/ios

I use this app to store and generate passwords, store secure notes, and keep my login information easily accessible.

Chrome (Web Browser)

google.com/intl/en/chrome/browser

There are many browsers available. This is the one that fits my current needs the best.

Contacts Journal CRM (Contacts/CRM)

contactsjournal.com

If you can't provide excellent customer service to your clients, you will eventually lose them. This is the app I use to track clients and customers and keep my follow-up notes.

Dropbox (Cloud Storage/Collaboration)

dropbox.com

Dropbox is my lifeline to my office, my cloud storage, and one of the ways that I backup my app data and media.

Email Signature Pro (Email Customization)

ideasunplugged.com/signature

You pay constant attention to the way you dress in a business setting. Your email appearance should be no differ-

ent. This app allows me to customize my email signatures for maximum impact.

Facebook (Social Media)

facebook.com

I use social media to promote my projects and stay in touch with friends, clients, and fans of my work. Facebook still remains a powerhouse, and the demographics of its users fit my target audience.

GoodReader (File Management/Document Reader)

goodiware.com/goodreader.html

GoodReader is my “Swiss Army knife” app. It stores my documents and lets me organize them efficiently, and I can even use it as a presentation tool.

Google+ (Social Media)

plus.google.com

Google+ has its own set of fans. I use this to reach out to those who aren't using other social media.

HootSuite (Social Media Broadcasting)

hootsuite.com

I use HootSuite to schedule and broadcast posts and tweets across multiple social media platforms. This saves me time, as I don't have to go into each social media tool to post and then re-post in another place.

iAnnotate (PDF)

branchfire.com/iannotate

This app is my primary tool for reading, annotating, and sending out PDFs.

iBooks (Reading/Books)

apple.com/ipad/built-in-apps

It's an iPad! Of course, I use iBooks!

iThoughtsHD (Mindmapping/Brainstorming)

ithoughts.co.uk/iThoughtsHD

This app is the primary way I create notes, organize my thoughts and projects, and manifest my intentions. It is a mindmapping workhorse.

Keynote (Presentations)

apple.com/apps/iwork/keynote

This is the primary app I use for presenting slide decks. It is elegant, powerful, and reliable.

Kindle (Reading/Books)

amazon.com/gp/feature.html/ref=kcp_ipa_ln_ar?docId=1000490441

When I am not using iBooks, this is what I use for Amazon book downloads.

LinkedIn (Social Media)

linkedin.com/mobile

This is the last of the three social media apps I always go to on my iPad.

QuickOffice Pro HD (Office Suite)

quickoffice.com/quickoffice_pro_hd_ipad

Until there is a Microsoft Office Suite app for the iPad, this is the combination app I use for word processing and handling PowerPoint presentations.

Notability (Notetaking/Handwriting)

gingerlabs.com/cont/notability.php

I love the way this app allows me to create handwritten notes, draw, and capture audio.

Notesy (Document Drafts/Outlines/Notes)

notesy-app.com

Notesy is one of the most understated apps I use. Still, it is how I track my time and billing, keep quick notes, and even write my blog articles.

Numbers (Spreadsheet)

apple.com/apps/iwork/numbers

I like the interface of Numbers and use this instead of the spreadsheet that comes with QuickOffice Pro HD.

Pocket Informant Pro (Calendar)

pocketinformant.com/wp

Think of this app as the digital version of those paper planners you used to have. Most importantly, I can see my reminders (tasks) from within the calendar itself.

WordWeb (Dictionary)

wordwebsoftware.com/WordWebiPhone.html

Every successful business person can use a good dictionary and thesaurus. Here it is.

ZAGGsparq 6000

zagg.com/accessories/zaggsparq.php

In addition to apps, this little external battery has saved me more times than I care to admit. I don't go anywhere without it.

And, when I travel I always carry extra hotspots (just in case). Mine are:

iPhone Personal Hotspot**Verizon Mobile Hotspot** (or your carrier's version)

verizonwireless.com/b2c/device/mobile-hotspot

Finally, I leave you with my personal mobility mantra: Travel light. Travel fast. Travel smart.

Scott J. Grossberg is a founding partner of Cihigoyenette, Grossberg & Clouse. He is the author of the bestselling books, The iPad Lawyer: Real Secrets for Your iPad Success, and The Million Dollar iPad: Secrets for Increasing Your Profits, Productivity and Business Performance. Mr. Grossberg has been a featured speaker and published author for many years on numerous topics, including media relations, social media, technology, public speaking, memory, design immunity, handling tort claims, and police civil liability, including providing past training to the Department of the Navy, the Federal Bureau of Investigation, and numerous law enforcement agencies throughout Southern California. Mr. Grossberg has served as a special prosecutor for the County of San Bernardino and as a judge pro tempore for the Counties of San Bernardino and Los Angeles.



WHAT A LONG, STRANGE TRIP THIS HAS BEEN

by Bret N. Christensen

What do you want to be when you grow up? I must have been asked that question a zillion times over the years, and I gotta tell you, never in my wildest dreams did I ever imagine I would wind up being a law librarian. When I was in high school, I took a test (sponsored by the U.S. Army) to determine what careers best suited my interests, and the results matched me with being a teacher or a sniper. Turns out, the test wasn't that far off. After 10 years as a "professional" librarian, I'd say I've done a bit of both, in a manner of speaking.

While the path I took to becoming a librarian was certainly unexpected, I was able to use all the talents and skills I had then acquired in the practice of librarianship. When I initially began my college education, I was intent on studying electrical theory. That quickly morphed into a short study in computer science, then theater, on to accounting, and so on. Upon earning an undergraduate degree in Business Administration, I attended Western State University College of Law in Fullerton. During law school, I learned that I had an exceptional knack for legal research and helping people (both students and faculty) find what they were looking for. After graduating from law school, I decided to further develop and cash in on that skill set by starting my own business providing legal services for Los Angeles and Orange County attorneys.

After I had spent a decade working with lawyers and legal experts (and playing golf at 3 p.m. every Thursday), a librarian at my alma mater suggested I give up the "life of Riley" and take my research skills to the next level by becoming a professional librarian. Three years later, armed with a Masters in Library Information Science (MLIS) from San Jose State University, I landed as a reference

librarian for the Riverside County Law Library (RCLL), at which I have been employed for nigh on 10 years.

A JD and an MLIS are a powerful combination of degrees. While the MLIS helps to build on the knowledge gained in law school, both degrees, together, provide an avenue to help others to navigate the legal arena; you might even be surprised at how many practicing legal professionals need an effective law librarian's assistance. While the stereotypical Marion the Librarian sat around and pointed, today's librarian develops marketing programs, designs web sites, develops in-print and digital library collections, updates and organizes resources, teaches library patrons how to find and use library materials, conducts cursory and in-depth research, and provides reference assistance to lawyers, students, paralegals, and the general public.

Interested in a little moonlighting instead of going completely over to the dark side? Law libraries are always looking for volunteers or part-time assistance from experienced litigators. Other organizations value the skills and education lawyers bring to the table. Recently, I was offered a part-time position as the Information Specialist for New Charter University due to my qualifications. New Charter (new.edu) is a new online academic institution with flagship programs in criminal justice and business. Faculty with terminal degrees (like a JD) are needed for accreditation purposes in higher education.

Maybe you're thinking, "How many lawyers really make the switch from lawyer to librarian?" As it turns out, there are lots of lawyers who have made the switch and serve as librarians the world over. Former career lawyers serve in court and county libraries, academic institutions, muse-

ums, and K-12 schools, and many find work in law firms. Two organizations dedicated to helping persons find employment in niche markets are the American Association of Law Libraries (aallnet.org) and the Special Libraries Association (sla.org). As I interact with legal professionals, I am often asked about the difficulty of switching from lawyer to librarian. I can assure them that the switch is virtually painless and is often the most rewarding professional decision they'll ever make.

If there is a drawback to moving from lawyer to librarian, it might be that you will have to curtail the urge to provide legal advice to prose litigants. Regardless, the sky is the limit for someone who has a JD and an MLIS and is looking to help other people in this rich and rewarding field. While I may have never thought I'd ever wind up being a librarian, doing so has become one of my better decisions and continues to provide excellent returns on my educational and professional investments.

Bret N. Christensen is the Public Services Librarian for the Riverside County Law Library. He can be contacted at (951) 368-0379 or bret.christensen@rclawlibrary.org.



IS THERE ALTERNATIVE LIFE INSIDE AND OUTSIDE OF BIG LAW?

by Alisa Levitt

Gone are the days when a new lawyer could predict a career trajectory that included becoming a summer associate, then an associate, and then making partner at the firm. Many law firms have adapted creatively to stay ahead of economic challenges, client realities, and attorney needs, while others have struggled to keep up. Attorneys today have many more career options than they did just five years ago, primarily due to drastic and sudden changes in technology, and they are less afraid of exercising their option to embark on a non-traditional career path.

As a legal recruiter, I've seen many lawyers continue to lateral to new firms, mostly looking for the perfect combination between career growth and lifestyle balance. I have also observed an increasing trend toward lawyers leaving law firms altogether in favor of alternative legal practices. Many former law firm lawyers are starting their own solo or small firms, while others are joining virtual law firms or freelance networks that provide practice alternatives to the typical law firm model. Some former law firm lawyers look for happiness on a non-traditional path. Others, however, are taking advantage of changes and alternative arrangements within Big Law, as these large and prestigious firms adapt to changing needs, technology, and client demands. This article discusses the options that exist for lawyers seeking to make a change and outlines the various trends in alternative ways to practice law.

Solo or Small-Firm Practice

Many lawyers trained in full-service law firms are choosing to start their own solo or small firms. These lawyers were trained in the law firm setting and can often handle sophisticated work for sophisticated clients, but at a reduced rate. Former big law firm lawyers most often choose to open their own firms when they already have a client base but are not interested in letting partners and high law firm overhead take chunks of their hourly rate. They often value the flexibility and entrepreneurship involved in running their own businesses. Many cost-conscious businesses seek out these law firm spin-offs, attracted by reduced rates and lean billing.

Amir Kahana worked at Gibson Dunn & Crutcher, Paul Hastings, and Manatt Phelps. In 2006, he left Big Law to service small and mid-sized business clients that were quickly being priced out of the big firm legal market. Amir's goal was to provide the same level of service as the big firms, but at a fraction of the cost. This worked, and in 2008, Amir obtained one of the largest jury verdicts in Orange County history. Now his practice has grown and loyal clients are sending all of their work to Amir. "I view this as the modern full-service law firm, with case-by-case staffing, affordable rates, and none of the pretension of big firms. The goal is to provide services



Alisa Levitt

at affordable rates and to create value for my clients, and I am confident that this is the best way to do that."

Running a solo practice, however, is not for everyone. Many solos return to law firms after learning the realities of solo practice, including the need to do business development and other business tasks that can take them away from actual legal practice. Prior to hanging up their own shingle as a solo, lawyers might consider seeking help from bar associations and websites like My Shingle (www.myshingle.com).

Staffing Agencies/Document Review

Staffing agencies have existed for decades. These agencies frequently hire young lawyers or lawyers seeking temporary positions to handle projects like reviewing documents for law firms. Usually, the contract work is full-time at a law firm or other on-site location during a particular project, but it ends after a few weeks or months. Large law firms rely on these staffing agencies to manage document review projects, enabling these law firms to provide a lower rate to their clients.

Staffing agencies and document review firms play an important and often necessary role for law firms involved in large-scale discovery, but document review can be a difficult practice for some attorneys. Many staffing agencies are trying to shift their business models to include substantive work for experienced attorneys while also continuing to offer large-scale document review services.

Alternative and Virtual Law Firms

Alternative law firms have become increasingly popular, and new ones start up almost daily. Some of these alternative firms are virtual firms where the lawyers do not work from a brick and mortar office, and others are firms that unbundle costs by offering alternative billing arrangements such as flat-fee pricing. These alternative law firms may be retained by small start-up companies or in-house legal departments. Just like any law firm, these alternative firms work for clients on an hourly basis. These firms are frequently virtual firms that staff their cases with contract attorneys, who work only when there is a project.

Axiom, founded over a decade ago in New York City, is an alternative law firm and is well-known for its legal innovation. Axiom hires only lawyers with exceptional credentials into this exclusive 1000-person firm, and Axiom lawyers are able to achieve the work-life balance that many lawyers try so desperately to find. Axiom lawyers usually work directly for general counsels at Fortune 500 companies, who want big law firm lawyers without having to pay big law firm prices. When Axiom is retained by a company, it can provide the company with a lawyer to go "on secondment," discussed in more detail

below, or it can serve the company by outsourcing managed functions or by managing projects.

Secondment Firms

Secondment firms are another alternative firm model that is gaining momentum nationwide. Secondment firms are essentially just a type of an alternative law firm, but they staff lawyers on temporary assignments for in-house companies. Like most traditional law firms, they work directly for the companies. Lawyers “on secondment” frequently work on-site at companies instead of from home, and the assignments – while limited in duration – are usually from 9 to 5, so they require a lawyer who can devote full-time hours while the work is ongoing. Lawyers with a transactional or corporate-based practice are the best suited for secondment firms, since many large companies still outsource their litigation work to law firms.

San Francisco-based Paragon Legal Group is a secondment firm that was started in 2006 by former Morrison & Foerster lawyer Mae O'Malley. Like Axiom, Paragon is a temporary legal staffing firm; it matches former in-house lawyers with Silicon Valley technology companies. O'Malley has received accolades for creating an alternative way to practice law, and many lawyers across the United States are attempting to duplicate Paragon's lucrative model.

Secondment firms have the ability to steer companies away from traditional law firms with their unique business models and lower rates. For that reason, secondment firms, like all non-traditional firms, compete with law firms of all sizes.

Freelance Attorney Networks

A freelance attorney network is a newer model that has gained popularity nationwide over the last five years. Freelance attorney networks usually consist of former large law firm lawyers who handle high-level, substantive legal work for law firms. Freelance lawyers typically work exclusively from home, so these networks appeal to women with young children or lawyers who have other career interests. Freelance lawyers are “contract attorneys” in the traditional sense of that term, but instead of focusing on document review, they help law firms with substantive overflow projects and high-level research and sometimes provide substantive expertise for law firms in specialty areas.

Freelance networks are often confused with law firms, staffing agencies and secondment firms, but are actually quite different. Freelance networks are not law firms. Unlike alternative law firms, the “clients” of freelance networks are law firms, not companies or businesses. Freelance lawyers work directly for law firms on projects and are not retained by the ultimate end-client. Furthermore, unlike staffing companies and secondment firms, which staff lawyers on projects that frequently require full-time hours while the project is ongoing, freelance lawyers handle project-based work completed under deadline but according to the freelance attorney's schedule. Freelance lawyers also work remotely rather than on-site at a company, providing more flexibility for lawyers who desire a practice more similar to that of a consultant than a traditional associate.

Small law firms are increasingly using freelance lawyers to assist their traditional associates and to grow their practices by allowing small firms to accept more clients and matters. This model appeals to law firms that need help with overflow, but do not want to hire potential competitors who also work for in-house companies or directly represent end clients.

A local freelance attorney network, Montage Legal Group, was founded in 2009 by Laurie Rowen and Erin Giglia and was one of the first freelance networks in California with this specific business model. The group consists of former partners and associates from large law firms, many of whom are mothers of young children. Many credit the success of their group to their strong desire to help law firms thrive in this current economic climate. Laurie Rowen explains, “Our ultimate goal has always been to help law firms, not compete with them. When we get requests to work directly with a company or in-house legal department, we generally refer those matters to our law firm clients.”

Flexible Arrangements at Traditional Law Firms

For some lawyers, the best way to find life balance and ensure career continuity is to work out an alternative practice arrangement within their current law firms. Many law firms have embraced flex-time and part-time arrangements. For flex-time, the hour requirements stay the same but the lawyer can work on his or her own schedule and from his or her chosen location. For part-time arrangements, the firm reduces the lawyer's annual billable hour requirement. Additionally, law firms are hiring staff attorneys, who are lawyers working off the partnership track during set hours, for lower salaries.

Law firms are also working with the general counsels of companies they represent and facilitating secondments by paying their own associates to work directly for these companies at the client's location. These arrangements can be a win-win for all parties, allowing law firms to keep their clients happy, providing associates with excellent learning opportunities and giving clients great value for the cost.

What's in Store for the Future?

The trend towards alternative legal practices is not likely to end anytime soon. Rather, more alternative legal practice models will appear as lawyer-entrepreneurs continue to create unique ways to practice law. Associates should never feel stuck in their law firm positions, but instead should research whether an alternative way to practice law may be better suited for their life. Reaching out to a legal recruiter at a search firm can be the first step toward making a change. Many search firms like mine have expanded their client base by developing relationships with Big Law spin-offs and companies, so lawyers have other options from which to choose. Reputable search firms offer highly personal services, enabling them to use their wealth of resources and knowledge of the legal community to place lawyers in those types of positions.

Alisa Levitt is the Principal of Levitt & Associates, Inc., founded in 1997, a legal search firm based in California specializing in placing lawyers in law firms and corporate legal departments. Contact Alisa at esplacement.com.



DIFFERENT CAREER PATHS FOR LAWYERS

by Barrie J. Roberts

My first job was working for the King of Torts, Melvin M. Belli, Sr., in his San Francisco office. Despite the opportunity to work on big cases while sailing on “The Adequate Award,” Mr. Belli’s yacht, serving as one of “Belli’s Belles” was not my calling on land or at sea. My calling was public interest law, and fortunately I had the opportunity to fulfill it with one of the finest legal aid organizations in the country, Legal Services of Northern California, Inc. (LSNC), in Sacramento.

Except for the low salary, LSNC was an extraordinary place to work in the 1980s to mid-1990s (and I’m sure it still is). In those days, LSNC encouraged staff attorneys to advocate for our low-income clients in every way not prohibited by law: impact litigation; restraining orders; legislative advocacy at local, state and national levels; media campaigns; task forces; alliances with all manner of organizations and individuals; and entering into creative and far-reaching settlement agreements.

I spent my first two years working on behalf of impossibly old “seniors” (I’m now eligible for those services myself), and the next 12 or so years working on behalf of homeless people and low-income tenants. Although I thought my main tool would be impact litigation – and I did work on some big cases – the other methods usually achieved better results for my particular clients. One thing led to another, and in the early 90s I found myself in a mediation training session that caused me to rethink my entire approach to advocacy. Around the same time, federal laws governing legal aid organizations started restricting just about everything except litigating small cases for individual clients – good work, but it was time to move on.

And what I moved on to was a complete break from the law: Teaching English as a Second Language (ESL) with dreams of living and teaching all over the world. When I announced that I was leaving the law – for work that would pay even less than LSNC – the responses from colleagues outside LSNC were poignant: “I wish I could do that.” “That’s a brave decision.” “Take me with you!” I had no idea that so many fellow attorneys felt so stuck and miserable. But for me, it wasn’t a matter of choice: I was more like a snake shedding skin or fruit falling off a tree; the hard decision would have been to stay.

I did teach briefly in Thailand and Burma but ended up in the Bay Area with students from all over the world coming to me instead of the other way around. There

are few places I’d rather be than in a college-level ESL classroom, but after a few years teaching ESL seemed like too much fun to be work. And I have to admit that after practicing law, one’s ego can take a hit in other professions. I didn’t expect to feel or care about that, but I did, and I had the sense that I wasn’t quite done with the law.

Fortunately, San Francisco’s Community Boards mediation programs provided a bridge back to law – but in a new way. Two key things happened during my time volunteering there as a mediator and trainer. First, I decided to pursue ADR as a profession, which led to my LL.M. at Pepperdine’s Straus Institute and to my job at the court, developing court-connected ADR programs for civil, family, probate and juvenile matters. The best part of this job has been working with Riverside’s best attorney-mediators, all of whom could write articles on their own interesting career paths as they practice and move between advocacy and ADR.

During my early days in ADR, I thought I was making a terrible mistake, for I still had (and have) fire in the belly more suited for advocacy, along with an unfortunate and instinctive adversarial nature that, as my colleagues know all too well, does not make me a natural mediator. I once expressed these concerns to the extraordinary mediator/trainer/author Ken Cloke, who said: “Well, as a mediator, you can advocate for all sides, not just one.” That has been my particular touchstone as a mediator ever since.

The second big thing that happened at Community Boards was a “light bulb moment” during an “active listening” workshop: “This would be a fantastic exercise for my ESL students!” The phrase, “Mediation as a Second Language®” popped into my head. During summer ESL classes at UC Berkeley, I started experimenting with ways to teach integrated ESL and ADR courses, where English lessons help international students learn ADR, and ADR training helps them learn English. Now I’m working on a textbook and teacher-training materials and planning for my upcoming “MSL” -type courses at UC Berkeley and Chapman University School of Law.

I don’t know what lessons anyone could possibly learn or want to learn from this circuitous career path, and there are probably more zigs and zags to come. But if any readers are contemplating small changes or big escapes, perhaps the idea of taking some training and

doing some pro bono work in a new area that has always been whispering to them could lead to new paths.

Another thought I can offer, based on my experience inside the court during the past five years, is this: The attorneys who integrate ADR and Getting to Yes types of “principled negotiation” into their work – as litigators behaving professionally or as mediators – are the least likely to express the desperate “Take me with you” pleas of my former colleagues. In fact, many are rejuvenated by their work – the more cases they mediate and the more mutually agreeable settlements they reach, by any

means, the happier they are. As litigators, they also seem to provide the best service to their clients, and they are certainly the attorneys most appreciated by court staff and judges. Perhaps the most interesting and satisfying career path for lawyers is simply a new way of walking on the path we’re already on.

Barrie J. Roberts received a J.D. from UC Hastings College of Law. She became the court’s first ADR Director in March 2008. She can be contacted at Barrie.Roberts@riverside.courts.ca.gov.



A NON-TRADITIONAL TAX LAWYER'S CAREER: SHIPS, BICYCLES, AND POLITICS – SPEECH WRITER, CITY OFFICIAL, STATE CAPITOL ADVISOR, SENIOR FEDERAL EXECUTIVE

by Orlando Gotay

If I had wagered as a 1L at Golden Gate University in 1991 on what my career would be like, I would have lost. Big time.

Unsure of what to do with a law degree, I would figure that out as I learned more about the options available.

I carved my way . . . using everything I learned in law school.

The road to becoming a tax lawyer started in a casual conversation with one. Still a law student, I recalled a provision in the Corporations Code that solved a problem the lawyer had. “I’ve got lawyers from Stanford and Harvard who did not know that . . . I want your résumé!” That got me started in the state and local tax department of a “Big 6” public accounting firm. After a couple of years of that, plus later soloing from my San Francisco studio, I longed to return to my native Puerto Rico. I wanted to work at the state legislature for the tax writing committee. With a Tax LL.M. and my background, I felt it would be a slam dunk. But I was not known locally, and I did not even get a return call.

I did get hired as advisor to a retiring legislator no one wanted to work for. I knew nothing about bill drafting or the legislative process, but I learned fast. Soon, I was working for three lawmakers at the same time.

Poor electoral returns meant minority for my bosses, and I was out of work at the state house. The newly elected mayor of San Juan hired me as liaison to the City Council. I learned how to run a city with 400,000 residents and a budget of \$450,000,000. I would often represent the mayor and speak on his behalf at many events. I learned the art of politics and of public perception.

One day, I wrote an op-ed highlighting a multimillion-dollar federal civil rights award for damages against a nearby municipality’s police force. I had not consulted anyone at the office. When the piece ran, I was urgently called into the office. I fully expected to be called onto the carpet. Instead, I was asked if I would be willing to try my hand at drafting the mayor’s upcoming State of the City speech. Thus began my new “sub-career” in speechwriting. During the rest of my time at the mayor’s office, I wrote all major policy and budget speeches.

In an unsolicited white paper, I argued that the city should have a full-time presence at the state legislature. After a few weeks, I got a call from the mayor’s secretary, asking what my new title would be. It suddenly rolled off

my tongue: “Mayor’s Legislative Representative.” I had just created a new job.

When a dispute arose between the city and the State Ports Authority over land use, I was tasked with stopping the state’s plans. With no tools or authority against the Commonwealth, I created the San Juan Port Commission, the first city maritime effort in over 60 years. As an aspect of my activities, I became involved in litigation between the Commonwealth and the city. The litigation went all the way to the Puerto Rico Supreme Court, which ruled in the city’s favor. Port property was peppered with huge signs announcing that the court had validated our decision to stop port redevelopment without city permission.

I also bicycled to work, unheard of at the time in Puerto Rico. I convinced the mayor of the possibilities, taught myself plenty, and was appointed as the first City Bicycle and Pedestrian Coordinator. Much of the increased bicycle usage in San Juan now stems from work I did at the time.

In 2009, I went to President Obama’s inaugural. As I froze by the Capitol that morning, I had no idea that in a few months, I would be appointed by him to an assistant-secretary, three-star-flag-officer-level position, the Deputy Administrator of the U.S. Maritime Administration. I was the COO of a small federal agency. It was intense work. I dealt with the American maritime industry – ports, shipping companies, shipyards, unions, a federal service academy – with our international government partners, with many federal agencies . . . and with Congress. There were surprises too: Deepwater Horizon, pirates in Somalia, and earthquakes in Japan and Haiti.

Looking back, I learned it is a miracle if anything happens in Washington. But the law degree was an important tool for making more sense of it. Even then, some things just made no sense.

This year, I decided to turn over the page, return to private practice, and relocate to Palm Springs. I am now, once again, a tax lawyer. But I took a very special road in getting here. My legal education made it all possible, and everything I learned along the way is making me a better practitioner.

Orlando Gotay is a tax attorney residing and practicing in Palm Springs. He is also a 1987 graduate of the U.S. Naval Academy.



KEY ELEMENTS OF A SUCCESSFUL CYBERCOMMUTING POLICY

by Lisa Lawson

As technology evolves and employees increasingly demand work-life balance, employers are turning to telecommuting – or more accurately, cybercommuting – as a means of attracting and retaining talent while cutting costs. Now is a good time for employers to review their cybercommuting policies to ensure they cover ten critical subjects:

1. Purpose and philosophy of the program.

Employers implement cybercommuting programs for different reasons: sometimes cybercommuting is a benefit provided in response to employee requests; other times it is necessitated by business reasons. Employers whose programs are entirely voluntary should explain the voluntary nature of the program in the policy. Recent case law suggests that employees who voluntarily cybercommute are not entitled to reimbursement for home office-related expenses, as such expenses are not “necessarily incurred” in connection with work.

2. Types of positions that qualify for the program.

It is far better to set employee expectations about which jobs are eligible before questions arise. Generally, the types of jobs that fare well under cybercommuting programs are those that involve independent work and limited face-to-face interaction and that result in specific, measurable work product. Non-exempt positions are difficult to manage when performed remotely and present a host of wage-and-hour risks that often make those jobs ill-suited for cybercommuting.

3. Eligibility criteria for inclusion in the program.

To avoid claims that protected classes of employees are being treated unfavorably with regard to selection for inclusion in a cybercommuting program, employers should ensure that the criteria used to select employees for the program are business-related. Cybercommuting programs should have both objective and subjective eligibility criteria. For example, employers may be wise to limit eligibility to employees who have worked for the company for a certain period of time and who have achieved good ratings on their performance reviews. Employers also should articulate the

subjective qualities employees must possess – e.g., a proven ability to work independently, in-depth job knowledge, dependability, flexibility, etc. While it is important to have explicit eligibility criteria, employers must recognize that they might have to alter those criteria when cybercommuting is being considered as a reasonable accommodation for a disabled employee.

4. Expectations regarding availability, meetings, and communications with supervisors. The primary downside to cybercommuting is the amount of control employers lose over their ability to monitor employee performance. Employer fears that employees may be less available during standard work hours are often well-founded. As a result, the cybercommuting policy should state the employer’s expectations regarding availability, attendance at office meetings, regular communication with supervisors, and use of childcare during work time.

5. Reimbursement of cybercommuting-related expenses. As noted above, case law suggests that employees are not entitled to reimbursement for home office-related expenses if they voluntarily participate in a cybercommuting program. Nonetheless, it is sometimes in an employer’s best interest to furnish computers and software to employees in order to (1) avoid technical problems that impede work, (2) ensure security is not compromised, and (3) facilitate the monitoring of the use of the equipment.

6. Procedures for safeguarding data. The remote worker increases an employer’s exposure to security breaches, as laptops and desktops may be more readily stolen or subject to hacking when they are outside the office. The cybercommuting policy should explicitly state the steps the employer and employee will take to ensure confidential data does not fall into the wrong hands.

7. Ownership of remote equipment. If the employer provides remote workers with computers or other equipment, the policy should explain the company’s ownership interest in that equipment, as well as the company’s right to inspect it and

demand return of it. If employees are expected to own certain basic equipment to be eligible for the program, that equipment should be identified in the policy. The policy also should explain who is responsible for upkeep and troubleshooting of equipment.

8. Safety/ergonomic standards and procedures. Cal/OSHA and workers' compensation laws also pose novel problems for employers with cybercommuting programs. Under both laws, employers bear some responsibility for the safety of work conducted remotely, even though they do not have effective control over the safety of the home office environment. Employers should provide remote workers with Cal/OSHA safety checklists and training (especially regarding ergonomics) and remind employees of their obligations to report work-related injuries.

9. Right to revoke. There may come a time when a particular cybercommuting arrangement is no longer desirable: changes in corporate culture sometimes necessitate a change in a company's approach to cybercommuting, or the performance of cybercommuting employees may deteriorate over time. To ensure flexibility and avoid claims that the employer is contractually bound to allow cybercommuting, a cybercommuting policy should state that the employer will evaluate the effectiveness of the arrangement and may, in its sole discretion, revoke the arrangement at any time.

10. Cybercommuting agreement. To increase the likelihood of a successful cybercommuting experience for both the employee and employer, employees who are allowed to cybercommute should execute a cybercommuting agreement that specifically addresses the requirements of the policy as it applies to them.

Lisa Lawson is a partner at Pennington Lawson, a women-owned law firm based in San Francisco. Her specialties include employment litigation and counseling employers on all aspects of California employment law. Lawson can be reached through the firm's website, at www.PenningtonLawson.com, and by email, at lisalawson@penningtonlawson.com.



RIVERSIDE COUNTY BAR ASSOCIATION

Ice Cream Social & Fundraiser

Where: *Farrell's Ice Cream Parlour and Restaurant
3610 Park Sierra Drive
Riverside, CA 92505*

When: *Thursday, October 17, 2013
4:00 p.m. to 9:00 p.m.*

Why: *Money raised will support the community projects of the RCBA, including the Elves Program, Good Citizenship Awards, High School Mock Trial and Project Graduate*

Meet Special Guest Greeters and Servers:
*Riverside County Public Defender Steven L. Harmon
Riverside County District Attorney Paul Zellerbach
Riverside City Mayor Rusty Bailey
Riverside City Councilman Paul Davis (Ward 4)
Riverside City Council Candidate Valerie Hill (Ward 3)
Riverside City Council Candidate Mike Soubirous
(Ward 3)*

*Download the official flyer at:
<http://www.riversidecountybar.com>
so that 15% of your purchase will go to the RCBA*

RCBA is looking for additional volunteer guest greeters and servers.

Contact RCBA at rcba@riversidecountybar.com or (951) 682-1015 for additional details.

MY JOURNEY TO FREELANCE PRACTICE

by Sara Mostafa

Flashback to seven years ago: I had recently graduated from the UCLA School of Law and taken the California bar exam and was eagerly awaiting the start of my new job. I was excited to put my hard-won knowledge to good use at the large international law firm where I was to be employed. I had accepted a handsome offer following a rewarding summer associate experience, complete with meaningful and exciting legal work and lavishness such as I had never seen before, including an all-expenses-paid weekend trip to Las Vegas. I was bursting at the seams with anticipation of what life was about to become.

I moved to San Diego and embarked on my life as a corporate lawyer. I enjoyed the work and worked hard, but I never felt consumed by it. I was typically able to arrive at the office feeling energized and refreshed and return home by dinnertime. The firm's environment was pleasant, to boot: the lawyers and staff were generally friendly and helpful, and there was never a shortage of morale-building happy hours and activities.

Things (specifically, business) came to a halt circa 2008, when the Great Recession assaulted the worldwide economy. While the firm's litigation department reaped the ensuing rewards, a thick feeling of unease descended upon us transactional lawyers. When my future husband, who was in the military, received orders to Pearl Harbor, it was the ultimate catalyst for me to try something new.

Upon moving to Hawaii, I took a remarkably fulfilling job with a nonprofit legal agency dedicated to advocating for survivors of domestic violence. While working at the agency, I was married and had my first child. As much as I loved my job, when federal funding for my position was not renewed, I was only mildly disappointed. I was given a legitimate excuse (as if I needed one) to take a hiatus from work and dedicate myself completely to my newborn baby while I looked for another job.

Faced with crushing student loans, I was compelled to squelch my desire to perform public interest work full-time and instead returned to law firm life, this time with a mid-size firm in Honolulu. It wasn't long after I began that job that I welcomed two major life developments: I learned that I was expecting my second child, and my husband and I decided we would accept final orders back to San Diego when he returned home from deployment. As much as I enjoyed my experience living in Hawaii, I was ready to return home to Southern California. I missed the energy on the mainland and my friends and family.

What excited me most, however, was the chance to practice law under a different model when I returned to California – a model that would allow me the flexibility to choose my hours and to work from home, giving me the opportunity I

so desired to raise my children through their early years. It wasn't long after I began my job at the firm in Hawaii that I first learned about Montage Legal Group, a now-nationwide network of freelance attorneys who either left law firm life to achieve a better work-life balance or are relaunching their careers after taking a hiatus from law. Needless to say, the majority of Montage attorneys are mothers of young children. It seemed too perfect to be true, this idea that a working mother could have it all, but I was ready to find out for myself.

Upon moving back to San Diego in December 2011, I became affiliated with Montage Legal Group and embarked on a career as a high-caliber contract attorney, performing complex, substantive legal work for law firm clients. It was a slow start, but after a couple of months, I had my first client. One project with that client turned into a series of many projects, and within several weeks' time, I established a steady relationship with the firm as Of Counsel. I was lucky, considering it would not have been economically feasible for me to work as a freelance attorney without at least one consistent client.

Over the course of the year and a half I worked with Montage, I performed freelance projects for several firms and was able to stay sufficiently busy to support a reasonable lifestyle for myself and my family. I didn't have it all, but I did have everything I needed. While the lavish existence I enjoyed as a Biglaw attorney became a distant memory, freelance practice afforded me greater rewards. It allowed me the freedom to choose my own work hours, which I carefully balanced with my other interests and pursuits. Most importantly, it bought me time with my children. I watched their first steps, heard their first words, and relished their daily adventures.

The icing on the cake was that freelance practice with Montage did more than just "keep me in the game." Working as a generalized transactional attorney for law firms offering services in a wide array of practice areas afforded me the opportunity to develop expertise in areas of law that I had not previously practiced, as well as to refine my already existing capabilities.

As I embarked on a hunt for full-time employment a few months ago, I experienced none of the worry commonly felt by individuals who have taken a hiatus from traditional work arrangements. I felt completely prepared for the transition, and I have Montage to thank for that.

A Montage alumna, Sara Mostafa has worked as an attorney with Lobb & Cliff, LLP, based in Riverside County, since June 2013. She is the mother of two wonderful boys, 4-year-old Ayden and 22-month-old Dylan.



54 YEARS AS A LAWYER . . . AND THEN SOME

by Charles J. Hunt, Jr.

Perhaps, like many, I have a sense that as the finish line gets closer, time seems to move somewhat faster. Of course, the reality is that 24 hours a day continue to move at the same pace, day after day. But perhaps the real issue, whatever the pace may seem to have been, is whether the voyage was interesting, exciting, one to remember, and, with the exception of changes that hindsight reveals to us, one that we could happily do again.

When I was about 12 years old, I sensed that I would like to be a lawyer. When I graduated in 1945 from La Jolla High School, some two months before the end of World War II and four months before reaching the age of majority, with Uncle Sam continuing to draft replacements for war-weary veterans, it seemed that college would be a short-lived experience before I was called up. And joining the U.S. Merchant Marines as a purser seemed, at the time, more exciting than being in the regular armed forces.

Five years later, after traveling through the Mediterranean to Greece, eastbound, and across the Pacific, through the Indian Ocean to Saudi Arabia, westbound, and throughout Asia and the South Seas, on different voyages and different types of ships, I felt the choice was right. As it conferred the added benefit of a commission in the U.S. Naval Reserve, so that I could reach the rank of Commander and ultimately retire from the U.S. Navy, it surely was.

The next eight years found me working ashore in the steamship industry – in jobs including labor relations and vessel operations – in Portland and San Francisco, attending Law School at Golden Gate University, and becoming a member of the bar in California and Washington in January 1959. These years were indeed busy and challenging, and perhaps they set the goals and standards that have kept me working, albeit at a reduced pace, even until this time of my life.

After working as House Counsel and Industrial Relations Manager for Loomis Armored Car Service in Seattle, which included negotiating labor contracts with teamsters unions up and down the Pacific Coast, and then as Legislative Counsel for the Southern California Automobile Club for three years in Sacramento, I final-



Charles J. Hunt, Jr.

ly concluded that it was time to actively engage in the practice of law in order to truly feel like a lawyer.

This decision led to an associate position in Riverside at the former Hennigan, Ryneal & Butterwick firm, and thereafter a partnership in the firms of Ryneal Hunt & Palladino and Hunt, Palladino & Timlin, over some ten-plus years. I indeed learned what being a trial and transactional lawyer felt like, and I learned to deal with the idiosyncrasies and demands of the local judiciary. But the camaraderie of the Riverside County bar and the friendships and relationships that have lasted even until today made for one of the most enjoyable parts of the journey of life.

Circumstances presented themselves in the mid-1970s that allowed me to take over and run a small manufacturing plant in Corona, but three years later I came to believe that I functioned much better as a lawyer.

Moving to Orange County resulted in another excellent relationship, as I practiced law with a fine man under the banner of Hunt & Fenstermaker. Unfortunately, an early death took him, and, in 1988, I took over the Hayton Law Corporation in Victorville, where I practiced mostly plaintiff's tort law until 2001.

Back on the educational front, I obtained an MBA degree from the Pepperdine School of Business and Management in 1978. Then, in early 1982, I accepted an opportunity to teach there, mostly at their Orange County campus, and this led to a 30-year career teaching Business Law, Negotiation, Dispute Resolution, Ethics, and advanced law topics to MBA students. During this time, I became the chair of four departments, obtained an LL.M. in Dispute Resolution from the Pepperdine School of Law in 2005, and finally retired in 2012 while remaining a Professor Emeritus.

Since the mid-1990s, I have been so fortunate as to mediate and arbitrate hundreds of litigated cases in Los Angeles, San Bernardino, Riverside and Orange Counties. The voyage has not concluded, however, and certainly, with some of the hindsight changes, I *would* climb aboard again.

But what next? I have a California real estate broker's license and am presently studying to take the Oregon

principal broker's exam, and probably after that the Oregon bar exam.

Meanwhile, to keep the mind churning, I have developed and am preparing to present two-day CLE-approved seminars in "Successful Negotiation Strategies." Please stay tuned.

When Oliver Wendell Holmes was in his 90s, a friend came to visit and found him translating something from, I believe, Latin to Greek. The friend inquired why he was doing this at his age. His reply was to the effect of, "Why, to improve my mind, of course."

Though I still have a few years to reach that time of life, I hope someone will ask me a similar question when that time comes. Perhaps more importantly, I hope I can answer as Justice Holmes did.

Charles Hunt presently resides in Ashland, Oregon and has five children, six grandchildren, and one great-grandson who just finished his first year at UC Riverside. He maintains his membership in the California, Washington and American Bar Associations, as well as the California Association of Realtors.



CONSTRUCTION DEFECTS CONSULTING SERVICES

- Negotiation / Mediation Facilitation
- Courtroom Trial Experience
- Property Damage Assessment
- Expert Witness Testimony



**Court e-filing
Services**

Nicholas L. Tavaglione

RCBA Member



**AVAGLIONE
CONSULTING**



951.333.4102

NLTAVACONSULTING@YAHOO.COM

Website: **WWW.NLTAVACONSULTING.COM**

CONSTANT CHANGE IN THE BUSINESS OF LAW

by Doug Levinson

It almost goes without saying that the legal profession has changed dramatically over the last several years. Those changes obviously are continuing, and clearly we will never return to the “good old days” of mega-firms triple-staffing engagements, of clients accepting bills without haggling, and of most top graduates from top law schools effortlessly finding high-paying, secure employment.

In this (perilously cursory) overview, those changes are addressed in five very brief discussions:

- The perspective of young lawyers
- The perspective of veteran lawyers
- The perspective of law firms
- The perspective of clients, and
- The perspective of the law industry

Young Lawyers: From the perspective of young lawyers (whom I lovingly refer to as “lawyerlings”), the expectation that – if they simply worked hard and did their job well – they would ultimately be offered a partnership has become a quaint anachronism. The demise of Heller Ehrman & Thelen in 2008 and Dewey & LeBoeuf in 2012 were, and should have been, shocking and sobering wake-up calls to any young attorney who mindlessly assumed that his or her job in “big law” was secure.


Veteran Lawyers: From the perspective of veteran lawyers, the legal equivalent of “free agency” has become the rule, rather than the exception. The most important metric for veteran lawyers – perhaps the only important metric – has become a “portable book,” meaning a client roster that will move with a lawyer if and when he or she moves laterally.

Law Firms: From the law firms’ perspective, there is a pressing need to create platforms that produce perceived value for their most valuable asset – rainmaker attorneys. Notably, however, the attractiveness of those platforms – at least from the perspective of rainmaking partners – can depend on a variety of non-obvious, even non-economic factors. For example, top-flight rainmakers may focus on issues like opportunities for internal cross-referrals, the presence or absence of administrative roles, commuting and other life-style and ambiance considerations, partner/associate ratios, billing systems, and the quality and quantity of staff.

Clients: From the perspective of clients, there are substantially heightened expectations about lawyers producing demonstrable value and bringing important skills, beyond traditional legal work, to lawyer-client relationships. Legal consumers, especially business clients, are increasingly savvy about what they’re getting and how much it costs. That increased sophistication manifests in a variety of observable ways. For example, corporate clients are increasingly unwilling to pay for on-the-job training for young, inexperienced lawyers. Likewise, AFA’s (alternative fee arrangements) are becoming more and more common. According to a report by industry research firm IBISWorld:

[A] massive swing in the business model for many law firms may bring the perceived value of legal services in line with expected outcomes. Clients are growing weary of paying top dollar, pushing them to look for alternative pricing arrangements. Some firms are trying to accommodate this shift by moving away from traditional hourly rates to performance-based pricing . . . (IBISWorld, Law Firms in the US Industry Report (June 2013).)

The Law Industry: It turns out – to the surprise of many of us – that the law industry (and make no mistake about it, law is an industry) is adhering to the norms for virtually all maturing industries: consolidation, commoditization, and disintermediation.



FINAL DRAWING
of the
Riverside
Historic
Courthouse
by **Judy Field**

\$100 each
(unframed)

Signed and numbered limited edition prints.
Great as a gift or for your office.
Contact RCBA office, (951) 682-1015
or rcba@riversidecountybar.com

THE 2013 CONFERENCE OF DELEGATES

by Michael L. Bazzo

Consolidation. Currently, the largest market share of any firm is just under 1% of industry revenue. (Notably, however, that firm, DLA Piper, was created in 2005 by the merger of three other firms.) Over the next several years, industry analysts expect additional mergers, as firms strive to control costs through economies of scale and broader substantive and geographic coverage.

Commoditization. Here, think fixed-fee arrangements for things like patent prosecution, contract drafting, and even litigation. Some of the hallmarks of service-based businesses (as opposed to product-based businesses) are the lack of inventory and the customization of the work that is produced. But anyone with a forms file knows that's not exactly how it works in law firms. Much legal work involves tailoring and refining existing materials to reflect the details of individual transactions. Clients are becoming increasingly aware of this reality, and, not surprisingly, they want to participate in the benefits of not "reinventing the wheel" with each engagement.

Disintermediation. In the consumer market, this refers to firms like LegalZoom. In the business market, this refers to increased "in-sourcing" of garden-variety legal assignments such as preparing patent, trademark and copyright applications, forming new entities, and documenting routine corporate formalities.

In this tumultuous environment, two things are very clear: First, we're experiencing change that isn't going to end any time soon. And second, either you manage that change or the change will "manage" you.

Doug Levinson (J.D./M.B.A.) is the Principal of Strategy That Rocks, LLC, a consulting firm that works with small to medium-sized businesses across a broad range of industries. He is also an education consultant for the Federal Reserve Bank of San Francisco. He has taught his custom-designed "Business for Lawyers" course at both Gould (USC) and Boalt (Berkeley) Schools of Law. His book, 75/25: 3/4 of an MBA, 1/4 of the Grief, is available for purchase at amazon.com.



Each year the Conference of California Bar Associations (CCBA) assembles more than 500 delegates from participating bar associations from all over the State. Delegates draft resolutions to change California law. Over the last ten years, I have had the privilege to have witnessed many significant resolutions come to the floor where eloquent arguments and heated exchanges appropriately decided their fate. In past years, we have even had one of our own delegates draft a resolution concerning estate planning issues that was passed unanimously. The Conference has hit a few road bumps in the last few years and numbers have declined sharply from 500 to 110 delegates this past year. The reduction in force does not however, lessen the need to tackle issues facing our State and the practice of law.

This year, a serious debate regarding rules for mediation can be expected. With court budget woes and delays in trial setting, mediation has become an increasingly viable alternative to the courts, but with it comes concerns of confidentiality with regard to disclosure of information. The California Supreme Court in 2011 decided what has become known as the Cassel doctrine: mediation discussion are confidential and cannot be used in later litigation. That has not stopped bar associations and leg-

islators from trying to pass legislation to overturn the decision. AB 2025 was introduced last year to permit the admissibility of communications between client and attorney in certain actions.

While sometimes the reason we meet annually as a Conference of Delegates has become clouded by political agenda and other topics not affecting the legal community of our State, the paramount business for delegations is still discernable. Resolutions to improve upon existing law or to propose new laws effecting the practice of law in our State is an honorable pursuit and the Riverside Delegation would like you to be part of the decision process and participate in the Conference by becoming a Delegate to promote improvements in the California system of justice to serve the changing needs of society.

Your Riverside County Bar Delegation needs you. If you are interested in being a delegate, please contact Charlene at the RCBA office.

This year's Conference will take place in San Jose on October 10-13, 2013.

Michael L. Bazzo is a member of the Publications Committee of the Riverside Lawyer Magazine and Chair of the Riverside County Bar Association Delegation to the California Conference of Bar Associations.



OPPOSING COUNSEL: JACQUELINE CAREY-WILSON

by Sophia Choi

Leading the Riverside County Bar Association as President

I met Jacqueline Carey-Wilson several years back through Riverside County Bar Association (RCBA) events. She has always been actively involved. I was able to get to know her much better when I joined the Bar Publications Committee, which publishes the *Riverside Lawyer*, for which she serves as the editor. Her dedication to the *Riverside Lawyer* and to the bar association is phenomenal.

Jacqueline was born in Compton. She then moved to Paramount and ultimately to Cerritos in 1970, where she lived from the age of six to when she got married. She has six sisters and one brother, being the youngest of eight. Jacqueline received her Bachelor of Arts degree in Political Science from California State University, Fullerton in May of 1989. In college, she was part of the CSUF Model United Nations program and joined numerous groups such as the Young Democrats, Coalition Against Apartheid, and Beyond War.

During Jacqueline's college years, she was involved in a terrible car accident, which resulted in numerous internal injuries and a closed head injury. She was in a coma for two weeks and in the hospital for two months, where she relearned basic skills, like walking and talking. From such a traumatic experience, Jacqueline is now stronger than ever, and her heart even more giving.

Jacqueline has been married for 25 years to Douglas Wilson and has three beautiful daughters, Katie, Julia, and Grace. Jacqueline and Douglas moved to Riverside after their marriage and have made Riverside their home ever since. Jacqueline is truly a family person. She loves spending time with her daughters, camping at the beach, going shopping, and watching movies. She loves spending time not only with her husband and daughters, but also with her father, John Peter Carey. Her father turned 90 this year and still resides in the home where she was raised. Jacqueline's mother, Dorothy Pearce Carey, passed away in May 2010. Her parents had been married 62 years at that time and resided in their home 40 years. Jacqueline has a variety of hobbies, including photography. She enjoys taking pictures of people. She is also very involved in her church and belongs to Saint Andrew's Newman Center. At Saint Andrew's, Jacqueline is a Eucharistic Minister and lector



Douglas Wilson and Jacqueline Carey-Wilson with their daughters, Grace, Katie, and Julia Wilson

and teaches the baptismal class with her husband. To anyone who knows her, it is clear that she is a very devout Catholic.

With her political science background, it comes as no surprise that Jacqueline became politically involved. During college, she traveled east and interned for Congressman Richard Andrew "Dick" Gephardt in the summer of

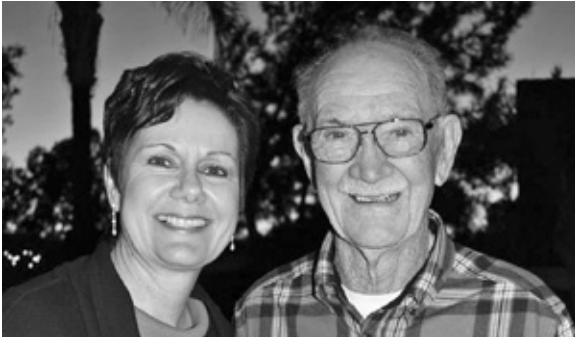
1987 and campaigned for his presidential election in Iowa and New Hampshire.¹ Next, she was a field representative for Congressman George Edward Brown, Jr., who was a Democratic member of the United States House of Representatives. Jacqueline had a passion for working for people and working towards contributing to the betterment of society.

With such passion, her work led her to law school in 1991. However, Jacqueline did not always want to become an attorney; she wanted to be a teacher. In 1995, she received her Juris Doctorate degree from Southwestern University School of Law. She was admitted to the California bar in 1995, the Washington, D.C. bar in 1996, the Colorado bar in 1997, and the bar of the United States Supreme Court in 2005.

Jacqueline worked at law firms, was a deputy public defender in Riverside County, and was with the Fourth District Court of Appeal, Division Two, before she became a deputy county counsel in San Bernardino County. She represents the Department of Child Support Services and the Department of Aging and Adult Social Services, and the Public Guardian. In other words, she has been helping the people who really need it the most, including children and seniors. Her dedication to vulnerable members of the public is obvious from her participation in the Volunteer Center of Riverside County, which is now called Community Connect, a nonprofit agency providing services to seniors, youth, people in crisis, court-referred clients, and welfare-to-work clients. From January 2001 to September 2007, she was a member of its board of directors, and she served as its president for two years. Currently, Jacqueline is on the Advisory Board for Community Connect.

Jacqueline has also been actively involved in various legal organizations. She was appointed in 2005 to the

¹ Gephardt ran for the Democratic nomination for President of the United States.



Jacqueline Carey-Wilson with her father, John Peter Carey, on the celebration of his 90th birthday in January 2013.

State Bar of California's Public Law Section Executive Committee and is now an Advisor on the Executive Committee. Jacqueline is a Past President of the Inland Empire Chapter of the Federal Bar Association and is a current director. She is a board member of Inland Counties Legal Services and is co-chair of the local Red Mass Steering Committee.

And now, Jacqueline will serve as the next President of the RCBA. She is more than deserving and able to meet the expectations of the membership. She has been an active member since 1996. She first became involved with the RCBA through the Barristers, the young and new lawyers division of the RCBA. In 1997, she joined the Publications Committee of the RCBA and is currently its editor. With nearly 20 years of active experience with the RCBA, it is unquestionable that she will be a great president.

Jacqueline realizes that it is a critical time for funding. She would like to continue the momentum that former presidents Robyn Lewis and Chris Harmon have had in order to receive funding for federal, state, and appellate courts. She intends to lobby the legislature and to meet with the legislators to accomplish her goals.

So accomplished, yet so humble and dedicated, Jacqueline Carey-Wilson will undoubtedly be an ideal President of the RCBA. Jacqueline's favorite saying is that if you see someone without a smile, then you should give them one of yours. I believe that saying is always in her mind, because not once have I seen her without a smile. I look forward to being a member of the RCBA during her presidency.

Sophia Choi, a member of the Bar Publications Committee, is a deputy county counsel with the County of Riverside. She is presently serving as President of the Asian Pacific American Lawyers of the Inland Empire.



23rd ANNUAL RED MASS

Tuesday, October 1, 2013, at 6:00 p.m.

OUR LADY OF THE ROSARY CATHEDRAL
2525 North Arrowhead Avenue, San Bernardino

The entire legal community and persons of all faiths are invited to attend the 23rd Annual Red Mass on Tuesday, October 1, 2013, at 6:00 p.m. The mass will be held at Our Lady of the Rosary Cathedral, which is located at 2525 North Arrowhead Avenue in San Bernardino. The chief celebrant will be the Most Reverend Gerald R. Barnes, Bishop of the Diocese of San Bernardino. A dinner reception in the parish hall hosted by the Red Mass Steering Committee will follow the mass.

The Red Mass is a religious celebration in which members of the legal community of all faiths invoke God's blessing and guidance in the administration of justice. All who are involved in the judicial system, including lawyers, judges, legal assistants, court personnel, court reporters, court security officers, and peace officers, are encouraged to attend the Red Mass.

Dennis Christy Will Be Honored with the Saint Thomas More Award

Dennis Christy, former San Bernardino County Assistant District Attorney, will be honored with the Saint Thomas More Award for his extraordinary service and devotion to church, community, and justice. The Saint Thomas More Award is given to attorneys or judges in the community whose professional life is a reflection of their faith, who give hope to those in need, who are kind and generous in spirit, and who are exemplary human beings overall.

The Tradition of the Red Mass

The Red Mass is celebrated each year in Washington, D.C., where Supreme Court justices, members of Congress, and the President attend at the National Shrine of the Immaculate Conception. Since 1991, the Red Mass has been offered in the Diocese of San Bernardino, which covers both Riverside and San Bernardino Counties. For further information about this event, please contact Jacqueline Carey-Wilson at (909) 387-4334 or Mitchell Norton at (909) 387-5444.

LARRY WHITE: LAWYER AND TEACHER

by Bruce E. Todd

There are some who leave but probably few who return.

It is not uncommon to hear a lawyer complain about career burn-out and pine for a different occupation. Since most attorneys feel that they are “unqualified” to do anything else, however, few of those who desire another type of job actually follow through with a departure from the legal profession. Of those who actually do break away, probably very few of them then return to the practice of law.

Larry White is one of the few who left and then later returned. White, who is now a partner with the insurance defense firm of Reback, McAndrews, Kjar, Warford, Stockalper & Moore in San Bernardino, practiced law from 1985 to 1998 before he decided that he had had enough of the legal profession and determined to seek out a different career path. In White’s case, he made the decision to become a teacher.

To backtrack a bit about his career, White graduated from Cal State Fullerton in 1978 with a B.A. in Criminal Justice. It was his intention to become a police officer, but, before he graduated, he decided that, due to societal changes, he no longer wanted to pursue that profession. He eventually obtained a job as a claims adjuster for Allstate Insurance in 1979. He became a multiline adjuster handling everything from vehicular collisions to slip and falls, dog bites, premises liability and other types of tort liability matters.

He discovered that, although he was working for a large insurance company, he could also feel compassionate for the claimant, depending on the facts of the matter. “The hardest thing that I did while working for Allstate was taking a statement from a mother who had watched her children get hit by a hit-and-run driver,” said White.

While working in claims, White decided he wanted to pursue a legal career, so he started attending night school at the University of La Verne College of Law, where he obtained his J.D. in 1985.

He then started working at Thompson & Colegate in Riverside in 1985. He practiced insurance defense litigation, and he handled numerous types of tort liability cases. He left Thompson & Colegate in 1992 to start specializing in medical malpractice defense with LaFollette, Johnson, DeHaas, Fesle & Ames in Riverside. It was while he was with this firm that he met Bob Warford, who is a name partner at White’s current firm (it should be noted

that volumes could be written about Warford, who is also a legendary guitarist and who has played with everyone from Linda Ronstadt to the Everly Brothers).

Although White initially worked in LaFollette’s Riverside office, he was eventually transferred to its Santa Ana office. Somewhere along the way, he started growing weary of the practice of law as well as of the traffic-cluttered commute from his then-home in Norco to Orange County.

In 1998, he made a career-changing decision to leave the law and become a teacher. He enrolled in the teaching credential program at California Baptist University in Riverside. While he was working on his credential, he was hired to teach at Corona Fundamental Intermediate School, where he worked for about a year and a half. He then started teaching at Santiago High School.

White thoroughly enjoyed the energy of being a teacher and having an impact on the lives of our children. “It was a blast,” says White. “There were some kids who really challenged you. It was amazing when the light went on for a kid.” He added, “I really enjoyed being around the students.”

White says that he would generally wear a suit and tie to class. He said that most other teachers would dress in a much more relaxed style. He believes that there was more mutual respect between him and his students because he wore business clothes to work.

During the time he was at Corona Santiago High School, he also served as one of the coaches of the mock trial team.

Unfortunately, after graduating from the program at California Baptist University, White missed obtaining his teaching credential by less than 20 points the first time he took the test. He took the test a second time and missed passing by even less.

It was around this time that he was becoming reenergized about returning to the practice of law. He left his position at Santiago High School and starting working at an insurance defense firm in, again, Santa Ana. It did not take long before he realized that he did not enjoy working at this firm, and he began wondering if he had made the wrong decision by returning to the practice of law.

It was around this time that he bumped into Warford. After he mentioned to Warford that he was dissatisfied with his current employer, Warford encouraged him to apply to his law firm. White jumped at the opportunity to

work again with his old friend, and he was quickly hired. He has now worked with his current firm since 2004. He became a partner in the firm three years ago.

White observes that there are many similarities between being a teacher and a trial lawyer. "When you talk to a jury or a classroom, you have to be prepared," he said. "You have to speak to the level of your audience. You have to give them the tools to build the house – the brush to paint the picture."

He also sees some significant differences between being a lawyer and a teacher. One, of course, is that teachers are generally paid less. Another is that a lawyer might try to fool a jury, but a teacher should never do the same to a student.

"It is often said that, as a lawyer, if you can't dazzle them with brilliance, baffle them with BS," he comments. "But as a teacher, you should never cloud a child's mind with BS."

In his opinion, the United States is falling behind many other countries in the education of our children. "We really need kids in the U.S. to pick it up in the fields of math and science," he opines. "We are falling behind the world, and this bodes poorly for our country."

Although he enjoys his work with his current law firm, he has fond memories of his days as a teacher. "Sometimes all we do as an attorney is help decide 'who gets the money,'" he notes. "Being a teacher can be very rewarding because of the impact that you have on a child's life."

He is proud that, on several occasions, he has encountered one of his former pupils and listened to the student praise him for the education that he provided to that individual.

White currently lives in Mira Loma with his wife Cynthia. When he is not working, he likes to play golf and hang out with his friends (most of whom are not lawyers, he comments).

As an aside (and for the information of old rock 'n' rollers), White is likely the only lawyer in the Inland Empire who attended the Band's legendary "Last Waltz" concert in San Francisco. Even his buddy Warford probably wishes that he was at that one!

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



LAWYER NO MORE

by *Brenda Hinesley*



Brenda Hinesley

I grew up in a blue-collar neighborhood in Nashville, Tennessee and wanted more out of life than my mother had experienced. I tested high on achievement tests, and that meant I could be a doctor or a lawyer, right? With no aptitude for science and no tolerance for blood, that left lawyer.

Unfortunately, I did not know any lawyers and got all my info on this matter from Perry Mason. What I did have plenty of was determination. I was determined

to get out of that neighborhood and not relive my mother's life. All that motivation got me a B.A. from Vanderbilt University, a J.D. from Samford University, and a license to practice law in Alabama.

I married another law student while in law school. He wanted to see the world, and we became United States Air Force Judge Advocate General (JAG) officers. It was at this point that I was forced, at long last, to face the sad truth that I had no aptitude for the law, nor did I enjoy it. Since I had also discovered that motherhood and the military did not mix (especially in those days), I served my four years, returned to civilian life, and had another child. I spent the next decade or so raising my daughters and doing volunteer work. Since I got a migraine every time I tried to study for the California bar, it was clear that practicing law was not going to be an option.

It took a few more years for me to stumble across my true interests, my mentor, and my deep-seated artistic nature. I studied with Hollywood colorist and stylist Suzanne Caygill, who taught me much about art and about myself. Several years after that, I went back to school at Cal State Long Beach and became a film and television costume designer, something for which I have much aptitude and from which I experience great enjoyment. I have designed costumes for cowboys and Chinese railroad workers of the old west, civil rights protesters of the 60s, flower children of the 70s, Ugandan military and rebels, a monster, and numerous contemporary characters across the economic spectrum. I have costumed shorts, features, a National Geographic docudrama, music videos, theater productions, and a television pilot. I am currently working on a large-budget Star Trek fan film.

If I had just gotten in touch with the child who used to be me a little sooner, I would have recognized that that child hated following the rules, but she loved the movies and her paper dolls. But most fortunately, I am married to a very good lawyer, Col. Rex Hinesley, USAF, Retired, retired Chief Assistant County Counsel for San Bernardino County, who has encouraged me to spread my artistic wings and fly.

Brenda Hinesley is a Color & Style Consultant with Harmony Creative Studio.



MEMBERSHIP

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

Matthew Collins – Law Student, Irvine

Crosby Scott Connolly – Hyde & Swigart, Riverside

William Domnarski – Law Office of William Domnarski, Riverside

Wyatt James Holtsclaw – Smith Law Offices, Riverside

S. Masih Kazerouni – Kazerouni Law Group, Riverside

Dr. John G. Madrous (A) – JM Legal Services, New York

Brandon S. Miller – Haslam Perri & Thorne, Ontario

Chandra L. Moss – Holstrom Sissung Marks & Anderson, Corona

Nicholaus N. Ondatje (A) – Remedy Bail Bonds, Colton

Lauren N. Patterson – Law Offices of Stephen M. Cohen, Riverside

Jonathan E. Phillips – Arent Fox, Los Angeles

Andrea Rodriguez – Gresham Savage Nolan & Tilden, Riverside

Alan M. Smith – Office of the District Attorney, Riverside

Matthew Strickroth – Office of the District Attorney, Riverside

Abraham H. Tang – Law Office of Abraham Tang, Orange

Scott M. Tanner – Thompson Steinberg, Riverside

Joshua P. Visco – Law Offices of Joshua P. Visco, Santa Ana

Jerry C. Yang – U.S. Attorney's Office, Riverside

(A) – Designates Affiliate Member



ATTENTION RCBA MEMBERS

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



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

CLASSIFIED ADS

Office Space – Grand Terrace

Halfway between SB Central & Downtown Riverside. 565 to 1130 sq ft., \$1.10/sq ft. No cams, ready to move in. Ask for Barry, (951) 689-9644

Office Space – RCBA Building

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

Office Space – Downtown Riverside

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.

Office Space – Downtown Riverside

Nice office space available for rent located in the Wells Fargo building. Walking distance to the Courts. Full access to conference room. Please contact us today for a tour, (951) 779-0221. Law Office of Rajan Maline.

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.



Riverside
County

LAWYER

Riverside County Bar Association

4129 Main St., Ste. 100, Riverside, CA 92501
RCBA 951-682-1015 LRS 951-682-7520
www.riversidecountybar.com rcba@riversidecountybar.com

PRRST STD
US POSTAGE
PAID
PERMIT #1054
RIVERSIDE, CA

YOU BE THE JUDGE

RCBA Dispute Resolution Services, Inc. (DRS) is a mediation and arbitration provider

Why let the judge or jury decide your case when an experienced professional mediator from DRS can assist you in achieving a settlement of your dispute...on your terms.



DRS, a less expensive, prompt and effective means to Dispute Resolution

DRS is the approved mediation service for the Riverside County Superior Court.
4129 Main Street, Suite 100, Riverside, CA • (951) 682-2132 • www.rcbadrs.org